



**MEETING AGENDA**  
**TIOGA COUNTY PLANNING BOARD**  
**June 18, 2025 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. May 21, 2025
  
- V. PRIVILEGE OF THE FLOOR
  
- VI. NEW BUSINESS
  - A. 239 Reviews
    - 1. County Case 2025-016: Village of Waverly, PUD Special Use Permit and Site Plan Review, Puff Plaza,
  
- VII. REPORTS
  - A. Local Bits and Pieces
  - B. Staff Report
  
- VIII. OLD BUSINESS
  - None
  
- IX. ADJOURNMENT
  - A. Next Regular Meeting July 16, 2025 at the Tioga County HHS Building
  - B. Adjourn



**TIOGA COUNTY DEPT OF ECONOMIC DEVELOPMENT & PLANNING**  
**STAFF ANALYSIS AND RECOMMENDATIONS**  
**SECTION 239 REVIEW**

**COUNTY CASE:** 2025-016  
**LOCAL CASE NO:** 05-2025  
**MUNICIPALITY:** Village of Waverly  
**RECEIVING BODY:** Planning Board  
**APPLICANT:** Puff Plaza, LLC  
**DATE RECEIVED:** 6/4/2025  
**REQUEST:** PUD Site Plan Review and (PUD) Special Permit  
**LOCATION:** 561 Broad Street, Tax Map number 166.20-1-25.1  
**ZONING:** Planned Unit Development (PUD)

General Information: The applicant is requesting a PUD site plan review and special use permit to locate and operate a new NYS Office of Cannabis Management (OCM) Licensed adult-use cannabis microbusiness in the existing building on the property. This microbusiness will involve both the cultivation of marijuana plants and retail sales of the plants. Cultivation will occupy 1,000 square feet of the building, retail sales will occupy 800 square feet and the last 200 square feet will be office space and bathrooms. The applicant will be leasing the property from VM 561 Broad Street, LLC, who last year proposed and operated a dollar store in the existing structure for a while. A drive-thru for retail business is planned at the front of the building as seen on the applicant’s site plan.

The applicant states that no structural changes to the existing building footprint or new construction are planned, only interior renovations and only refinements to the exterior such as lighting and the parking lot as well as adding the drive-thru lane. The applicant states that the hours of operation will be 9:00 AM to 9:00 PM seven days a week. The business plan states that 10 employees will be hired during this initial launch phase, with up to 10 more employees hired during the future growth phase. The applicant expects approximately 100 customers per day. The parking lot will have capacity for 15 parking spaces. New LED lights will be placed under the eaves at the front of the building and the applicant plans for one wall sign on the front of the building that will comply with the Village of Waverly’s sign regulations. This project will utilize existing Village of Waverly municipal water and sewer.

A vast majority of the existing building and property lies within FEMA’s 1% annual chance Special Flood Hazard Area; therefore the applicant must approach the Village of Waverly Building Code Enforcement Officer for a floodplain development permit.

The applicant will utilize 24/7 interior and exterior security surveillance as well as institute a secure and controlled customer entry point for ID verification as customers must be age 21+. The applicant has submitted a security plan to NYS OCM per requirements. Applicant states that no on-site consumption of adult-use cannabis is allowed.

Pursuant to 6NYCRR Part 617 SEQR, the Village of Waverly Clerk has categorized this site plan review as an Unlisted Action under SEQR. Therefore, the Village has provided a Short Environmental Assessment Form Part 1 completed, signed and dated by the applicant.

**ANALYSIS:**

**Local Zoning Code:**

**Village of Waverly Code  
Chapter 153 Zoning**

**ARTICLE III  
Zoning Districts**

**§ 153-10. Planned Unit Development (PUD).**

B. Special permit uses: All Planned Unit Development District uses shall have a site plan review by the Planning Board. In the case of an existing Planned Unit Development District, the Planning Board shall issue a special permit after site plan approval.

**ARTICLE IV  
Supplementary Regulations**

**§ 153-14. Provisions subject to supplementary regulations and site plan review.**

**§ 153-15. Off-street parking space requirements.**

For every building hereafter erected, altered, extended or changed in use, there shall be provided off-street parking spaces at least as set forth below.

