

**TIOGA COUNTY PLANNING BOARD
MEETING MINUTES
February 20, 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 7:00 PM.

II. ATTENDANCE

A. Planning Board Members:

Present: Doug Chrzanowski, Rawley Filbin, Art Cacciola, John Current, Grady Updyke, Chelsea Robertson, Tim Pollard

Excused: Mike Reynolds, Tim Goodrich, Sarah Titus, Georgeanne Eckley, Pam Moore

Absent:

B. Ex Officio Members:

C. Local Officials: None

D. 239m Review: Dan Schweigard of AT&T Mobility, Shelley and Ramon Garcia and Deb Twigg of Garcia’s Mexican Restaurant, Mark and Wendy Carlisle of Pet Passages, Valerie and Steve Deming of Steval Deming, LLC

E. Guests: Jim Pierson, Barbara Quick, Pam and Jim Pfieler of Nichols Presbyterian Church

F. Staff: Elaine Jardine, Megan Griffiths

III. APPROVAL OF AGENDA

- Approval of agenda.

J. Current/R. Filbin/Carried
None Opposed
No Abstentions

IV. APPROVAL OF MINUTES

- Approval of October 16, 2019 minutes.

J. Current/R. Filbin/Carried
None Opposed
No Abstentions

V. PRIVILEGE OF THE FLOOR

- None heard.

VI. CORRESPONDENCE

- Not passed due to the number of 239 referral cases on the agenda. Folder will be at the EDP office to look through if members are interested.

VII. NEW BUSINESS

A. 239 Reviews

1. County Case 2020-001: Town of Candor, Site Plan Review, Pet Passages

The applicant is requesting site plan approval to establish a pet funeral and cremation business in the existing building that was previously church on this property. The property is 2.5 acres and the building is 4,000 square feet. The applicants will plan to utilize the exterior as is. The only interior change is they plan to install a movable wall where indicated on the floor plan. This smaller area will house the cremation equipment, which will happen after the first year of business. Until then, the business owners intend to conduct cremations off-site, with only funerals and grief counseling happening at this location.

Hours of operation are 40 hours per week, with two applicants and business owners will be the only employees on site. The applicant anticipates one to two customers daily. There will be more patrons and vehicular traffic when funerals are held. Applicant states there are approximately 100 parking spaces in the paved area on both sides of the building (see attached pictures), which is plenty of parking to accommodate funeral service parking.

The neighborhood contains a mixture of residential, commercial and industrial uses on this section of NYS Route 96. This proposed business is in character with the area.

E. Jardine then updated the Board members that NYS DOT Region 9 Site Plan Review Committee had reviewed the proposal and provided only the standard comment that nothing should be placed in the DOT right of way.

Staff recommends approval of the Site Plan Review.

Q. T. Pollard – Will you conduct internments on site? **A. W. Carlisle** – No.

Q. D. Chrzanowski – What do you plan for signage? **A. W. Carlisle** – We will use the existing monument sign.

Motion to recommend approval of the Site Plan Review:

J. Current/T. Pollard/Carried	
Yes	6
No	0
Abstention	1 (A. Cacciola)

2. County Case 2020-002: Town of Berkshire, Telecommunications Special Use Permit and Site Plan Review, AT&T Mobility, LLC

The applicant is requesting a telecommunications special use permit and site plan approval to construct and operate a 235 feet telecommunications tower and base (wireless communications facility) on this 111-acre agricultural property. Only .88 acres will be disturbed for this project, with under ¼ acre ultimately leased by AT&T. Propagation maps provided by AT&T Mobility demonstrate the gap or dead zone in telecommunications capacity that currently exists in this area.

This property, as well as many surrounding it, are enrolled in the NYS Agricultural Districts Program. Town of Berkshire officials have completed the Agricultural Data Statement form and process. However, no agricultural land will be impacted by this proposed tower location, as it will be integrated into an existing wooded area. A tree canopy of 60’ to 70 feet high will buffer the facility on all sides.

The applicant has done their due diligence to ensure this site is suitable for this communications tower, and that no other site would be feasible due to the area terrain. The new tower will provide needed wireless communications capacity along this dead spot in the Berkshire community and along State Route 38.

Staff recommends approval of the Telecommunications Special Use Permit and Site Plan Review.

Q. C. Robertson – Are there any other cell towers nearby? **A. D. Schweigard** – No.

Q. D. Chrzanowski – Are you including the existing road into the .88 acres of ground disturbance? **A.**

D. Schweigard – That calculation probably does not include the first 500 feet of existing road. **D.**

Chrzanowski – This should be included because you will be improving the existing agricultural access road as well as creating the rest of the road. This will put the area of disturbance over 1 acre, and therefore a Stormwater Pollution Prevention Plan should be developed and submitted to NYS DEC.

Q. C. Robertson – About how many households will gain cell phone coverage? **A. D. Schweigard** – Basically the hamlet of Berkshire and a bit north and south on State Route 38.

