

Approved
August 10th, 2021

Minutes
For
Village of Dryden
Zoning Board of Appeals
62 West Main St Special Use Permit
Held on Wednesday, August 4th, 2021 at 7:00p.m.

CHAIRMAN PRESENT: Charlie Hart
MEMBERS PRESENT: Joyce Day, Adam Holic, Corwin Holtz, Trevor McKee
MEMBER ABSENT: Cory Giroux – out of town
SECRETARY PRESENT: Allison Kjellander-Cantu
GUESTS PRESENT: David Sprout, Code Enforcement Officer
Nick Kuzmik, Planning Board Chairman
Owner, Paul Best, 62 West Main Street

Chairman Hart opened the meeting at 7:02 p.m. on the Special Use Permit/ Site Plan Review application for an ice cream stand in what was the previous showroom of Specialty Trophies & Awards, located at 62 West Main Street. The ice cream stand opened approximately two months ago without a Special Use Permit and Site Plan Review.

The following items were either noted as being part of the record or were read aloud:

- * Memo from the Village of Dryden Code Enforcement dated July 5, 2021
- * Email from New York State Department of Transportation to David Sprout, Code Enforcement Officer with their response of permit dated July 2, 2021
- * Village of Dryden Special Use Permit Application dated June 21, 2021
- * Hand written letter from the owners regarding the parking traffic patterns, garbage and garbage pick-up and hours of operation
- * Letter from the owners with a Survey Map
- * Two pictures from the owners from across the street showing East of the building and across the street showing more of the parking and sidewalk
- * Google Earth map showing drawn in designated parking spot
- * Picture of surrounding properties along with the mailing list with two letters unable to forward
- * It was noted that there were no objections from neighboring properties or Village officials
- * Village of Dryden application for Site Plan Review dated June 21, 2021
- * Draft Minutes from the Planning Board from July 26, 2021
- * Short Environmental Assessment Form

*Letter from Tompkins County Department of Planning and Sustainability

Chairman Hart had a few questions:

The location of a handicap spot: Paul Best was torn between placing the spot by the door or by the window because 80% of the traffic is on foot. Placement right of the door would allow a bigger path to the door. It was stated that the markings would have to be blue and marked on the ground. Current handicap sign location is in the window to the right of the door. The Google Earth map was looked at and the #7 location was noted to be a good spot because it gave a large clearing to the right of it the spot

Exterior lighting: Paul Best stated there is exterior lighting under the long eaves in front of the building giving a dim light over the doors. There are also, two motion detector solar lights that are dim and when motion active become brighter. There is also a street light in front of building

Signage: Currently there is no excess signage to what is being proposed as you are allowed up to 50 square feet. If there will be more signage in the future a permit will need to be issued. The owners are not proposing additional signage right now. The only signage is the hours of operation that is painted on the window

Hours of operation was stated in the letter from owner

Member Holtz brought up having a dispensation to have the garbage picked up three times a week. Chairman Hart found that since this is not a typical restaurant that would generate significant amount of garbage but as long as it is picked up on weekly bases. The garage bin is outside and is brought in every night. Dumpster pick-ups are every Thursday morning

Member Holic question the date on the hand written letter that was with the application and in fact was the same date as the application

The Best started this business as a DBA using under Specialty Trophies & Awards, their current business. They have approved paperwork by the health department

A customer survey box has brought good comments from the community

No trash has been found along either side of the trail besides in the parking lot or sidewalk in front of stand

Planning Board Chairman, Kuzmik stated he was here as a follow up as this is a joint application process

Upon all the information being on the record, and all opportunities for questions and comments, Chairman Hart recommended moving into Executive Session to deliberate at 7:30 p.m., inviting all to stay.

The Board went over the findings,

The property is in a commercial zone utilizing the existing building and repurposing a portion of that building.

Meets the need and general welfare for the community as a gathering place

Parking meets the requirements of the parking ordinance section 309.07 of having at least five parking spots and will need one handicap spot. Sprout stated that this is a walk up ice cream stand that it doesn't need designated number of spots and that it is up to the Planning Board to set the number that is required but the stand meets the requirements.

Garbage is stored in a large dumpster that is picked-up every week. Since this is a not a full scale restaurant this is adequate, and the small garbage bin is brought in every night.

Planning Board conducted their review of the site plan and approved with no conditions.

The Tompkins County Department of Health had no restrictions or comments related to this.

There will be no change or impact to the community as the building and traffic are the same and with no change in the character of the existing neighborhood is beneficial.

The board concluded the findings showed this business would be an asset to the community

On a motion by Zoning Board Member Holtz motion to grant the Special Use Permit and seconded by Zoning Board Member McKee, the following was passed. Vote: Holtz –Aye, McKee – Aye, Day-Aye, Holic-Aye, Hart-Ayes.

RESOLUTION No. 8-4.1-2021
62 West Main Street Special Use Permit

Resolved that the Zoning Board of Appeals of the Village of Dryden hereby approves the Special Use Permit for an ice cream stand known as The Station Creamery located 62 West Main Street previously the showroom of Specialty Trophies & Awards with no conditions.

The Special Use Permit for 62 West Main Street meeting concluded at 7:37 p.m.

Charles Hart, Chairman