

**TIOGA COUNTY PLANNING BOARD  
MEETING MINUTES  
July 17, 2013  
Tioga County Office Building  
LEGISLATIVE Conference Room – Main Floor  
56 Main Street, Owego, NY  
7:00 PM**

**I. CALL TO ORDER AND INTRODUCTIONS**

- Chairman Doug C. called the meeting to order at 7:04 PM.

**II. ATTENDANCE**

A. Planning Board Members:

**Present:** William Dimmick III, Patty Porter, Tim Pollard, John Current, Doug Chrzanowski, Georgeanne Eckley, Arrah Richards, Gary Henry, Pam Moore, Hans Peeters

**Excused:** Jason Bellis

**Absent:** Nathan Clark

B. Ex Officio Members:

C. Local Officials: Kevin Millar - Village of Owego Mayor, LeeAnn Tinney, EDP Director

D. 239m Review Applicants: Alex Urda and Joseph Shortino for Taylor Garbage Service Inc., Brady Begal for Village of Owego

E. Guests: Dolly Catlin of STERPDB, Ryan Betz and Kellie Meyer of WENY-HD News, Dave Sherry of WBNG-TV, Colin Hogan of Sayre Morning Times

F. Staff: Elaine Jardine

**III. APPROVAL OF AGENDA**

- Approval of agenda.

P. Moore/P. Porter/Carried  
None Opposed  
No Abstentions

**IV. APPROVAL OF MINUTES**

- Approval of June 19, 2013 minutes.

P. Porter/G. Henry/Carried  
None Opposed  
No Abstentions

**V. PRIVILEGE OF THE FLOOR**

None

**VI. CORRESPONDENCE**

Folder passed around.

**VII. NEW BUSINESS**

**A. 239 Reviews**

**1. County Case 2013-011: Village of Owego, Local Law #10 of 2013, Natural Gas Moratorium 6 month extension**

The Village of Owego of Owego is requesting a 6-month extension to their existing 1-year moratorium. Within the last year period, the Village of Owego has worked on updating their comprehensive plan, but has not yet completed this task. Because of this slow progress, the other tasks listed in the first moratorium have not yet started – updating the village’s zoning ordinance, including site plan review and special permits, and finally adoption of the amended regulations.

Additionally, Village of Owego officials never supplied this office with the requested timeline of completion or status of work accomplished as a condition of approval. From the June 2012 239m Review:

*That the Village of Owego develop and follow a specific timeline to the accomplish the activities purposed by the moratorium – e.g. Researching possible impacts and effects (6 months), drafting subsequent comprehensive plan and zoning amendments (4 months), and adoption including the 239 review process (2 months). The Village should provide this timeline to the Tioga County Planning Department.*

In summary, the Village of Owego has not accomplished much during the year moratorium, without much prospect of getting the remainder of the tasks done within 6 months. Land use Court precedence has shown decisions not in favor of municipal regulatory moratoriums of longer than 1 year, especially without the municipality demonstrating substantial progress during that term.

Staff recommends disapproval of the local law.

Mayor Millar stated that the Village Planning Board has met 12 times in the last year, 4 times with the hired consultant, ELAN to work on update of the comprehensive plan.

Village of Owego Attorney said the comprehensive plan update should be complete in 6 months. E. Jardine stated the moratorium lists the tasks of updating the comprehensive plan, as well as the site plan review regulations and zoning ordinance during the time period of the moratorium. The attorney said the moratorium just says consideration of these items, not completion.

**Q. A. Richards** – How many people other than planning board members come to these meetings? **A. K. Millar** – Not many. Maybe one or two.

**Q. P. Porter**– When we created the consolidated plan and zoning updates in 2003, there were a lot of volunteers and we finished in a summer. Why is the Planning Board not as aggressive? **A. K. Millar** – Because they are not experienced.

**Q. A. Richards** – When did you hire the planning consultant? **A. K. Millar** – They started in January of this year.

**Q. Doug C.** – Do you have a plan for the work to be accomplished in the next 6 months? **A. K. Millar** – To complete the comprehensive plan update.

**Q. A. Richards** – Did you request the Village of Owego to give you an update? **A. E. Jardine** – No. (Clarification – I now remember that when the Village of Owego Mayor told me verbally about submitting a 239 review for this purpose, I did tell him I

needed to see the progress they've made. This information was not included with their 239 submittal).

**Q. P. Moore** – Can you give us a timeline moving forward? **A. K. Millar** – We will complete the comprehensive plan update in 6 months.