F. Commercial, business and unspecified uses: one parking space for every motor vehicle used directly in the business, plus one parking space for every 120 square feet of floor area

⇒ *While these regulations require 27 parking spaces and the applicant states he will provide 15, there is paved space at the front and west side of the property for overflow parking. The Village of Waverly's PUD zoning district allows for flexibility in the number of parking spaces required.*

**§ 153-18. Signs.**

No signs or billboards shall be permitted in any district except as specifically permitted as follows:

B. Signs in commercial/industrial districts or on commercial/industrial establishments. The following signs are permitted:

(2) The maximum area for business signs shall not exceed two square feet for each one lineal foot of building frontage occupied by the establishment.

⇒ *The applicant plans to have one wall sign on the front face of the building that complies with these regulations.*

**ARTICLE V  
Procedures**

**§ 153-19. Projects/proposals to follow procedures and processes.**

The following procedures and processes shall be followed by any applicant desiring to initiate a project or proposal in any district within the Village of Waverly.

B. Site plan approval The Planning Board shall review the site plan and supporting data and shall hold a public hearing within 30 days of submittal before approval or approval with stated conditions is given, and taking into consideration the following objectives:

(1) Harmonious relationship between proposed uses and existing adjacent uses.

(2) Maximum safety of vehicular circulation between the site and the street network.

(3) Maximum adequacy of interior circulation, parking and loading facilities with particular attention to vehicular and pedestrian safety.

(4) Adequacy of landscaping and setbacks in regard to achieving maximum compatibility and protection to an adjacent residential district.

Should changes or additional facilities be required by the Planning Board, final approval of the site plan shall be conditional upon the satisfactory compliance by the applicant to the changes or addition. An applicant wishing to make changes in an approved site plan shall submit a revised site plan to the Planning Board for review and approval before making application for a building permit.

**ARTICLE XI**  
**Area Regulations**

**§ 153-64. Planned Unit Development District.**

Area regulations in the Planned Unit Development District are as follows:

A. Area.

- (1) Minimum: 21,780 square feet (1/2 acre).
- (2) Maximum coverage 40% (see Subsection C).

C. In a Planned Unit Development District, all requirements shall be held in abeyance and modified subject to site plan review and the design consideration of the project as it impacts the surrounding area and community as a whole.

**Comments:**

It is of benefit to the Waverly community that a new business intends to occupy this existing building, which is within an existing commercial corridor. This NYS-licensed adult-use cannabis microbusiness in harmony and compatible with the surrounding commercial area. The business will hire a good number of local employees and revitalize the property. The site plan has a logical layout and conforms with the stated applicable site plan approval objectives.

It is the applicant's responsibility to obtain all required federal, state or local permits, licenses and registrations.

It is the municipality's responsibility to ensure that this project complies with all local codes and regulations, even those that might not be cited in this document.

**Conditions:**

1. That the applicant complies with NYS DOT Region 9 Site Plan Review Committee's comments and requirements.
2. That the applicant obtains a floodplain development permit from the Village of Waverly Code Enforcement Officer and the Code Enforcement Officer determines that the value of proposed improvements does not exceed 50% of current building's fair market value or latest appraisal. If the cost of improvements exceeds 50% of the current building's fair market value or most recent appraisal, this triggers substantial improvement regulations which means the building must either be elevated to two feet above base flood elevation or sealed watertight (dry floodproofing) to two feet above base flood elevation.

**RECOMMENDATION:** After thorough consideration of the above, Staff advises the County Planning Board to recommend **Approval of the Site Plan Review and PUD Special Permit with the conditions noted.**

## Preliminary Site Plan - Cannabis Microbusiness

Location: 561 Broad Street, Waverly, NY 14892

Applicant: Joshua Cassidy / Puff Plaza LLC

Prepared for: Village of Waverly Planning Board

Date: 5-28-2025

### 1. Project Overview

The applicant is proposing the interior renovation and use of an existing 2,000 sq. ft. commercial space for a licensed adult-use cannabis microbusiness. The property will remain under commercial use and will include both retail and secured cultivation space (1,000 sq. ft. in rear section).

