

**TIOGA COUNTY PLANNING BOARD  
MEETING MINUTES  
December 21, 2016  
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 7:02 PM.

**II. ATTENDANCE**

A. Planning Board Members:

**Present:** Doug Chrzanowski, Grady Updyke, Tim Pollard, Chris Curry, Sarah Titus, William Dimmick III, Georgeanne Eckley, , Jason Bellis

**Excused:** John Current, Pam Moore, James Tornatore

**Absent:**

B. Ex Officio Members:

C. Local Officials: John Whitcomb, Spencer Joint Planning Board Chair

D. 239m Review: Cliff Sher of Sun Distributed Sun, Dennis Ulrick of Catatunk Golf Club

E. Guests: Cris Pasto, Spencer resident

F. Staff: Elaine Jardine

**III. APPROVAL OF AGENDA**

- Approval of agenda.

J. Bellis/W. Dimmick, III/Carried  
None Opposed  
No Abstentions

**IV. APPROVAL OF MINUTES**

- Approval of November 16, 2016 minutes.

T. Pollard/S. Titus/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 2016-033: Village of Waverly, Site Plan Review, Granite Works, LLC**

Granite Works is requesting site plan review for the addition of a 9,600 square foot warehouse on the west side of their existing production building. The facility is located on the corner of William Donnelly Parkway and State Route 17C. The proposed warehouse will not be heated, but will protect the granite and stone slab inventory from outside weather and elements. The building will also include a new loading dock which will improve truck unloading on site. The applicant has just purchased the property immediately adjacent to the west to accommodate truck traffic circulation to the west end of the proposed warehouse.

Applicant states there will be no additional employees, no change in hours of operation, and no added truck traffic associated with this facility improvement project.

The facility/project location is within NY SHPO’s Archaeological Sensitive Area. The applicant has consulted with SHPO and received a “No Impact” letter. While this project is not subject Phase II Stormwater Regulations since only 0.3 acres will be disturbed during construction, the applicant states they will be installing two drywells on the property to contain runoff / stormwater from building roof leaders and the existing parking lot.

The neighborhood contains a mix of industrial and commercial uses nearby. Staff recommends approval of the site plan review with the conditions that NYS DOT Region 9 Site Plan Review Committee reviews and provides comment on the proposal and that the applicant and the Village of Waverly Planning Board come to a mutual agreement on parking spaces.

**Q. C. Curry-** Will trucks enter from East Chemung Street? **A. E. Jardine –** Yes, the reason the applicant purchase that western parcel which provided the room needed for more efficient and safe truck traffic and loading.

**Motion to recommend approval of the site plan review with stated conditions:**

<b>W. Dimmick, III/J. Bellis/Carried</b>	
<b>Yes</b>	<b>8</b>
<b>No</b>	<b>0</b>
<b>Abstention</b>	<b>0</b>

**2. County Case 2016-034: Town of Spencer, Site Plan Review, SUN8 PDC, LLC**

The applicant is proposing to develop, construct and operate a solar photovoltaic system consisting of six 2MWac and one 1MWac arrays for community distributed generation. The project encompasses leases on four parcels that total 252.5 acres. Each array site will require a 15’x20’ concrete pad for electrical connection equipment, internal roads, an eight-foot chain link surrounding the array structures, as well as internal and access roads. Construction is expected to start in April 2017.

All seven arrays are located outside of FEMA’s Special Flood Hazard Area, as well as out of NY SHPO’s Archeologic Sensitive Area. While the EAF Mapper shows no threatened or endangered species and shows no mapped wetlands, there are often times unmapped wetlands that exist.

Electric power generation from the solar panels will be connected to the local NYSEG utility grid. Participating Spencer residents will benefit by having SUN8 supply their electricity at a reduced rate.

These arrays should not be visible from the road or homes along the road because they are in isolated locations way up on hillsides.

Staff recommends approval of the site plan review with the conditions that the proposal is sent to the NYS DOT Region 9 Site Plan Review Committee for the review and comment and that the applicant conducts wetlands investigations on all four array sites for potential Army Corps of Engineers jurisdiction.

**Cliff Sher** of Distributed Sun clarified that while the four parcels total 252 acres, the arrays will take up only about 84 acres of land. And vegetation will be managed by sheep via a local farmer.

**Q. D. Chrzanowski**- Will the SWPPP address the deforestation of about 30 acres? **A. E. Jardine** – Yes, it should. **D. Chrzanowski** – Does the current electricity line have capacity? **C. Sher** – Yes but it NYSEG needs to make some time fluctuation upgrades.

**Q. T. Pollard**- How does the Spencer Planning Board feel about this project? **A. J. Whitcomb** – We see no issues with it. We held a public hearing on it last night, which was tabled until a future date as a precautionary measure. Only neighbors had questions.

**Motion to recommend approval of the site plan review with stated conditions:**

<b>J. Bellis/S. Titus/Carried</b>	
<b>Yes</b>	<b>8</b>
<b>No</b>	<b>0</b>
<b>Abstention</b>	<b>0</b>

**3. County Case 2016-035: Town of Candor, Site Plan Review, Catatunk Golf Club**

The applicant is proposing to install a 5,000 square foot seasonal (May – October) aluminum and glass event structure, plus another 3,000 square feet of decking, to add wedding and other banquet event services to his current golf course facility. The proposed new event facility will also include an adjacent grass amphitheater and a spot for portable restrooms. The applicant will connect to the existing private water well to provide water to the new event facility. The applicant has developed a drainage plan, but not an official SWPPP. This event center will take up 1.2 acres of the 320-acre golf course property.

