

**TIOGA COUNTY PLANNING BOARD
MEETING MINUTES
January 18, 2023
Tioga County Health & Human Services Building, Room #2139**

I. CALL TO ORDER AND INTRODUCTIONS

- Chairman D. Chrzanowski called the meeting to order at 7:01 PM.

II. ATTENDANCE

A. Planning Board Members:

Present: Art Cacciola, Doug Chrzanowski, John Current, Pam Moore, Chelsea Robertson, Matt Tomazin, Grady Updyke, Bryan Goodrich

Excused: Georgeanne Eckley

Absent:

- B. Ex Officio Members: none
- C. Local Officials: Craig Jochum, Town of Owego Councilman
- D. 239m Review: Chris Crawn
- E. Guests: None
- F. Staff: Elaine Jardine

III. APPROVAL OF AGENDA

- Approval of agenda as presented.

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

IV. APPROVAL OF MINUTES

- Approval of December 21, 2022 minutes.

P. Moore/J. Current/Carried
None Opposed
No Abstentions

V. PRIVILEGE OF THE FLOOR

- None

VI. CORRESPONDENCE

- On file at the EDP Office

VII. NEW BUSINESS

A. 239 Reviews

1. County Case 2023-001: Town of Nichols, Use Variance, Chris Crawn

The applicant is temporarily storing commercial trucks and telephone poles on his agricultural operations property for a commercial sub-contracting company. Mr. Crawn is leasing his property to Richardson Electric Company who is erecting poles and fiber cable throughout the Town of Nichols for better broadband and internet service. This commercial activity is not allowed in an Agricultural/Residential zoning district, according to the Town of Nichols zoning code, therefore a use

variance is necessary. E. Jardine then went through each of the four questions/tests of the use variance, demonstrating how the applicant does not adequately answer each question. The applicant clearly does not pass all four tests for the NYS use variance; therefore, the Town of Nichols ZBA should not be granting the use variance.

Staff advises the County Planning Board to recommend disapproval of the use variance.

Q. P. Moore – Since most of the Town is zoned Agricultural Residential, this means that Tioga Downs is out of compliance? **A. E. Jardine** – No, Tioga Downs is in a Business Agricultural Residential zoning district.

Q. J. Current – This is not a question of being fair, it is about the law, correct? **A. E. Jardine** – Yes.

Motion to recommend disapproval of the use variance:

C. Robertson/B. Goodrich/Carried	
Yes	7
No	0
Abstentions	1 (P. Moore)

VIII. REPORTS

A. Local Bits and Pieces

1. **Town of Candor** (A. Cacciola)
 - The Town has a sign law that does not allow digital signs. However, the previous Code Enforcement Officer allowed a church to have one, although no one can find the permitting paperwork. What to do? Change the process moving forward.

2. **Town of Tioga** (D. Chrzanowski)
 - RPM garbage is no longer in business. A company from Rochester, Dependable, bought them out but are having a local guy manage things here.

3. **Town of Newark Valley** (M. Tomazin)
 - No report.

4. **Town of Barton** (G. Updyke)
 - No report.

5. **Town of Owego** (J. Current)
 - No report.

6. **Town of Nichols** (P. Moore)
 - No report

7. **Village of Owego** (G. Eckley)
 - Not in attendance.

8. **Alternates** (B. Goodrich, C. Robertson)
 - No report.

B. Staff Report:

- None.

IX. OLD BUSINESS

- P. Moore – Is the Montrose Turnpike solar project still moving forward? E. Jardine stated yes, it is, they are probably still going through engineering. D. Chrzanowski suggested they may also be having supply chain issues.

X. ADJOURNMENT

- A. Next Meeting February 15, 2022, @ 7:00 PM at HHS Building Room #2139.
- B. Motion made to adjourn at 7:34 PM. A. Cacciola/J. Current/Carried.

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