

**TIOGA COUNTY PLANNING BOARD
MEETING MINUTES
August 18, 2021
Owego Town Hall Board Room
2354 State Route 434, Owego, NY
7:00 PM**

I. CALL TO ORDER AND INTRODUCTIONS

- Chairman D. Chrzanowski called the meeting to order at 7:05 PM.

II. ATTENDANCE

- A. Planning Board Members:
Present: Doug Chrzanowski, Grady Updyke, Art Cacciola, Pam Moore, Mike Reynolds, Georgeanne Eckley, John Current, Chelsea Robertson, Matt Tomazin
Excused: Rawley Filbin, Tim Pollard
Absent: Tim Goodrich
- B. Ex Officio Members:
- C. Local Officials: None
- D. 239m Review: John Loftus of Owego Hose Team; Steve McElwain and Mike Haa of Delta Engineers for Owego Hose Team
- E. Guests:
- F. Staff: Elaine Jardine

III. APPROVAL OF AGENDA

- Approval of agenda (flipping order of 239 review cases).
C. Robertson/P. Moore/Carried
None Opposed
No Abstentions

IV. APPROVAL OF MINUTES

- Approval of July 21, 2021 minutes with corrections on pages 4 and 5.
G. Eckley/D. Chrzanowski/Carried
None Opposed
No Abstention

V. PRIVILEGE OF THE FLOOR

- None

VI. CORRESPONDENCE

- On file at the EDP Office

VII. NEW BUSINESS

- A. 239 Reviews
 - 2. County Case 2021-020: Village of Owego, Site Plan Review and Floodplain Special Use Permit, Owego Hose Team

The applicant is requesting site plan approval and a floodplain special use permit to construct and operate a 720 square foot, one-story building called the “Steamer House”, with grounds, to house their restored 1866 Amoskeag Harp-Frame Steam Pumper, the restored bell from the fire station (which can no longer structurally support the bell), as well an eternal flame memorial. It will look almost exactly like the Marathon steamer house picture attached to the applicant’s narrative. This new structure will be located directly adjacent to the north of the current Owego Fire Department fire truck garage. The Village is currently in the process of acquiring this property via land swap with Applied Technology Manufacturing Corporation.

This proposed structure is to be located within FEMA’s 1% annual chance Special Flood Hazard Area. The first floor elevation is proposed to be elevated to Base Flood Elevation at 813 feet above mean sea level, which is the first floor elevation of the adjacent fire department garage. The walls, which are to be comprised entirely of wood frame and glass, will have flood vents at ground level up to 2 feet above BFE, making the structure flood-friendly.

This facility has been designed for visitation by pedestrians only, and not as a destination. Visitors and locals alike, who are in the area for other reasons, will visit the facility by foot. This proposed use is in harmony with the neighborhood, which is comprised mainly of mixed-use, religious, and commercial uses, and also the original fire station and the newer fire truck garage. The new structure will add to the aesthetics of the entire area, and provide a logical transition to the new and adjacent Village Park, which is now in design, as part of the Downtown Revitalization Initiative.

However, E. Jardine updated TCPB members that this proposal is not in compliance with requirements of the Village’s Zoning Code or Flood Damage Prevention Law in terms of elevation and construction standards of non-residential structures within FEMA’s 1% Annual Change Flood Hazard Area.

Given the project’s non-compliance, E. Jardine advised that as she sees it, the County Planning Board has two options of recommendation for this project. The first option is to recommend approval of both requests with the condition that the Village ZBA grants a variance from the construction standards of elevation and/or watertight (dry flood proofing) from both the Village Zoning Code and Flood Damage Prevention law. The second is to recommend approval with modification of both requests, which forces the applicant to comply with the stated construction standards, plus forces an override with supermajority of both the Village Planning Board and ZBA.

