

**TIOGA COUNTY PLANNING BOARD
MEETING MINUTES
January 18, 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 7:01 PM.

II. ATTENDANCE

A. Planning Board Members:

Present: Doug Chrzanowski, Grady Updyke, Tim Pollard, John Current, Pam Moore, William Dimmick III, James Tornatore, Jason Bellis

Excused: Chris Curry, Sarah Titus, Georgeanne Eckley

Absent:

B. Ex Officio Members:

C. Local Officials: Howard Stultzfus of Town of Nichols ZBA and Jayne Stultzfus of Town of Nichols Planning Board

D. 239m Review: Scott Freeman of Tioga Downs Racetrack LLC, and Aaron Gowan, Kate Whitemore and Ryan Rennells of Home Central

E. Guests: Matt Freeze of Sayre Morning Times, Sam Bush OFA Participation in Government student

F. Staff: Elaine Jardine

III. APPROVAL OF AGENDA

- Approval of agenda as amended, adding item VII B and switching order of 239 referral cases 001 and 002.

P. Moore/J. Tornatore/Carried

None Opposed

No Abstentions

IV. APPROVAL OF MINUTES

- Approval of December 21, 2016 minutes with one correction on 1st page.

J. Bellis/T. Pollard/Carried

None Opposed

No Abstentions

V. PRIVILEGE OF THE FLOOR

- None heard.

VI. CORRESPONDENCE

- Folder passed around.

VII. NEW BUSINESS

A. 239 Reviews

1. County Case 2016-033b: Village of Waverly, Site Plan Review, Granite Works, LLC – No Action

E. Jardine explained that Granite Works’ attempt to purchase the Gerald Weed property to the west did not materialize, impacting the intended truck entrance from East Chemung Street. Granite Works then decided to reverse the truck traffic flow, having them enter from William Donnelly Parkway, proceed to the rear of the new warehouse for loading, and exit straight up to East Chemung Street. The TCPB Chair agreed to send a letter back to the Village of Waverly waiving comment due to no significant change in the action.

2. County Case 2017-002: Town of Candor, Site Plan Review, D&A Properties (Home Central)

The applicant is proposing to relocate their existing Home Central retail hardware store on Rich Street in the Village of Candor to this property, formerly Jack’s Restaurant. The applicant is currently under contract to purchase the properties. The existing building is 3,680 square feet on 5 acres. The new retail use will use the current parking area, and include expansions to the rear (east) of 5,000 +/- square feet of retail / showroom /office space, plus another 8,400 +/- square feet of drive-thru warehouse space. This totals 17,080 square feet. Applicant estimates that this new location will facilitate a doubling of their business.

Anticipated hours of operation will be M-F 7:30 AM to 7:00 PM, Sat 7:30 AM to 5:00 PM, and Sun 9:00 AM to 3:00 PM. Employees will double from 3.5 to 7. They anticipate about 150 customers per day, resulting in 170 vehicles per day including an average of four tractor trailer deliveries per week. Construction is to be complete within 12 months upon obtaining approvals.

This proposal is in alignment with all the Town of Candor’s Site Plan Review consideration and is an appropriate adaptive reuse of the previous restaurant. The state highway location will result in more customers and an increase in business for the applicant, who is local and successfully runs other Home Central businesses in the area. The existing highway network is sufficient to handle the increase in traffic. NYS DOT Region 9 Site Plan Review Committee has already reviewed this proposal and had only one comment regarding moving large rocks that might be encroaching on NYS DOT right-of-way.

Staff recommends approval of the site plan review.

E. Jardine asked the applicant about missing information regarding plans for water well and septic – will they be using the existing ones? **K. Whittemore** responded that they will use the existing water well, but the septic system will have to be moved because it is located where the rear building expansions will be constructed.

Q. P. Moore- Do you know how long it has been since Jack’s Restaurant closed? **A. A. Gowan** – In 2013.

Motion to recommend approval of the site plan review:

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

Abstention 0

3. County Case 2017-001: Town of Nichols, Area Variances, Tioga Downs Racetrack, LLC

The applicant is resubmitting their request for area variances to grant relief from both the Town of Nichols sign height regulation, which is 20 feet in all zoning districts, as well as from sign size, which is restricted to 50 square feet per side for freestanding signs, to erect an on premise, digital bulletin board.