Motion to amend the recommendation to include the condition that the applicant develop a SWPPP and submit it to NYS DEC

D. Chrzanowski/C. Robertson/Carried	
Yes	6
No	0
Abstention	1 (T. Pollard)

Motion to recommend approval of the Telecommunication Special Use Permit and Site Plan Review:

D. Chrzanowski/J. Current/Carried	
Yes	6
No	0
Abstention	1 (T. Pollard)

3. County Case 2020-003: Village of Nichols, Site Plan Review, Steval Deming, LLC

The applicant is requesting site plan approval to convert an existing building into a 4-unit apartment building. The building is the former Masonic Lodge, which has been unoccupied for several years.

The building will be upgraded to meet building and fire codes, and a new septic system will be installed in the front of the building. The existing ramp will have to be removed to allow placement of the septic system. An engineer has designed the septic system (see attached drawings), which was approved by the Tioga County Public Health Department.

The applicant / building owner will not provide off-street parking as there is no space on this small property. All resident parking will be on street, on which NYS DOT has striped parking spaces on both sides of the street. This proposal for apartment units is a suitable site for this location along Main Street in the Village of Nichols. The most difficult barrier of locating the new septic system has been resolved by an engineer and approved by the County Health Department. This new use will revitalize the building, prevent the structure from falling into disrepair, and be a productive taxable use for the Village.

E. Jardine then updated the Board members that NYS DOT Region 9 Site Plan Review Committee had reviewed the proposal and had no comment on the project.

Staff recommends approval of the Site Plan Review.

Representatives of the next door Nichols Presbyterian Church asked many questions that were mostly relevant to building code, not site plan review issues. E. Jardine directed them to Mayor Pelotte, who could put them in contact with Martin Jerzak, Village Code Enforcement Officer.

Motion to recommend approval of the Site Plan Review:

R. Filbin/T. Pollard/Carried	
Yes	7
No	0
Abstention	0

4. County Case 2020-004: Village of Waverly, Site Plan Review, Garcia’s Mexican Restaurant

The applicant is requesting site plan approval to convert the ground floor of an existing building (former Village of Waverly offices) on Broad Street into a Mexican restaurant. The applicants owns and operates Garcia’s Mexican Restaurant in Elmira wants to expand to serve the Waverly area.

The restaurant space will be upgraded to meet building and fire codes. Hours of operation are anticipated to be Monday -Thursday 11:00 AM to 9:00 PM, Friday 11:00 AM to 10:00 PM, Saturday 12:00 PM to 10:00 PM and Sunday 12:00 PM to 9:00 PM. Applicant expects to hire 4 – 6 employees per shift. The applicant estimates that the restaurant will generate approximately 40 customer vehicular trips per day, based on customer volume at their Elmira restaurant. There will also be 6 deliveries per week.

Employee parking is available at the rear of the building. Customer parking is provided on street located out front on Broad Street, or nearby at Park Avenue or Erie Avenue. The applicant plans to place one wall-sign on the front of the building (see attached picture) that is 4 feet high by 7 feet wide.

This proposal for a needed restaurant is an important project for the Village of Waverly. The current building owner is making a significant investment to improve this landmark building in Waverly’s downtown. The building owner is also in the process of renovating the upper two floors, which house an existing antiques business on the second floor and future apartment units on the third floor. Having a productive and profitable business on the ground floor will further solidify the continued use and contribute toward stabilization and good condition the building. The proposed use is completely harmonious and in character with this downtown section of Broad Street.

Staff recommends approval of the Site Plan Review with the condition that the Village Planning Board issue a special permit for the alternate parking arrangement.

E. Jardine passed around updated pictures of the restaurant front showing a picture of the sign with three goose next lights.

Motion to recommend approval of the Site Plan Review with the condition of the Village Planning Board issuing a special permit for alternate parking:

J. Current/D. Chrzanowski/Carried	
Yes	6

B. Election of 2020 Officers

After asking three times and closing nominations, the 2020 slate of officers is as follows:

- Chair – Doug Chrzanowski
- Vice-Chair – Tim Pollard
- Secretary – Pam Moore

Motion to approve 2020 Officers slate:

A. Cacciola/J. Current/Carried	
Yes	7
No	0
Abstention	0

VIII. REPORTS

A. Local Bits and Pieces

Deferred to due length of agenda; however A. Cacciola stated that he had just returned from the annual Association of Town training in NYC at which he attended a telecommunications session where he learned that you have double check and ask many questions from these companies about the data they use to prove the need for infrastructure such as towers. Discussion ensued regarding this topic.

B. Staff Report:

- E. Jardine told the members that there is a mistake in the TCPB meeting dates and 239 referral due dates on 2020 Municipal Guide for October. She will correct and redistribute.

IX. OLD BUSINESS

- A. None.

X. ADJOURNMENT

- A. Next Meeting March 18, 2020 @ 7:00 PM in the Legislature Conference Room.
 B. Motion made to adjourn at 8:35 PM. R. Filbin/T. Pollard/Carried.

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