### 2. Zoning and Permits

- Zoning District: Commercial (C)
- Proposed Use: Retail, Cultivation, Processing
- Permits Required:
  - Special Use Permit (Cannabis microbusiness)
  - Site Plan Review
  - State Licensure (NYS Office of Cannabis Management)
  - Fire and Building Safety Inspections

### 3. Site Elements

Interior:

- Retail Floor Space (800 sq. ft.)
- Controlled Entry Point with Security
- Consultation Counters and Display Cases
- Vault/Secure Storage Area

- ~~Back Room Cultivation (1,000 sq. ft., approved by OCM)~~ Back room cultivation (1000 sqft approved by OCM)
- Fire suppression and safety systems per code

Exterior:

- Off-street parking area (existing, to be upgraded)
- Signage (proposed: compliant with local ordinance)
- Lighting upgrades for safety and visibility (exterior LED wall lights only)
- ADA access improvements (as required)
- No structural changes to building footprint

4. Parking

- Existing lot with capacity for approximately 10-15 vehicles
- Minor surface improvements planned (resurfacing, striping)
- Adequate for expected daily traffic (est. 100 customers/day)

5. Environmental Considerations

- SEQR: Short Environmental Assessment Form (Short EAF) submitted
- No known wetlands, endangered species, or floodplain on site
- Site is not within a Critical Environmental Area

~~No outdoor cultivation - all activities are indoors~~ no outdoor cultivation - all activities indoors

6. Utilities and Services

- Existing water/sewer connections will be used
- Current electric service is sufficient
- Waste disposal contracted with licensed provider (including cannabis waste compliance)

7. Security Plan (Summary)

- 24/7 surveillance (interior and exterior)
- Secured entry with ID verification
- Staff trained in compliance and safety procedures
- Security plan submitted to OCM per state requirements

#### 8. Signage Plan

- Exterior sign mounted flush to building
- Dimensions and lighting to meet local code

#### 9. Community Impact

- Expected to create 10-20 new jobs
- Located in existing commercial corridor
- Will enhance economic activity and tax base
- No negative noise or odor impact expected (no outdoor use)

