

**TIOGA COUNTY PLANNING BOARD
MEETING MINUTES
January 17th, 2017
Ronald E. Dougherty County Office Building
LEGISLATIVE Conference Room – Main Floor
56 Main Street, Owego, NY
7:00 PM**

I. CALL TO ORDER AND INTRODUCTIONS

- Chairman D. Chrzanowski called the meeting to order at 7:02 PM.

II. ATTENDANCE

A. Planning Board Members:

Present: Doug Chrzanowski, John Current, Chris Curry , William Dimmick III, Art Cacciola, Jim Tornatore, Grady Updyke, Tim Pollard

Excused: Georgeanne Eckley, Sarah Titus

Absent: Pam Moore

B. Ex Officio Members:

C. Local Officials: Scott Kasmarcik, Town of Berkshire Code Enforcement Officer

D. 239m Review: DeAnna Hyche of The Broadway Group LLC and Peter Moreau of CEI Engineering

E. Guests: Sterling Dimmick

F. Staff: Elaine Jardine

III. APPROVAL OF AGENDA

- Approval of agenda

J. Tornatore/D. Chrzanowski/Carried
None Opposed
No Abstentions

IV. APPROVAL OF MINUTES

- Approval of December 20, 2017 minutes

J. Current/C. Curry/Carried
None Opposed
No Abstentions

V. PRIVILEGE OF THE FLOOR

- None heard.

VI. CORRESPONDENCE

- Folder passed around. Not much material this month.

VII. NEW BUSINESS

A. 239 Reviews

1. County Case 2018-001: Town of Nichols, Rezoning, Smith and Austin

The applicants are requesting to rezone their entire properties located at NYS Route 17 Exit 62 WB up to the Susquehanna River from the current Agricultural-Residential (A-R) to Business-Agricultural-Residential (B-A-R). The Austin property is 7.3 acres and the Smith property is 2 acres.

The purpose of the rezoning is that there have been businesses operating out of compliance on these properties for a very long time. G&I manufactured home sales operates on the Smith property, and there is an equipment dealer operating on the southern portion of the Austin property.

While these two properties are both located within FEMA’s Special Flood Hazard Area 1% annual chance of flood, a representative of NYS DEC’s Bureau of Flood Protection and Dam Safety has informed the Town of Nichols Code Enforcement Officer that these uses which are temporary in nature do not pose a problem structurally. They just need to have Floodplain Development Certificates on file, and also be routinely monitored to confirm the temporary nature of the businesses.

Staff recommends approval of the rezonings.

Q.T. Pollard – These properties have not obtained a variance? **A. E. Jardine** – No, they both are a non-conforming use due to the fact that they existed before the zoning code was adopted in 1993. The current Code Enforcement Officer correctly wants to bring them into zoning compliance with these rezonings.

Motion to recommend approval of the Rezoning:

J. Current/T. Pollard/Carried	
Yes	8
No	0
Abstention	0

2. County Case 2018-002: Town of Berkshire, Site Plan Review, The Broadway Group, LLC Dollar General

The applicant is requesting site plan review approval to construct a 9,100 square foot general retail commercial store on the newly subdivided 2-acre parcel. There will be one driveway for ingress and egress and 30 parking spaces provided. There will be one 25-foot light pole, small lighting wall packs on the building, one interior-lit wall sign and one-interior-lit pylon sign, with the bottom of the sign to be 15 feet above grade, located in the northeast corner of the lot.

Hours of operation are set at 7:00 AM to 10:00 PM daily. There are expected to be 10 – 12 employees all together. Vehicle trips generated are expected to be around 16 in morning and evening peak times each, with an estimated six in the remaining hours of the day, totaling nearly 100 customer vehicle trips per day. Additionally, there is one truck delivery per week expected.

The applicant has done their due diligence to ensure this site is suitable for the general commercial use. It will benefit the Berkshire community to have a commercial establishment nearby in which to purchase staple of life goods and that generates sales tax.

Staff has referred this case to both the NYS DOT Region 9 Site Plan Review Committee and the Tioga County Health Department. The applicant has submitted a SWPPP for stormwater management to NYS DEC, who has issued an acceptance.

Staff recommends approval of the site plan review.

Q. J. Tornatore – Trucks will have enough room to maneuver on the side where the loading docks are located? **A. P. Moreau** – Yes, we use a 53 foot tractor trailer model during design so we know there is sufficient area.