Current hours of operation are daily from 7AM to 11PM. Applicant states that the new event center will operate within those current hours, with most events occurring Friday, Saturday and Sunday. Currently the golf course has 10 employees, and will add an average of six employees for each event based on need. Applicant estimates up to 75 vehicles per event.

Staff recommends approval of the site plan review with the conditions that the proposal is sent to the NYS DOT Region 9 Site Plan Review Committee for the review and comment.

**Q. S. Titus**- Are you planning this project due to the closure of Vestal Hills CC? **A. D. Ulrick** – No, I have been planning this since 1999. Then I was ready in 2008, but the recession hit. Now I am ready.

**Q. C. Curry-** How do you plan to bring power to the event facility? **A. D. Ulrick** – Will bring a line up from my father’s house down the hill. Also, some caterers have their own electrical equipment.

**Q. T. Pollard-** Will a SWPPP approval be tricky due to the proximity of the creek? **A. D. Ulrick** – I have consulted with Stan Winnick, DEC Enforcement Officer, who has visited the site, who said everything looks good because drainage, most of which will be going down to the pond, will not be changing. J. Bellis then stated that because more than an acre of land is being disturbed, a SWPPP is required to be developed by a professional engineer and submitted to NYS DEC for their review and approval. He requested that this condition be added to the Approval statement.

**D. Chrzanowski** commented that if plans are to have up to 500 people at an event, as stated in the applicant’s narrative, this might trigger the Town of Candor’s mass gathering law and a permit may be required.

**Motion to recommend approval of the site plan review with the added condition of requirement of SWPPP to be developed and submitted to NYS DEC Region 7 for their review and approval:**

<b>J. Bellis/T. Pollard/Carried</b>	
<b>Yes</b>	<b>8</b>
<b>No</b>	<b>0</b>
<b>Abstention</b>	<b>0</b>

**4. County Case 2016-036: Town of Candor, Site Plan Review Amendment Local Law**

The Candor Town Board and Planning Board have worked together to streamline local land use laws that require local approvals. Topical land use regulations – telecommunications, adult entertainment, and solar have been incorporated into the updated Site Plan Review law. The Town Board has also created a Board of Appeals to hear project cases where dimensional requirements laid out in these laws are not met. Therefore, an Appeals section has been added to this law.

Staff recommends approval of the site plan review amendment local law.

**Q. T. Pollard-** Will this hold up in a court of law? **A. E. Jardine** – Yes, because the Town has created a Board of Appeals by local law that will hear appeals for area (dimensional) variances. Appeals for a substantive complaint will still go directly to NYS Supreme Court.

**Motion to recommend approval of the site plan review amendment local law:**

<b>C. Curry/J. Bellis/Carried</b>	
<b>Yes</b>	<b>8</b>
<b>No</b>	<b>0</b>
<b>Abstention</b>	<b>0</b>

**5. County Case 2016-037: Town of Owego, Site Plan Review, Upstate Shredding, LLC**

The applicant has determined that locating the metal separator on the Upstate Shredding property at Tioga Industrial Park is more compatible than on State Route 434. The new media separator building will be 11,777 square feet, located right next to other separator buildings. The purpose is to reclaim mixed metals by separating them into individual metal streams (aluminum, copper, zinc, etc.) via magnets. There will be no processing on site so there will be

no by-product or fluff created. The exterior of the building will look similar to other buildings on the campus.

Hours of operation will be from 6:00AM to 9:00PM. There is expected to be 24 jobs created, working over two shifts. Truck traffic generation is estimated at 5 – 10 trips per day maximum. Staff recommends approval of the site plan review amendment local law.

**Motion to recommend approval of the site plan review:**

<b>D. Chrzanowski/W. Dimmick, III/Carried</b>	
<b>Yes</b>	<b>8</b>
<b>No</b>	<b>0</b>
<b>Abstention</b>	<b>0</b>

**VIII. REPORTS**

A. Local Bits and Pieces

**1. Town of Candor – J. Bellis**

- No report.

**2. Town of Nichols – P. Moore**

- Not in attendance.

**3. Town of Berkshire – T. Pollard**

- Planning Board got a tour of Tioga Hardwoods.

**4. Town of Tioga – D. Chrzanowski**

- No report.

**5. Village of Waverly – W. Dimmick III**

- Dan Leary is not running again for Mayor. Pat Ayers is the candidate.
- Rick Gorman is the candidate for Village Justice.

**6. Village of Owego – G. Eckley**

- No report.

**7. Town of Newark Valley – S. Titus**

- Town Supervisor has promised to secure a fifth member for the Planning Board so Comprehensive Plan update can be finished.

**8. Village of Newark Valley – J. Tornatore**

- Not in attendance.

**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
  - Submit 2016 mileage sheets.

**IX. OLD BUSINESS**

None.

**X. ADJOURNMENT**

- A. Next Meeting January 18<sup>th</sup>, 2017 @ 7:00 PM in the Legislature Conference Room.
- B. Motion made to adjourn at 8:00 PM. W. Dimmick, III/S. Titus/Carried.

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