#### 10. Attachments

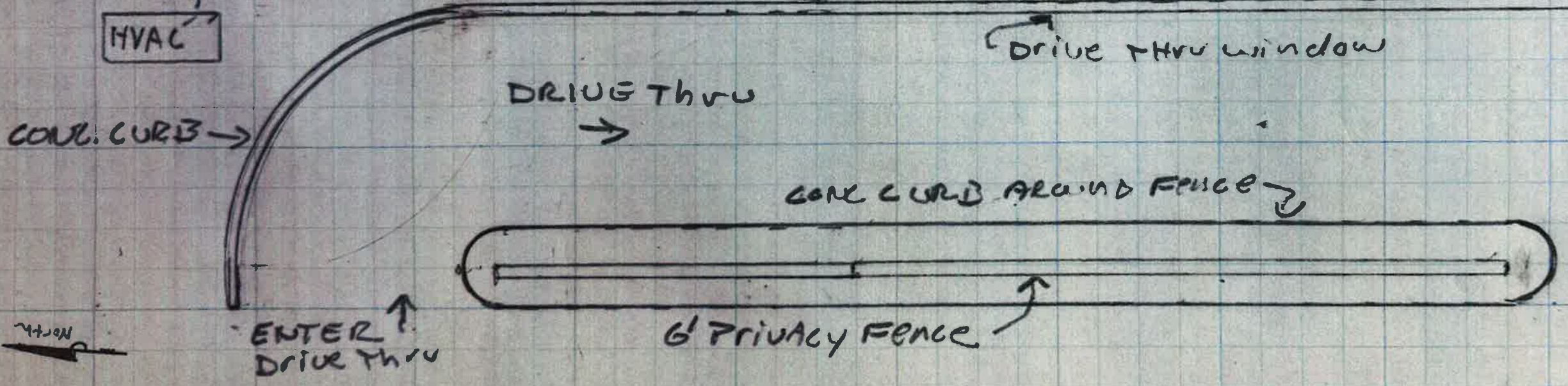
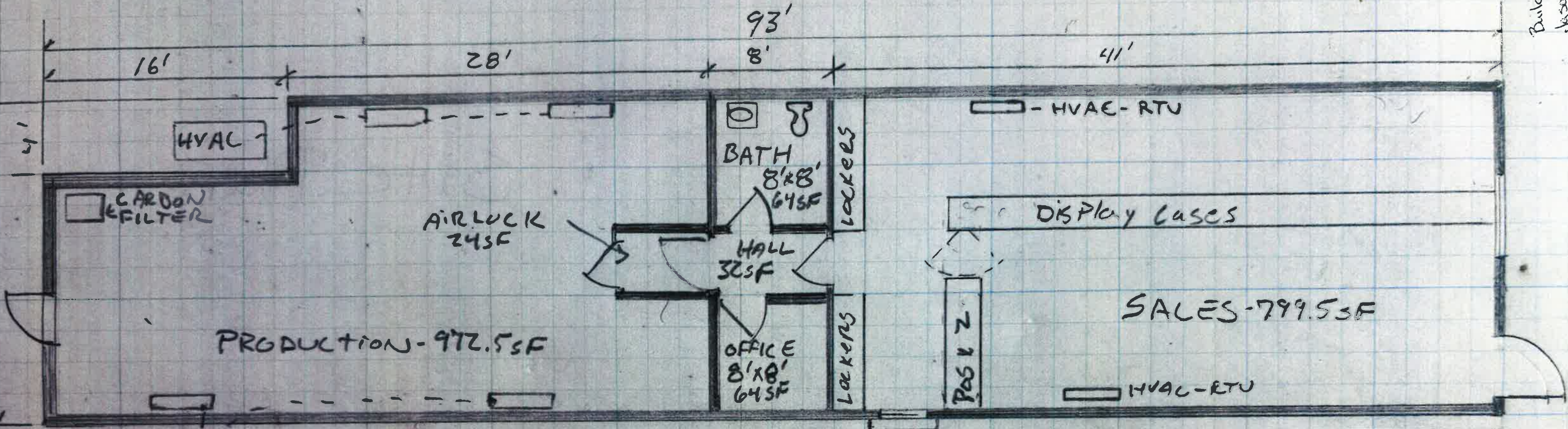
- Site Sketch / Floor Plan (simple layout showing zones)
- Photos of existing building & parking area
- SEQR Short EAF (Part 1)
- Business owner information

#### 11. Operations

- 9:00 AM to 9:00 PM seven days a week
- 10 employees initially in launch phase; 20 employees in growth phase



Building Owner  
Jason Slottje



PUFF PLAZA LLC 561 BROAD ST 1/8"=1'-0

June 1, 2025

Drawing By:  
Michael Alamo  
Alamo Construction



TCPB 239 Case 2025-016  
Puff Plaza, LLC  
561 Broad Street, Waverly



**Economic Development and Planning  
Legislative Committee Report  
June 3, 2024  
Prepared By: Elaine Jardine**

**Meetings**

- Village of Owego Climate Smart Communities Taskforce meeting
- Tioga County Planning Board meeting
- Southern Tier 8 Regional Sustainability meeting
- Southern Tier 8 ARC FY2026 Pre-Applications meeting
- Tioga County Agricultural Resource Group meeting
- Berkshire Park Master Plan Steering Committee meeting
- Council of Governments meeting – Agricultural Resource Group
- NYS Association of County Planning Directors meeting
- Village of Owego Board of Trustees Meeting – Resilient Retrofits door hangers

**Active Projects**

- Created door hangers with the Home Headquarters Resilient Retrofits Program information to hang on home doors in the Flats and Turtletown neighborhoods within the Village of Owego upon permission from the Village of Owego Board of Trustees.