Q. D. Chrzanowski: Have you done your due diligence to support this proposal and defend the compliance issues? **A. M. Haas** – Yes, this property is so small, that the compliance of elevation at 2 feet above BFE would make the driveway too steep for the old steamer engines to negotiate. That is why the entrance is proposed at the north side of the building, and not on the North Avenue side, because the longer, curved driveway allows for more negotiation at the level of 813 feet amsl. **S. McElwain** added that making the structure watertight includes the installation of temporary floodgates with permanent inserts designed to cover the overhead doors. This requires human intervention during a flood event, which is not the most efficient means of flood protection. Discussion ensued on why the project was proposed as is and not in compliance with the Village’s laws regarding construction standards in the floodplain.

Q. C. Robertson: Are you storing hazardous chemicals on site? **A. J. Loftus** – No because the steam engines do not use oil or gasoline.

D. Chrzanowski again stated that the two options of recommendation for this project. The first option is to recommend approval of both requests with the condition that the Village ZBA grants a variance from the construction standards of elevation and/or watertight (dry flood proofing) from both the Village Zoning Code and Flood Damage Prevention law. The second is to recommend approval with modification of both requests, which forces the applicant to comply with the stated construction standards, plus forces an override with supermajority of both the Village Planning Board and ZBA.

Motion to recommend approval of the site plan review and floodplain special use permit with the condition noted that the Village ZBA grants variances from both the Village Zoning Code and Flood Damage Prevention Law for elevation and type of flood proofing:

C. Robertson/G. Eckley/Carried	
Yes	9
No	0
Abstention	0

1. County Case 2021-019: Village of Newark Valley, Comprehensive Plan Update, Village Board of Trustees

The Village of Newark Valley Planning Board has worked together with the Village Board of Trustees over the past couple years to develop this updated comprehensive plan in-house. They conducted an extensive citizen survey and ensured that priorities shown by the survey results are contained in the Plan update. The Board of Trustees has discussed the Plan Update with public present at all Board meetings since March 2018, and will hold an official public hearing prior to adoption of the Comprehensive Plan Update.

The Village of Newark Valley’s last comprehensive plan was from 2000, and therefore out of date. The Village is to be commended for making this Plan update a priority, even while doing all the work themselves.

Staff advises the County Planning Board to recommend approval of the comprehensive plan update with the conditions that the Village Board of Trustees addresses SEQR with the Full Environmental Assessment Form for this Type 1 action and holds a public hearing before adoption.

P. Moore noted inconsistencies in the timeframe to review and update the Plan between pages 3 and 12. E. Jardine will fix these and provide the changed document when she emails the notification.

Motion to recommend approval of the comprehensive plan update with the conditions noted above:

C. Robertson/M. Tomazin/Carried	
Yes	8
No	0
Abstention	1 (M. Reynolds)

VIII. REPORTS

A. Local Bits and Pieces

1. **Town of Candor** (A. Cacciola)
 - The Town of Candor adopted the contract to support Candor EMS for two years.
2. **Town of Tioga** (D. Chrzanowski)

- Discussed the Reeves property recent fill activity on State Route 96. The property has all relevant approvals in place for what he is filling now. In the future, the owner wants to improve the entire front end of the property, and will have to go through site plan approval for that effort.

3. Town/Village of Spencer (T. Goodrich)

- Not in attendance.

4. Town of Berkshire (T. Pollard)

- Not in attendance.

5. Village of Newark Valley (M. Reynolds)

- No report.

6. Town of Newark Valley (M. Tomazin)

- No report.

7. Town of Barton (G. Updyke)

- No report.

8. Town of Owego (J. Current)

- No report.

9. Town of Nichols (P. Moore)

- No report.

10. Village of Waverly (R. Filbin)

- Not in attendance.

11. Village of Owego (G. Eckley)

- No report.

B. Staff Report:

- Nothing more than was sent with the meeting packet.

IX. OLD BUSINESS

- None

X. ADJOURNMENT

- A. Next Meeting September 15, 2021, @ 7:00 PM at the Owego Town Hall Board Room.
- B. Motion made to adjourn at 8:30 PM. C. Robertson/D. Chrzanowski/Carried.

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