

**TIOGA COUNTY PLANNING BOARD
MEETING MINUTES
July 18th, 2018
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, Georgeanne Eckley, Grady Updyke, Tim Pollard, Mike Reynolds, John Current, Sarah Titus, Art Cacciola, Chelsea Robertson

Excused:

Absent: Pam Moore

B. Ex Officio Members:

C. Local Officials:

D. 239m Review: Bob Gage of GBT Realty for Dollar General; Andy Harding of AJH Designs for Endless Mountain Veterinary Center

E. Guests: Matt Freeze, Sayre Morning Times

F. Staff: Elaine Jardine

III. APPROVAL OF AGENDA

- Approval of agenda.

J. Current/S. Titus/Carried
None Opposed
No Abstentions

IV. APPROVAL OF MINUTES

- Approval of June 20, 2018 minutes

A. Cacciola/C. Robertson/Carried
None Opposed
No Abstentions

V. PRIVILEGE OF THE FLOOR

- None heard.

VI. CORRESPONDENCE

- Folder passed.

VII. NEW BUSINESS

A. 239 Reviews

1. County Case 2018-016: Village of Spencer, Site Plan Review, Franklin Land Associates, LLC

The applicant is requesting site plan review approval to relocate the general retail store from its current location in the commercial plaza off of NYS Route 34 nearby to this location at 91 West Tioga Street, which is on the south side of NYS Route 34. The applicant plans to section off and subdivide approximately 2 acres surrounding the existing house on the current 7.5-acre parcel. The new retail building will be 9,100 square feet, along with parking signage, access, and all other relevant appurtenances. While much of the current parcel is within FEMA's Special Flood Hazard Area, the applicant will be avoiding locating any of the new building within the 1% annual chance floodplain.

The store at this location will have 10 – 15 employees and hours of operation will be Monday through Saturday 8:00AM to 10:00PM and Sunday 9:00AM to 9:00PM. There are a maximum of 30 vehicle trips per hour anticipated. Two LED light poles in the parking lot. Two signs will be installed – one pylon sign at the entrance and one on the building wall above the entrance.

As the area of disturbance will encompass more than one acre, the applicant is aware that a stormwater pollution prevention plan (SWPPP) must be developed and reviewed by NYS DEC.

Staff recommends approval of the site plan review with these conditions:

- The applicant obtains all required federal, state or local permits licenses and registrations.
- The Spencer Joint Planning Board submits this proposal to NYS DOT Region 9's Site Plan Review Committee for their comments.
- That the applicant works with Tioga County Public Health on the water well and septic system installations.
- That the applicant submits a SWPPP to NYS DEC for review and approval.

Bob Gage of GBT Realty then updated TCPB members with some new information. First, the store will now be 10,500 square feet to include a grocery section. Second, the driveway access will now be located to the western front of the parcel to be located across from the commercial plaza entrance on the north side of NYS Route 34, and away from the stream on the eastern side of the property. Additionally, they plan to elevate the structure so the first floor level is two-feet above the 100-year floodplain elevation. He also distributed a revised site plan and floodplain map.

Q. D. Chrzanowski – It looks like the stormwater practice be part leach drainage and part pond? **A. B. Gage** – Yes. It will be part infiltration basin and part pond

B. Gage also commented that 30 vehicle trips is only at peak time, between 4:00 and 6:00 PM daily. That number is high. I have been told there is more like 23 cars at peak hour.

Q. S. Titus – Will you tear down the existing structure on the property? **A. B. Gage** – Yes, that existing house will be removed. We will offer the house to be moved for anyone interested.

Q. D. Chrzanowski – Will you use the cut material from the pond to elevate the site? **A. B. Gage** – No, the quality of the fill is not sufficient. We will have to use engineered fill material.

Q. A. Cacciola – Can you please ask DG corporate to use brown or green tinted LED lighting instead of the blue? It is less harsh to human eyes and more environmentally sensitive. **A. B. Gage** – I will certainly approach corporate with this request.