**Grants**

**Active**

- Appalachian Regional Commission FY2022 – Develop preliminary engineering to expand the Lounsberry Industrial Park area and make it shovel ready. HUNT Engineers has been conducting engineering work on this project.
- NYS Department of Agriculture & Markets Land Trusts Outreach Grant Program – NYS American Farmland Trust has scheduled the two workshops within each of the three of Tioga County's Agricultural Districts for and November 5-6 and mid-January 2026.
- Tioga County Water Quality Coordinating Committee SRBC mini grant to purchase rain barrels for the Villages of Owego and Waverly to distribute to residents and businesses – Rain barrels were all gone by Noon the day the post appeared on social media.
- Town of Berkshire Appalachian Regional Commission (ARC) Ready Local Government Grant – The Berkshire Park Master Plan Committee met to be informed on the George Smith Park Master Plan project and approve the RFP. The RFP was distributed and is due Monday, June 9.
- Tioga County/Village of Owego NY SWIMS Grant – NYS contract and subrecipient agreement were revised to convert the 20% match to grant award. The revised subrecipient agreement with the Village of Owego was signed; still waiting on the NYS contract to be returned.

**Pending**

- Wrote and submitted on behalf of the Village of Newark Valley a Strategic Planning & Feasibility Studies grant application to NYS Empire State Development to fund a consultant to develop a new downtown strategic economic development or revitalization plan. Still awaiting award announcement from ESD.
- Submitted a federal grant application to the Environmental Protection Agency (EPA) for a countywide assessment of “brownfield” sites in the amount of \$500,000 to fund a consultant to evaluate environmental contamination and plan for reuse of targeted sites throughout Tioga County. EPA did not award our grant application.

**Potential**

- Tioga County Agricultural and Farmland Protection Plan grant from NYS Department of Agriculture & Markets. Working with three consulting firms to refine grant budget (presented last month) ahead of NOFA, expected to be released Summer 2025.

## Plans/Studies

- Strong Road residential site water and sewer systems extensions – County Committee selected Larson Design Group for this project. LDG will begin with interviews with Veolia water, Village of Owego WWTP and Town of Owego officials

## Reviews (239)

- County Case 2025-011: Town of Nichols, Solar Moratorium Local Law, Town Board – Town wishes to institute a moratorium on solar development and construction in order to develop a comprehensive, research legal cases and strengthen various aspects of their current solar law regarding decommissioning, soils testing, landscaping and others. Staff advised the County Planning Board to recommend approval of the moratorium and the County Planning Board unanimously recommended approval.
- County Case 2025-012: Town of Nichols, Telecommunication Facilities Local Law Amendment, Town Board – Town Board wants to amend their current Telecommunications Facilities Law to address exempting emergency services from the law and adding safety considerations of lighting the top of towers in the Guthrie Life Flight helicopter path. Staff advised the County Planning Board to recommend approval of the Telecommunications Facilities Law amendment and the County Planning Board unanimously recommended approval.
- County Case 2025-013: Town of Owego, Site Plan Review, Forys Savage Shed Quarters – Applicant plans to construct a single-family home on their property located at the corner of Forest Hill Road and State Route 434 in Apalachin with an office for the shed business within it. This house will be their primary residence. Staff advised the County Planning Board to recommend approval of the site plan review and the County Planning Board unanimously recommended approval.
- County Case 2025-014: Town of Owego, Special Use Permit, Pit Stop Popcorn NA – Applicant plans to open his business in an existing structure on State Route 434 across from Sweeney's Plaza in Apalachin. As the proposal involves no external changes and only one employee with limited customers, this case was sent back to the Town of Owego Planning Board as a non-action, waiving TCPB recommendation due to lack of countywide or intermunicipal impacts.
- County Case 2025-015: Village of Owego, Flood Damage Prevention Law Variance, Ben Weitsman & Son, Inc. – Applicant plans to install 67 flood vents within 1 foot of grade all around this storage building for wet floodproofing instead dry floodproofing to become compliant with NFIP. Staff advised the County Planning Board to recommend approval of the FDPL variance and the County Planning Board unanimously recommended approval.

## • Resolutions –

None