



MEETING AGENDA
TIOGA COUNTY PLANNING BOARD
January 18, 2023 at 7:00 PM
Tioga County Health and Human Services Building, Room #2139
1062 State Route 38, Owego NY 13827

- I. CALL TO ORDER
 - A. Introductions

- II. ATTENDANCE
 - A. Members:
 - B. Ex Officio Members:
 - C. Local Officials:
 - D. 239m Review Applicants:
 - E. Guests:

- III. APPROVAL OF AGENDA

- IV. APPROVAL OF MINUTES
 - A. December 21, 2022

- V. PRIVILEGE OF THE FLOOR

- VI. NEW BUSINESS
 - A. 239 Reviews
 - 1. County Case 2023-001: Town of Nichols, Use Variance, Chris Crawn

- VII. REPORTS
 - A. Local Bits and Pieces
 - B. Staff Report

- VIII. OLD BUSINESS
 - None

- IX. ADJOURNMENT
 - A. Next Regular Meeting February 15, 2023 at the HHS Building
 - B. Adjourn

**TIOGA COUNTY PLANNING BOARD
MEETING MINUTES
December 21, 2022
Tioga County Health & Human Services Building, Room #2139**

I. CALL TO ORDER AND INTRODUCTIONS

- Chairman D. Chrzanowski called the meeting to order at 7:00 PM.

II. ATTENDANCE

A. Planning Board Members:

Present: Art Cacciola, Doug Chrzanowski, John Current, Georgeanne Eckley, Rawley Filbin, Pam Moore, Chelsea Robertson, Matt Tomazin

Excused: Grady Updyke, Bryan Goodrich

Absent: Tim Pollard

B. Ex Officio Members: none

C. Local Officials: none

D. 239m Review: Mahesh Kaneria, Marc Maser

E. Guests: None

F. Staff: Elaine Jardine, Karen Warfle

III. APPROVAL OF AGENDA

- Approval of agenda as presented.

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

IV. APPROVAL OF MINUTES

- Approval of November 16, 2022 minutes.

M. Tomazin/Art Cacciola/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 2022-033: Town of Owego, Floodplain Special Use Permit and Site Plan Review, Dunkin Donuts

The applicant is requesting a floodplain development special use permit and site plan review to erect a new 1,695 square foot Dunkin Donuts establishment on site that will comply with current floodplain regulations. The current store will be demolished. Number of employees and hours of operation will remain the same at 27 employees and hours of operation daily 5:00 AM to 8:00 PM.

The number of parking spaces shown on the site plan, building setbacks, and new ground sign are all in compliance with the Town of Owego zoning code.

There are two driveways proposed, one entry and one exit to prevent conflicting cross traffic at the front of the store.

This property is located within an existing commercial area along State Route 434, so the redevelopment of the Dunkin Donuts is appropriate for the area. Having the store in compliance with the Town of Owego's Flood Damage Prevention Law is important for National Floodplain Insurance Program (NFIP) compliance.

Conditions:

1. That the applicant obtains all required state, county and local permits, licenses and registrations.
2. That applicant complies with NYS DOT Region 9 Site Plan Review Committee's comments and requirements.

Staff advises the County Planning Board to recommend approval of the flood plain development special use permit and site plan review with the conditions noted above.

Q. C. Robertson – Is the current building elevated? **A. E. Jardine** – No, so it is not in compliance.

Q. P. Moore – How much total fill will be brought in? **A. M. Maser** – About 1.5 feet. I will get the total cubic yards to this board. **D. Chrzanowski** – What's the rough size of the building? **E. Jardine** – 1695 feet. **P. Moore** – How much of the parcel is going to be elevated? **A. M. Maser** – Just the building, and in working with the Town to control some of the drainage there, I've proposed some stone trenches to take the runoff and route it to the back of the site. He provided additional information about slope, and the rock to prevent erosion.

Q. E. Jardine – So will you be filling just the building area, or the whole property? **A. M. Maser** – The building area will raise up but then the area will level out. **C. D. Chrzanowski** – Your cut-through shows on the back side that you're actually dropping it a foot and a half. **C. D. Chrzanowski** – It's probably about 100 ton, not a lot of material. **Q. P. Moore** – And you won't disturb the vegetation? **A. M. Maser** – That's right, because it does drop down and the trees there will serve as a buffer.

Q. D. Chrzanowski – Did you add space as to the number of cars that can fit lengthwise in the drive-through? **A. M. Maser** – Yes, we moved the building back farther to improve the queue as much as possible. Other Dunkin sites have found that double drive-throughs don't work well. **C. J. Current** – The new design will also alleviate getting trapped in parking spaces by the building.

Q. P. Moore – Is there a smart-phone app to help alleviate some of these issues? **A. M. Maser** – Yes, and there are 2 spaces dedicated to mobile orders.

Q. G. Eckley – To confirm, you're raising and moving the building location? **A. M. Kaneria** – Yes and there are two driveways, so no one is blocked in by customers or the delivery trucks.

C. M. Maser – Regarding the DOT 5 feet offset from the property line, I can adjust the radius to get that offset and the trucks will have no problem getting in and out. I will adjust the site plan accordingly. **C. E. Jardine** – Be sure to let DOT know you are doing that or they will require approval from the adjoining property owner, and you'll have to have that for the highway work permits.

