# TIOGA COUNTY PLANNING BOARD MEETING MINUTES April 15, 2020

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 7:06 PM.
- Note this meeting was conducted via Zoom as allowed by Governor Cuomo Executive Order regarding COVID-19 spread prevention. These minutes also serve as a transcript of the meeting.

## II. ATTENDANCE

A. Planning Board Members:

**Present:** Doug Chrzanowski, Rawley Filbin, Art Cacciola, John Current, Grady Updyke, Tim Pollard, Mike Reynolds, Tim Goodrich, Chelsea Robertson, Georgeanne Eckley

## Excused:

Absent: Sarah Titus, Pam Moore

- B. Ex Officio Members:
- C. Local Officials: Charlie Davis, Town of Richford Supervisor and William Stell, Town of Richford Planning Board Chair
- D. 239m Review: Janet and Pat Jordan of Richford Pizza & More, Emily and Greg Pellicano and Ike and Julie Lovelass of Public Well
- E. Guests: none
- F. Staff: Elaine Jardine

# III. APPROVAL OF AGENDA

• Approval of agenda.

G. Eckley/T. Pollard/Carried None Opposed No Abstentions

## IV. APPROVAL OF MINUTES

• Approval of March 18, 2020 minutes.

D. Chrzanowski/T. Pollard/Carried None Opposed No Abstentions

# V. PRIVILEGE OF THE FLOOR

- None heard.
- VI. CORRESPONDENCE



• Not applicable

### VII. NEW BUSINESS

### A. 239 Reviews

# 1. County Case 2020-008: Town of Richford, Site Plan Review, Richford Pizza & More

The applicant is requesting site plan approval to construct and operate a 9,582 square foot commercial plaza that will house a pizza and ice cream restaurant, as well as six additional small low-intensity general commercial stores. The total area of the project is 1.04 acres, with only ½ acre being disturbed. The additional tenant stores will include a bank satellite, a hardware store, a yarn store, a craft store and two yet to be determined.

Applicant expects to employ five full-time and four part-time people for the restaurant alone. The six stores will have one full-time and one part-time employee each, for a total additional six full-time and six part-time employees. The applicant anticipates that the plaza will draw 100 cars from the highways plus 25 local cars per day, for a total of 125 vehicular trips per day. The applicant has provided 40 parking spaces for the plaza, which includes two handicap spaces as well as the six employee spaces in the service area.

The neighborhood contains a mixture of residential and commercial uses at the main intersection in the hamlet of Richford. This proposed business is in character with the area.

This is general retail commercial plaza is proposed in a suitable location and is appropriate for the area. Having this property return to a productive use will benefit the Richford community, as well as provide some essential services.

Staff recommends approval of the site plan review with the conditions that the applicant complies with NYS DOT Region 9's comment and requirements, and the Town of Richford Planning Board completes the Agricultural Data Statement Form process.

**Q. D. Chrzanowski** – Have the state highway appurtenances been upgraded at this intersection? **A. E. Jardine** – Yes, NYS DOT completed those upgrades a couple years ago.

**Q. E. Jardine** – Pat, have you submitted the drainage study to Sean Murphy NYS DOT? **A. P. Jordan** – No, I will tomorrow.

**Q. T. Pollard** – It looks like all the drainage on the lot runs to the southeast corner of this property onto Mill Street without any stormwater runoff controls. Is this correct? A. **C. Davis** – This is the natural drainage pattern of the site. **E. Jardine** asked Pat Jordan to clarify this answer. **P. Jordan** explained that the roof and gutter stormwater reception systems on the structure, combined with the two dry wells in the parking lot, would intercept the vast majority of runoff before it gets to the southeast corner and Mill Street. Only 1/8 of the total stormwater runoff will reach Mill Street.

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

R. Filbin/C. Robertson/Carried Yes 10 No Abstention

# 2. County Case 2020-009: Village of Owego, Site Plan Review and Area Variances, Public Well

The applicant is requesting site plan approval to construct and operate a brewery, taproom, deli restaurant and incubator retail space at the site of the former Thompson's Grocery, which measures approximately 4,800 square feet. The applicant does not plan changing the footprint of the current complex of buildings, but will extensively renovate the interior and exterior of the building(s). The project also includes an outdoor seating / and garden area, as well as three residential apartments on the second floor.

