

TOWN OF _____ PLANNING BOARD

RESOLUTION NUMBER _____ GRANTING SITE PLAN APPROVAL

WHEREAS, _____ (the “applicant”) has submitted an application to the Planning Board for Site Plan approval pursuant to Article VII of the Town Zoning Ordinance for a convenience store with four self-serve gasoline pumps (the “Project”) on an approximately 1.16 acre lot located at the corner of _____ and _____ (the “Project Site”); and

WHEREAS, a portion of the Project Site was rezoned from Professional Multi-Family to Hamlet Commercial by the Town Board by amendment of the Town Zoning Map on _____; and

WHEREAS, prior to adoption of the Zoning Map amendment, the Town Board was duly designated as Lead Agency for purposes of reviewing the potential environment impacts of the then-proposed re-zoning and of the Project, pursuant to the State Environmental Quality Review Act (SEQRA), and adopted a SEQRA Negative Declaration – Determination of Non-Significance for the re-zoning and the Project; and

WHEREAS, as required by General Municipal Law Section 239-m, the site plan application for the Project was referred to the _____ County Planning Board for its review; however, due to a lack of quorum no recommendation was provided within 30 days, which constitutes a default approval according to the notification received from the County Planning Board; and

WHEREAS, the Planning Board opened a Public Hearing on the Site Plan application for the Project on _____ and continued the Public Hearing to _____, when it was closed, and

WHEREAS, the Planning Board has reviewed the application materials submitted by the Applicant and all comments made at the Public Hearing and submitted in writing through and including _____;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Planning Board determines that the application complies with the review considerations and standards set forth in Article VII of the Zoning Ordinance for Site Plan approval as further discussed below:

(A) *Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.*

The Project Site is located within the _____ Historic District contiguous to property or properties which are listed on the National and/or State Historic Registers. In response to comments on the appearance of the Project, additional building and canopy options have been provided by the applicant to make it more compatible with surrounding building styles. The Planning Board has specified design #4 (among designs provided by the Applicant) for the building with "sail cloth"-colored cement board clapboard-style siding, white trim with shadow board on the overhang, gray architectural shingles, aluminum window frames, removal of certain columns (as specifically identified on the plan drawings) and certain other details. The Planning Board specified design #1 for the canopy over the gasoline pumps with a non-reflective, flat-white surface, black and gray/silver pumps, and certain other details. The sign at the intersection of _____ and _____ will be monument style. The siding on the _____ addition will be replace to be the same as the Project building.

Lighting for the Project will be down-lit LED and the gasoline sign will be LED-type. The underside of the canopy will be lit but there will be no lighting on the sides. The applicant has agreed to turn all lighting off one-half hour after closing at 12 midnight and to keep all lighting off until one-half hour before opening at 5 AM, except that lights may be turned on earlier prior to arrival of employees during appropriate seasonal months for safety reasons. Gasoline deliveries will not be made during school hours or late at night.

There will be two signs, one on the building and one free-standing monument-style sign at the corner of _____ and _____. As discussed below, landscaping will be provided on the site to minimize the visibility of the Project. The applicant has agreed to retain the former _____ building located on the Project Site at the corner of _____ and _____ so that the Project will be less visible to residents of _____ and _____. The applicant has also agreed to replace the siding on the existing _____ addition to be the same as the Project.

The Project is a permitted use in the Hamlet Commercial zoning district and the building, canopy, lighting and sign have been designed to be as compatible as practicable with the surrounding area.

(B) *Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls.*

Vehicle entrances to the Project Site will be provided on _____ and on _____. Vehicle exits will be at these locations and also onto _____. The curb cuts onto _____ and _____ will be 40 feet wide as requested by _____ County DPW to allow tanker and delivery trucks to navigate safely. The exit to _____ will be for a right turn exit only, and the curb and pavement will be configured to control exiting vehicle movement for right turns only. Evaluations were done of the on-site traffic patterns to allow access of delivery trucks and vehicles with trailers and to avoid backups and fender benders.

The traffic study for the project prepared by Creighton Manning Engineering (CME) analyzed the three site access points and four off-site intersections: _____ and _____.

Traffic counts were taken on March 31ST and April 1ST. The afternoon peak hour

was adjusted to include traffic generated by the school and counted on a weekday when school was in session. Pedestrian traffic was also counted. With a 60% pass-by credit, vehicle trips were estimated at 60 during the morning peak hour and 50 in the afternoon. All on-site and off-site intersections showed a level of service of C or better, and the current levels of service will not change as a result of the project. A seasonal adjustment analysis was also done based on NYS DOT data which increased the volumes on _____ and _____ by 25%. The level of service remained acceptable.

Sight distances entering and exiting the site based on speeds measured in the field rather than the posted speed limits were evaluated and found to be sufficient. A suggestion was made that parking could be restricted for approximately 25 feet on either side of the side driveways to minimize impacts of parked vehicles on visibility.

NYS DOT and the _____ County DPW have both reviewed the traffic assessment prepared by CME and signed off on the plan. The applicant has adopted the recommendation of the County DPW that the driveway exiting onto _____ should be restricted to right turns only. NYS DOT has indicated that it will re-evaluate the need for a northbound left turn arrow at the signal located at the corner of _____ and _____ during the summer peak travel season to see if conditions have changed.

An additional evaluation of the impact of re-opening the _____ Bridge was done by CME in response to comments. According to this evaluation, closure of the Bridge resulted in re-routing of traffic which may have increased traffic in the vicinity of the Project Site. This increased traffic was included in the original traffic analysis done for the Project. When the _____ Bridge is re-opened, traffic will likely return to original travel patterns which will reduce traffic in the vicinity of the Project Site but will have a relatively minor impact.