The proposed free-standing billboard is to be 30 feet high (last submission was 40 ft) above final grade and the size of one face of the two-sided sign will be 288 square feet (last submission was 314 sq ft).

The sign is to be placed near State Route 17, where the current motorcycle parking is for the facility. NYS DOT and the applicant had agreed upon this location during the last submission of this request. See illustrations for exact location.

When considering the tests for the area variances, the applicant has reduced the size of the sign, and the economic benefits outweigh any impacts to the neighborhood/community. Staff recommends approval of the area variances.

Q. P. Moore- There is a lot of sign noise now at the Tioga Downs facility with the large CASINO letters, the parking garage signs and the restaurant signs, some of which the Town ZBA has already grant area variances for. Will Tioga Downs discontinue the use of the two parking garage signs if you get permission to erect the digital billboard? **A. S. Freeman** – No, that is not our intention.

H. Stultzfus commented that the community likes the look of the county fair-themed facility, but the proposed bulletin board is not in character with this. Also, digital billboards are illegal along interstate highways. D. Chrzanowski responded that right now, Route 17 is still a state route and under the jurisdiction of NYS DOT, so a digital billboard is allowed until Federal Highway makes the official interstate designation.

Discussion ensued on the sign issue, mostly contending that since several requests have now been made for area variances from the signs regulations, the Nichols Town Board should consider amending this portion of code to make it less restrictive. Then discussion turned to procedure, and if this updated proposal had been submitted to NYS DOT Region 9 for their comment. J. Bellis confirmed that it had not.

Motion to recommend approval of the area variances with condition added to submit to the NYS DOT Region 9 Site Plan Review Committee for their comment:

D. Chrzanowsk/J. Tornatore/Carried	
Yes	6
No	0
Abstention	2 (J. Bellis, P. Moore)

B. Nominations for 2017 Officers

Nominations occurred as follows:

Chair – Doug Chrzanowski	T. Pollard/J. Tornatore/Carried
Vice Chair – Tim Pollard	J. Bellis/W. Dimmick, III/Carried
Secretary – Pam Moore	D. Chrzanowski/T. Pollard/Carried

The Board will vote on this slate of nominations at the February or next regular meeting.

VIII. REPORTS

A. Local Bits and Pieces

1. Town of Candor – J. Bellis

- Planning Board is working on either a light or noise ordinance. He will check and report back.
- E. Jardine reported that the Candor Board of Appeals had their first meeting, at which she provided training on the duties of zba's.

2. Town of Nichols – P. Moore

- Nothing other than the Tioga Downs billboard case.

3. Town of Berkshire – T. Pollard

- Planning Board has two member vacancies and 1 alternate member vacancy, so they are struggling to complete the comprehensive plan update.
- Inquired about STERPDB project activities. J. Bellis is the At-Large Board member for Tioga County, and he volunteered to pass along STERPDB Regional Board agendas and minutes as they are provided.

4. Town of Tioga – D. Chrzanowski

- Town salt shed is finally being constructed.

5. Village of Waverly – W. Dimmick III

- No report. E. Jardine announced this is Bill's last meeting due him moving away from the Village of Waverly.

6. Village of Owego – G. Eckley

- Not in attendance.

7. Town of Newark Valley – S. Titus

- Not in attendance, but Jim reported that they now have a full, functioning Planning Board that is working on the comprehensive plan update.

8. Village of Newark Valley – J. Tornatore

- Planning Board is close to completing the first draft of their master plan update.

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 informed TCPB members that EDP will not be conducting a CFA Workshop this year, but instead has prepared a presentation to present individually to municipal boards, nfp boards, and businesses. Please inform your Town Board and they can request a presentation.

IX. OLD BUSINESS

- Training Hours Report 2016 – Many TCPB members have less than 4 training hours. NYS DOS has online and webinar trainings available. D. Chrzanowski requested a link to these resources. E. Jardine will email this to TCPB members.

X. ADJOURNMENT

- A. Next Meeting February 15th, 2017 @ 7:00 PM in the Legislature Conference Room.
- B. Motion made to adjourn at 8:28 PM. J. Bellis/J. Tornatore/Carried.

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