Q. D. Chrzanowski – How deep is the underground stormwater holding tank? **A. P. Moreau** – The top is at three feet down to six feet at the bottom. It is a perforated chamber system.

Q. T. Pollard – Will the stormwater be directed to the NYS DOT underground pipe which goes across the road? **A. D. Hyche** – The drainage is split in the parcel into northern and southern directions. **P. Moreau** - It will not connect to the NYS DOT system.

Q. D. Chrzanowski – Have these chamber systems been tested in the Northeast US? I have concerns about freezing, capacity of holding tank, and sand/plowing plugging the perforations of the tank system. **A. P. Moreau** – We use these systems with a good success rate in Minnesota, which has even colder temperatures and more snow. There will be two inlets at the curblineline with sump pumps that will be vacuumed two times per year. The capacity of the chamber system is 7,300 cubic feet, whereas NYS DEC requires only 2,600 cubic feet of holding capacity. **D. Chrzanowski** – You may want to consider moving those inlets back two feet from curblineline so they don't get plugged with snow, ice and road salt.

Q. T. Pollard – Was the stormwater system sized and designed to handle runoff from the hillside behind this site? **P. Moreau** – No, but there will be drainage swales on either side (north and south) of the property to divert runoff away from the building. Water will then flow to the NYS DOT highway ditch.

Q. D. Chrzanowski – Will the exterior lighting be downward directed? **A. D. Hyche** – Yes, the light on the pole will be LED and downward directed at the parking lot only. All exterior lights will timed to go off one hour after closing each day.

Motion to recommend approval of the comprehensive plan adoption:

W. Dimmick/J. Current/ Carried	
Yes	8
No	0
Abstention	0

B. Officers' Oath of Office – E. Jardine distributed forms to the officers of Chair (D. Chrzanowski) and Vice-Chair (W. Dimmick) and asked them to go before a notary when signing and submit at next meeting. She will do the same with the Secretary (P. Moore) at or before the next meeting as she was not in attendance.

III. REPORTS

A. Local Bits and Pieces

1. Town of Candor – A. Cacciola

- The five-member Board of Appeals was established last year.
- Due to this, the seven-member planning board was reduced to five members.

2. Town of Nichols – P. Moore

- Not in attendance

3. Town of Berkshire – T. Pollard

- Busy with the Dollar General Site Plan Review. The Town Board will now hold a public hearing.

4. Town of Tioga – D. Chrzanowski

- No report

5. Village of Waverly – W. Dimmick III

- No report

6. Village of Owego – G. Eckley

- Not in attendance.

7. Town of Newark Valley – S. Titus

- Not in attendance.

8. Village of Newark Valley – J. Tornatore

- Ladder Factory demolition should commence next week and be completed by April 1st. The cost was by a bid that came in just under \$500,000 which is the amount of the NYS Restore NY grant.
- LED lighting will be installed in summer 2018. A. Cacciola commented that the International Dark Skies recommends using LED lights that are orangeish or greenish in hue, not the bright blue.

9. Town of Owego – J. Current

- No report.

10. Town of Barton – G. Updyke

- No report.

11. Town of Richford - vacant

12. Spencer – vacant

- B. Staff Report: E. Jardine stated that she will email TCPB members mileage sheets for 2018.

IX. OLD BUSINESS

- A. Village of Owego PNO District Zoning Amendment re-submittal for revisions.
- E. Jardine informed TCPB members of updated revisions to this draft local law that will make the pocket neighborhood less dense by increasing the minimum amount of open space to 70% and capping the lot density at 18 lots/residences per acre. The TCPB voted by consensus to send this back to

the Village of Owego without TCPB recommendation due to no countywide or intermunicipal impacts. A. Cacciola requested E. Jardine to email a copy to him so he can get up to date on this.

B. Paperless TCPB meetings

- TCPB members decided to continue going paperless, and also have the meeting materials presented via computer on the TV screen. D. Chrzanowski agreed to man the computer.

X. ADJOURNMENT

- A. Next Meeting February 21st, 2018 @ 7:00 PM in the Legislature Conference Room.
- B. Motion made to adjourn at 8:05 PM. C. Curry/W. Dimmick /Carried.

Respectfully submitted,
Elaine Jardine, Tioga County Planning Director
Economic Development and Planning