C. D. Chrzanowski – Shields on the parking lot lights are highly recommended to reduce glare for highway traffic. **C. M. Maser** – a photometric analysis has been done and included in the request.

C. P. Moore – Bringing fill into the flood plain can adversely impact residents during a bad flood in that area, which includes a sewage treatment plant and municipal well heads. **C. M. Maser** – With the site being small, I want to bring in the smallest possible amount of fill to get the building up to

where it needs to be. **C. D. Chrzanowski** – with the proposed building size, the calculated amount is fairly minimal. And material will be removed in the back of the site.

Motion to recommend approval of the site plan review and special use permit:

C. Robertson/J. Current/Carried	
Yes	8
No	0
Abstentions	0

VIII. REPORTS

A. Local Bits and Pieces

1. **Town of Candor** (A. Cacciola)
 - The Candor Holiday Parade was well-attended.
 - Can we, as a county, enact a lighting ordinance? E. Jardine – No, the town can.

2. **Town of Tioga** (D. Chrzanowski)
 - No report.

3. **Town of Berkshire** (T. Pollard)
 - Not in attendance.

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

5. **Town of Barton** (G. Updyke)
 - Not in attendance.

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

7. **Town of Nichols** (P. Moore)
 - We have a high-speed fiber project in progress and contractors are all over our agricultural fields. C. Robertson will provide a contact who can address this problem.

8. **Village of Waverly** (R. Filbin)
 - No report.

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

10. **Alternates** (B. Goodrich, C. Robertson)
 - C. Robertson talked about FCC Broadband Map Challenges and how to submit a challenge, which must be done before 01/13/23. She will email more information to the board.

B. Staff Report:

- This meeting room is booked for every planning board meeting in 2023.

IX. OLD BUSINESS

- None.

X. ADJOURNMENT

- A. Next Meeting January 18, 2022, @ 7:00 PM at HHS Building Room #2139.
- B. Motion made to adjourn at 7:30 PM. J. Current/P. Moore/Carried.

Respectfully submitted,

Elaine Jardine, Tioga County Planning Director
Economic Development & Planning

**Economic Development and Planning
Legislative Committee Report
January 3, 2023
Prepared By: Elaine Jardine**

Meetings

- Tioga County Planning Board meeting
- ST8 Climate Smart Communities meeting
- ST8 Broadband Collaborative meeting
- BMTS Planning Committee meeting
- ITCS Steering Committee meeting
- NYS Association of County Planning Directors meeting

Active Projects

- Gateway beautification project in Waverly with school students to paint murals at strategic gateway locations. Students have painted the mural on panels. The mural is not going on the RR under pass, but possibly the side of Don Foote's building. Estimate now is that the mural will be erected in springtime 2023.
- Waverly NY Forward application – helped with the interview presentation.
- Town of Richford – Assisting the Town Planning Board with developing a solar energy law. Waiting on the Town Board to make last changes to the draft law before it goes through local approvals.

Grants

Active

- DOS Local Government Efficiency Program - County ITCS Shared Services with Village of Owego and Town of Candor – IT is still waiting on Haefele and STN to act for the Town of Candor – splicing of cable should take place in December and then work can begin.
- ESD Planning and Feasibility Study Program – Village of Waverly downtown economic market analysis (\$50,000) – The Village provided the final MRB Group report to ESD, who will review it in January.
- OPRHP EPF Municipal Grant Program – Village of Owego OPD building restoration (\$625,811). Assisting Village of Owego officials with grant implementation and administration. The Village selected Hunt Engineering for their pre-construction and construction supervision firm.
- Appalachian Regional Commission (ARC) Tioga County IDA Education Workforce Coordinator – Worked with the IDA Executive Director to submit the first four-month interim report.
- FEMA HMGP DR 4567 – Tioga County IDA stream crossing in Town of Richford preliminary engineering services – FEMA awarded this grant. Work will begin after the subrecipient contract is executed between NYS DHSES and the IDA.
- FEMA HMGP DR 4480 – Grant to update the County's Hazard Mitigation Plan has been awarded to NYS by FEMA. CPD created RFP to solicit consultant services proposals. The RFP will be released on January 4.
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Pending

Potential

- Appalachian Regional Commission FY2022 – Wrote and submitted grant application to fund 50% of the consultant cost for a new County operational strategic plan. The application is now down for review at ARC in Washington, DC, awaiting contacts information when they can be entered.
- Appalachian Regional Commission FY2022 – Assisted TCIDA Executive Director with grant application to fund 50% of consultant cost to develop preliminary engineering to make the

Lounsberry Industrial Park site shovel ready. This application is now down for review at ARC in Washington, DC.

Plans/Studies

- Village of Waverly Comprehensive Plan Implementation – Waverly art students' gateways mural projects and downtown design guidelines. Work is finalized on the Village of Waverly Downtown Economic Market Analysis. Additionally, this Department wrote and submitted the Waverly NYF grant application as well as constructed the interview presentation.

Reviews (239)

- County Case 2022-032: Town of Owego, Site Plan Review and Floodplain Special Use Permit, Dunkin Donuts – Applicant proposes to demolish and totally rebuild the store in Apalachin so that it is properly elevated to comply with the Town's Flood Damage Prevention law. Staff advised the County Planning Board recommend approval, and the County Planning Board voted to recommend approval.
- **Resolutions –**
A15 – Authorize acceptance of FEMA Hazard Mitigation Update Grant and Modify 2023 Budget