

**RESOLUTION # \_\_\_\_\_ (2024) – Approving Special Use Permit for 5 & 9 Freese Road, Tax Parcel #s 53.1-1-3.2, 53.1-1-3.7, 53.1-1-1, 53.1-1-2, 53.1-1-3, 53.1-1-4, 53.1-1-5, 53.1-1-6, 53.1-1-7, 53.1-1-8, 53.1-1-9, 53.1-1-10, 53.1-1-11, 53.1-1-12, 53.1-1-13, 53.1-1-14, 53.1-1-15 and 53.1-1-16**

Cl \_\_\_\_\_ offered the following resolution and asked for its adoption:

WHEREAS,

- A. On May 9, 2024, Ithaca Neighborhood Housing Services (INHS) submitted to the Planning Department an application for Site Plan approval and a Special Use Permit for a housing development project in the Varna Hamlet Mixed-Use zoning district at 5 & 9 Freese Road, Tax Parcels 53.1-1-3.2, 53.1-1-3.7, 53.1-1-1, 53.1-1-2, 53.1-1-3, 53.1-1-4, 53.1-1-5, 53.1-1-6, 53.1-1-7, 53.1-1-8, 53.1-1-9, 53.1-1-10, 53.1-1-11, 53.1-1-12, 53.1-1-13, 53.1-1-14, 53.1-1-15 and 53.1-1-16 (to be consolidated into two parcels); and
- B. The application was supplemented on July 12 and August 8, 2024; and
- C. A Special Use Permit is required to allow construction of a building that exceeds the 5,000 sq ft limit specified in Town of Dryden Code (hereinafter “Code”) §270-7.3 C. (1); and
- D. The Town Board has reviewed this application relative to the considerations and standards found in Code §270-7 for the Varna Hamlet Mixed-Use zoning district, §270-11 for site plan review and §270-12 for Special Use Permit; and
- E. The Town Board considers that the application is substantially complete and in conformance with the requirements of the Code; and
- F. A public hearing was held on September 12, 2024 with public comments registered in the meeting minutes and considered by the Town Board; and
- G. The Tompkins County Planning Department has reviewed the application pursuant to §239 -l, -m, and -n of the New York State General Municipal Law and determined that the proposed action will have no significant county-wide or inter-community impacts; and
- H. The Stormwater Management Officer has reviewed the proposal and concluded that a Stormwater Pollution Prevention Plan (SWPPP) is necessary, and applicant is working on finalizing and obtaining approval for such plan; and
- I. Pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations at 6 NYCRR Part 617, the Planning Board of the Town of Dryden, on August 22, 2024, made a negative declaration of environmental significance, after having reviewed and accepted as adequate the Full Environmental Assessment Form Parts 1, 2, and 3, and
- J. On August 22, 2024, the Planning Board granted approval for the site plan and recommended that the Town Board approve this Special Use Permit.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. The Town Board hereby finds that the considerations for approval of the requested Special Use Permit listed in Code Section 270-12 have been met, specifically that:

- a. The proposed use is compatible with the other permitted uses in the Varna Hamlet Mixed-Use zoning district and compatible with the Town of Dryden Comprehensive Plan,
  - b. The proposed use is compatible with adjoining properties and with the natural and manmade environment,
  - c. Parking, vehicular circulation, and infrastructure for the proposed use is adequate,
  - d. The overall impact on the site and its surroundings considering the environmental, social and economic impacts of traffic, noise, dust, odors, release of harmful substances, solid waste disposal, glare, or any other nuisances have been considered and found to be negligible,
  - e. Restrictions and/or conditions on design of structures or operation of the use necessary to ensure compatibility with the surrounding uses or to protect the natural or scenic resources of the Town have been incorporated into the site plan;
  - f. The project complies with the requirements for site plan review and conforms to the Town's Varna Hamlet Mixed-Use zoning district to the maximum extent practicable.
2. The Town Board, finding that the applicant is in compliance with all other provisions of the Code and other applicable ordinances, approves this Special Use Permit to allow construction of a building greater than 5,000 sq ft at 5 and 9 Freese Road with the Town of Dryden Standard Conditions of Approval as amended August 14, 2008.

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