**Motion to recommend disapproval of the Local Law #10 of 2013.**

**G. Henry/A. Richards/Not Carried**

**Yes 5**

**No 4 (A. Richards, W. Dimmick**

**III, T. Pollard, P. Moore)**

**Abstention 1 (G. Eckley)**

**2. County Case 2013-012: Town of Owego, Taylor Garbage Service, Inc., Site Plan Review**

The applicant is proposing to construct an enclosed, 19,200 square foot solid waste transfer building/station on their 32-acre industrial site located on State Route 434. It will be located just adjacent to the west of the applicant's recently built recycling facility. The development will ultimately result in 2.5 acres of impervious area between the building and the additional pavement. The station capacity at any given time will be 75,000 tons of residential and commercial solid waste, and construction and demolition debris, which will be hauled privately by Taylor Garbage Service. Construction will commence immediately upon local and state approvals. Applicant states hours of operations are expected to be 7AM-4PM Monday – Friday and 7AM – Noon Saturdays. This new transfer facility will add 4 jobs to the 20 existing jobs the recycling facility.

Additionally, the proposed transfer station will add a maximum of 40 truck trips per day, making the maximum total vehicle trips generated at 168 in and out per day for both facilities, including trucks and employees. The proposed transfer station will use the existing driveway access from State Route 434. The site plan also shows a new paved access going directly to the recycling facility, presumably to separate truck traffic between the two buildings. While the Town of Owego's Zoning Ordinance requires 210 parking spaces, the site plan shows only 50 marked spaces, with sufficient areas designated for overflow parking, since the industrial facilities do not necessitate that many spaces.

The applicant still intends to erect a ground sign located at the paved entrance at Route 434 that will comply with the Town of Owego's sign regulations.

There are industrial, commercial and vacant land uses in the vicinity.

The applicant has submitted an amended Stormwater Pollution Prevention Plan (SWPPP) and a short environmental assessment form (EAF) for this project to the DEC and Town of Owego. . All traffic will use the entrance from Route 434 to minimize traffic impacts from nearby residents. Additionally, naturally existing tree barriers will buffer any nearby residents from this facility. Since

the operation is enclosed, associated noise will be contained within the building. The proposed facility will have minimal impacts on the area.

Conditions are that the applicant obtain a NYS DEC Division of Solid Waste permit, that the Town of Owego accepts and certifies the amended SWPPP, and that NYS DOT Region 9 review and approve the site plan.

**Q. G. Eckley** – What area will be newly paved? **A. A. Urda** – Pointed on the site plan to the new connector road. This new connector is for the convenience of trucks to go over the scales as they enter and leave both buildings.

**Q. P. Moore**– Is the trash compressed in the trucks? **A. A. Urda** – It depends on the truck source. If it is a garbage truck, yes. If it is from a manufacturer or a C&D site, it will come however they load it.

**Q. H. Peeters** – Are the two ponds for stormwater? **A. A. Urda** – Yes, this is the modified design.

Joe Shortino added that no water flowed off this site during the 2011 flood. It all drained into the ground.

**Motion to recommend approval of the site plan review with the conditions noted.**

**A. Richards/J. Current/ Carried**

**Yes 10**

**No 0**

**Abstention 0**

## **VIII. REPORTS**

### **A. Local Bits and Pieces**

1. Town of Candor – G. Henry
  - Nothing to report.
2. Town of Nichols – P. Porter
  - No report.
3. Town of Berkshire – T. Pollard
  - Planning Board is updating the town comprehensive plan and is doing a resident survey for the update.
4. Town of Tioga – D. Chrzanowski
  - No report.
5. Village of Waverly – W. Dimmick III
  - Village holding a public hearing soon on LED lighting for churches
6. Village of Owego – G. Eckley
  - No report.
7. Town of Newark Valley – H. Peeters
  - New Planning Board member is Casey Davis.
8. Town of Richford - vacant

9. Town of Owego – J. Current
  - No report.
10. Town of Barton – A. Richards
  - No report.
11. Spencer – N. Clark
  - Not in attendance.

B. **Staff Report** – No June 2013 report was sent since staff prepared EDP Agenda and no Planning report this month.

- P. Moore asked about status of Agricultural & Farmland Protection Plan update. E. Jardine reported that she received 9 consultant proposals from the last RFP with many of them strong, good proposals. The Ag Planning Committee will interview the top 3 or 4 choice firms next week. County Legislature approval should occur at their August 13<sup>th</sup> meeting and work will start soon afterward.

## **IX. OLD BUSINESS**

- A. None

## **X. ADJOURNMENT**

- A. Next Meeting August 21<sup>st</sup>, 2013 @ 7:00 PM in the Legislature Conference Room.
- B. Motion made to adjourn at 7:48 PM. P. Porter/W. Dimmick III/Carried.

Respectfully submitted,  
Elaine D. Jardine  
County Planning Director