Hours of operation include: The Deli will operate from 7:00am-7:00pm daily The Brewery will operate from 7:00am-12:00pm daily The Taproom and Incubator will operate from 12:00pm-10:00pm daily

The applicant expects that the Deli and Taproom will create two full-time positions each, and the Brewery and Incubator will each create one full time position in the first year of operation. They also project to have six full-time employees by year three of operation.

The only exterior lighting will small gooseneck lights that will illuminate exterior entrance and exits, and the projected front sign, the rear sign and the mural sign on the north sides of the building.

The surrounding neighborhood has a mix of residential and commercial uses, therefore this proposed use compatible with the area.

This significant investment project will allow for renovation of a currently decrepit building and increased tax revenue for the Village of Owego. It will also bring more tourism visitors and spending into the County. With exception of the parking and the number of signs, this proposal is compliant with all other applicable zoning code regulations. The area variances request are of nominal significance and the economic and community benefit outweighs the minimal impacts. Even the parking scenario is reasonable alternative and solution, as most off-site parking provided nearby is in-off-street settings.

Staff recommends approval of the site plan review and parking and sign area variances with the conditions that the Village of Owego ZBA grants the parking and sign area variances, and that the applicant works with the Village Code Enforcement Officer to solve the rear deck design and front sign lighting issues.

**Q. D. Chrzanowski** – The left access point to the deck exits directly to the McMaster Street right of way. Is there a way to re-design that so people are not walking directly on to the street? **A. E. Pellicano** – Yes, we can look at that.

**E. Jardine** - Are the residential properties along Depot Road included in the current I2-B-A-R District? A. **E. Jardine** then commented that she spoke with the Village of Owego Code Enforcement Officer today, and he pointed out that only one sign is allowed in B and I zoning districts per the Village of Owego zoning code. As the applicant is proposing three signs, the TCPB will have to amend the recommendation for approval to add the requirement of an area variance for the number of signs. D. Chrzanowski added we would also have to amend the motion to include changes to the rear deck. Motion to amend recommendation for approval of site plan review to add conditions of area variance for number of signs, as well as working with Code Enforcement Officer on rear deck design:

D. Chrzanowski/C. Robertson/Carried Yes 10 No Abstention

Motion to amend recommendation for approval of site plan review and parking and signage area with conditions noted:

D. Chrzanowski/T. Pollard/Carried Yes 10 No Abstention

### VIII. REPORTS

### A. Local Bits and Pieces

- 1. Town of Candor (A. Cacciola)
  - Candor's Emergency Squad is holding a chicken dinner on Mother's Day.
- 2. Town of Tioga (D. Chrzanowski)
  - Nothing new, no Town Planning Board meeting this month.

### 3. Town/Village of Spencer (T. Goodrich)

- Village of Spencer's Dissolution Study shows a 12.9% increase in taxes before the CETC credit.
- 4. Town of Berkshire (T. Pollard)
  - No report.

### 5. Village of Newark Valley (M. Reynolds)

 No report, except the Village of Newark Valley's and other municipality's budgets will be poor shape given the drastic reduction in sales tax. E. Jardine commented that she attended an SBDC webinar with Congressman Brindisi this past Tuesday, and he said a fourth federal stimulus package is in the works that creates and aid for mainly Counties in NYS that addresses the reduction in sales tax revenue.

## 6. Town of Newark Valley (S. Titus)

- Not in attendance.
- 7. Town of Barton (G. Updyke)
  - No report.
- 8. Town of Owego (J. Current)
  - No report
- 9. Town of Nichols (P. Moore)
  - Not in attendance.

**APPROVED** 

### 10. Village of Waverly (R. Filbin)

- No report
- **11.** Village of Owego (G. Eckley)
  - No report.

### **B. Staff Report:**

E. Jardine informed Board members that the Financial Affidavit Disclosure submission date has been delayed until July 31.

### IX. OLD BUSINESS

A. Lounsberry properties rezoning March 2020 case update – E. Jardine reported that Kevin Engelbert realized that one of his properties was not included in the rezoning, which had concluded last night at the Nichols Town Board meeting. He wants to conduct another rezoning process, including his parcels, well as the other residential properties that TCPB members were concerned about.

## X. ADJOURNMENT

- A. Next Meeting May 2020, @ 7:00 PM in the Legislature Conference Room, or via Zoom.
- B. Motion made to adjourn at 8:10 PM. D. Chrzanowski/G. Eckley/Carried.

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