At the continuation of the Public Hearing on June 29th, residents made comments about traffic counts which they had recently taken. After hearing such comments, the Planning Board is satisfied with the traffic reports and information provided by the Applicant's engineer, CME, and with the traffic reviews and approvals from NYS DOT and the _____ County DPW.

The Project will be capable of adequately handling the traffic generated by the proposed uses and existing uses in the area.

(C) *Location, arrangement, appearance and sufficiency of off-street parking and loading.*

There will be 30 parking spaces, including six parking spaces for the former _____ building if it is rented out for office or other use in the future. Ten of the 30 spaces will be located adjacent to the Project building / new convenience store and 14 will be located along the edge of the Project Site. The six spaces intended for use by tenants of the former _____ building are located near that building. As noted above, the evaluations of on-site traffic patterns included access for delivery trucks, including gasoline delivery tankers.

The Project's off-street parking and loading facilities will be adequate with respect to location, arrangement and number.

(D) *Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.*

Sidewalks adjacent to curb cuts will be graded and sloped to meet the surrounding grade and to be in compliance with laws and regulations for handicapped access. Two bicycle racks will be provided on the site. Two picnic tables will be provided in front of the building and two park benches will be provided on the _____ side of the property. Two restrooms will be provided inside the new convenience store.

The Project's on-site pedestrian amenities meet the requirements for site plan approval.

(E) *Adequacy of storm water and drainage facilities.*

The plans submitted by the applicant show existing catch basins and stormwater control devices on the Project Site and roads surrounding the Site. The plans also provide details on the new stormwater control devices to be installed as part of the Project. Stormwater runoff will be handled through an underground stormwater control array.

The Project's stormwater management and drainage design are adequate and meet the requirements for site plan approval.

(F) *Adequacy of water supply and sewage disposal facilities.*

The project will be served by Town water and sewer facilities and there is adequate capacity to provide these services. As requested by the Town Water and Sewer Superintendent, the Project will include a thousand gallon grease trap, the applicant will purchase a water meter and a backflow preventer and the old surface lines for both water and sewer will be dug up and capped at the property line at the owner's expense. With compliance with these requirements, the Project's water supply and sewage disposal facilities will be adequate.

(G) *Adequacy, type and arrangement of trees, shrubs and other landscaping constituting visual and/or noise buffers between the applicant's and adjoining lands, including the maximum retention of existing vegetation.*

Landscaping will be provided between the Project and adjacent residential uses and along _____ and _____, including a vegetated raised berm at the corner of _____ and _____.

Landscaping includes deciduous and evergreen trees and shrubs and various perennials. Six existing trees, ranging from a 12" dbh oak to a 42" dbh maple will remain. The arborvitae shrubs to be planted along the concrete retaining wall between the project and the adjoining property on _____ will provide

both visual and noise mitigation. The mixed planting of Colorado Blue Spruce trees and arborvitae shrubs, together with the existing Maple trees that will remain, will reduce visual and noise impacts to the adjacent property on _____. The Sugar Maple trees along the perimeter of the Project Site will be consistent with trees in the surrounding neighborhood and tall enough to reduce the visual impact of the convenience store and gas pump canopy. Shrubs will be added between the Sugar Maple trees along _____ to block headlights from shining onto properties across the street.

The proposed landscaping will enhance the Project and provide adequate mitigation of visual and noise impacts without interfering with visibility for traffic entering and exiting the Project.

(H) *Adequacy of fire lanes and other emergency zones and the provisions of fire hydrants.*

The 40' wide access points on _____ and _____ and the design of circulation patterns to allow for large delivery trucks will provide adequate access for emergency vehicles. The nearest fire hydrants are located at the corner of _____ and _____ and the corner of _____ and _____, close to the Project Site.

The Project will not interfere with existing emergency vehicle trips and will provide adequate access to the Project for emergency vehicles.

(I) *Adequacy and impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.*

The Project's stormwater management system, as described in paragraph (E) above, will eliminate any potential ponding or flooding on paved surfaces. As noted in paragraph (J) below, exposed soils will be covered to prevent erosion.

(J) *Adequacy of soil and ground cover to ensure the exposed ground surfaces shall be protected by a vegetative growth or other substance that is capable of preventing soil erosion and of eliminating objectionable dust.*

24% of the site will be green space, including landscaping for the Project and the existing green space along _____ adjacent to the old _____ building which will remain undisturbed. All exposed soils will be covered by mulch or grass. These measures will be adequate to prevent erosion and eliminate objectionable dust.

(K) *Compliance with all other provisions of the Zoning Ordinance.*

The proposed Project is in compliance with the other provisions of the Zoning Ordinance and no other actions are required by the Town Board, Planning Board or Zoning Board of Appeals.

(L) *Ability of the Town to provide services and facilities required by project.*

The Town will be able to provide the services and facilities needed for the Project by utilizing existing services and facilities. No new services or facilities will need to be created due to the Project.

2. The Planning Board therefore grants Site Plan approval for the proposed Project, conditioned upon the following:

A. The Project will include the architectural details agreed to at the Planning Board meeting on _____ and discussed in paragraph 1(A) above and consistent with the minutes of the _____ meeting.

B. The gasoline tanks at the current location of the existing _____ will be removed and the facility will no longer be used as a gasoline station.

C. Deliveries to the Project Site and trash-truck pick-ups will be timed to void pedestrian and vehicle traffic related to school opening and closing times, with allowance for occasional unavoidable conflicts.

D. Any proposed use of the former _____ building except for office space will require Site Plan approval pursuant to Article VII of the Zoning Ordinance.

The Resolution was unanimously approved by roll call vote.

N:\Firm\FORMS\MUNIC\RESOLUTIONS\REDACTED FORMS\SITE PLAN APPROVAL.doc