Q. T. Pollard – Does the new information cause a change in conditions? **A. E. Jardine** – No, the new information does not change the conditions or the recommendation.

Motion to recommend approval of the Site Plan Review with the conditions noted:

G. Eckley/T. Pollard/Carried

Yes 9
No 0
Abstention 0

2. County Case 2018-018: Village of Owego, Site Plan Review, Endless Mountain Veterinary Center

The applicant is requesting site plan review approval to construct a 1,307 square foot addition to the northwest corner of their current 4,050 square foot building. This addition will contain a waiting room and four new exam rooms and provide handicapped accessibility to the building. The only change will be to add parking spaces along the existing gravel drive that runs along the rear of the building as required by the Village of Owego zoning code. Construction is expected to take four months.

The only Village of Owego zoning code not met is the number of parking spaces. This type of use and size of building require 54 parking spaces, and the applicant shows 30 parking spaces on the site plan. Therefore, an area variance or some other accommodation for overflow parking is needed.

Staff recommends approval of the site plan with the following conditions:

1. That the applicant obtain all required federal, state and local permits, licenses, registrations, and approvals.
2. That the applicant and the Village of Owego Planning Board mutually agree on the specific number of required parking spaces resolved by either designating an overflow parking area on site or requesting the Village of Owego ZBA to grant an area variance. If the latter is decided, the Tioga County Planning Board will waive recommendation on the parking area variance.
3. That the Village of Owego refers this proposal to the NYS DOT Region 9 Site Plan Review Committee for their review and comment on this project.

Q. T. Pollard – Does the applicant plan to increase customer volume with this expansion? **A. A. Harding** – No, just service existing customers better.

Motion to recommend approval of the Site Plan Review with the conditions noted:

J. Current/T. Pollard/Carried
Yes 9
No 0
Abstention 0

III. REPORTS

A. Local Bits and Pieces

1. Town of Candor – A. Cacciola

- Planning Board is working on a wind energy local law.
- Having an issue with a family that is living in multiple mobile homes and using shared septic systems on an old farm subdivided parcel

2. Town of Nichols – P. Moore

- Not in attendance.

3. Town of Berkshire – T. Pollard

- The Dollar General building shell has been constructed.
- The Amish in the town have built four new barns and a school is now being constructed (location?).
- Town CEO has discovered in NYS Building Code that no junk cars (cars for parts) can be stored on a property. There is still one unregistered car allowed per property. Town Planning Board is now revising their proposed revised junk car law to reflect this.

4. Town of Tioga – D. Chrzanowski

- The Halsey Valley Road – Route 17C intersection road elevation project site is now being elevated. The fill is coming from where the town Highway Department stores salt, so now that site will be flat.

5. Village of Waverly – vacant

6. Village of Owego – G. Eckley

- No report.

7. Town of Newark Valley – S. Titus

- Having problem again of foul order from pig farm. E. Jardine recommended to pursue an investigation with NYS Ag & Markets for sound and reasonable agriculture practice.

8. Village of Newark Valley – M. Reynolds

- Submitting bills to Restore NY for the tear down of the old ladder factory. Property can now be used for anything except residential use.

9. Town of Owego – J. Current

- Dollar General construction in Apalachin is going well and looks like they are working on the interior now.

10. Town of Barton – G. Updyke

- No report, but E. Jardine discussed the situation with the asphalt pavement expansion project on Route 34.

11. Town of Richford - vacant

12. Spencer – vacant

B. **Staff Report:** E. Jardine reported that the TCPB should have a new member from Village of Waverly for August meeting – Rawley Filbin.

IX. OLD BUSINESS

A. None.

X. ADJOURNMENT

APPROVED

- A. Next Meeting August 15th, 2018 @ 7:00 PM in the Legislature Conference Room.
- B. Motion made to adjourn at 8:12 PM. S. Titus/M. Reynolds /Carried.

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