



MEETING AGENDA
TIOGA COUNTY PLANNING BOARD

March 16, 2022 at 7:00 PM

Via Zoom at

<https://us02web.zoom.us/j/86184645802>

Meeting ID: 861 8464 5802

Call In: 1 (646)518-9805

- 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. February 19, 2021

- V. PRIVILEGE OF THE FLOOR

- ~~VI. CORRESPONDENCE~~

- VII. NEW BUSINESS
 - A. 239 Reviews
 - 1. County Case 2022-004: Village of Waverly, PUD SPR/SUP, Santalucia
 - 2. County Case 2022-005: Village of Owego, Site Plan Review and Area Variance, Franziska Racker Center, Inc.
 - B. Election of 2022 Officers

- VIII. REPORTS
 - A. Local Bits and Pieces
 - B. Staff Report

- IX. OLD BUSINESS
 - None

- X. ADJOURNMENT
 - A. Next Regular Meeting April 20, 2022 via Zoom
 - B. Adjourn

**TIOGA COUNTY PLANNING BOARD
MEETING MINUTES
February 16, 2022
VIA ZOOM**

I. CALL TO ORDER AND INTRODUCTIONS

- Chairman D. Chrzanowski called the meeting to order at 7:03 PM.
- Note - this meeting was conducted via Zoom as allowed by NYS law regarding COVID-19 spread prevention. These minutes serve as a transcript of the meeting.

II. ATTENDANCE

- A. Planning Board Members:
Present: Doug Chrzanowski, Grady Updyke, Art Cacciola, Pam Moore, Rawley Filbin, John Current, Chelsea Robertson, Bryan Goodrich, Matt Tomazin, Tim Pollard, Georgeanne Eckley
Excused:
Absent:
- B. Ex Officio Members:
- C. Local Officials: None
- D. 239m Review: Brenda Bask-Lewis of Centerline Communications, Matt Siok of Lockheed Martin, Jason Kline of Farmer Brown Solar, LLC, Tim Gourley of Farmer Brown Solar, LLC, John Weaver of Commercial Solar Guy, Tom D’Arpino of Apalachin Land Development, LLC
- E. Guests: None
- F. Staff: Elaine Jardine

III. APPROVAL OF AGENDA

- Approval of agenda.

J. Current/C. Robertson/Carried
None Opposed
No Abstentions

IV. APPROVAL OF MINUTES

- Approval of January 19, 2021 minutes.

J. Current/C. Robertson/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

1. County Case 2022-002: Town of Owego, Special Use Permit, Farmer Brown Solar, LLC

The applicant is proposing to develop, construct and operate a 4.95MW /AC solar energy photovoltaic system via lease agreement with the property owner on this 40.4-acre property, which is currently mostly vacant land. The project will sit on approximately 18 acres of the non-wooded portion of this property.

Earth disturbance will only occur for the construction of the driveway, equipment pads, underground electric trenching and posts. Solar panels will be installed on existing grade (no grading or earthwork) via a racking system that is supported by steel pile driven into the ground. These 11,484 solar panel modules will be a maximum of 15 feet high from the ground and will rotate to follow the sun's path during the day. The applicant will install a seven-foot high perimeter fence surrounding the project facility. Access will be provided via an existing access drive from NYS State Route 434. Natural vegetation will screen the solar arrays and minimal glare from neighbors to the south, east and west. There are no neighbors to the north. The project will be visible from NYS Routes 434 and 17. The applicant has developed a SWPPP and has submitted it to the Town of Owego. Grass strips between module arrays will allow rainfall to infiltrate and flow in between arrays, allowing runoff to naturally infiltrate and drain over ground surface. This project is not located in the floodplain, but does appear it might be impacting a federally protected wetland specifically on the northwest corner of the property, with no mention of this in the project materials. This proposal also includes a small battery energy storage system in a future phase.

Town of Owego Planning & Zoning states that they do not require a Decommissioning Plan at the time of local approvals. The Town Board negotiates the Decommissioning Plan with the applicant after the local approvals are complete.

This community distributed generation project is providing a direct benefit to community residents and also provides another contribution toward clean energy production.

Staff advises the County Planning Board recommend approval of the special use permit.

Q. J. Current – Does this project also require a Site Plan Review? **A. E. Jardine** – No, not according to the Town of Owego Zoning Code.

Q. D. Chrzanowski – Didn't the property to be developed directly to the west have stormwater management troubles so the owner decided not to proceed? **A. E. Jardine** – Yes, but he just did not want to comply with stormwater management regulations, which were new at that time.

Q. E. Jardine – Why is there no reference to wetland mitigation regarding the mapped wetland in the northwest corner of the property? **A. T. Gourley** – We have just recently conducted a wetland delineation and that report shows no wetlands there any longer. The original NWI maps are more than 30 years old. **E. Jardine** – We will add a condition that the wetland delineation report be provided to the Town of Owego ZBA. **A. T. Gourley** – We will do that.

Q. T. Pollard – Is this a brownfield? **A. E. Jardine** – No, this land was cut 50 years ago to make NYS Route 17. However, there is no municipal water or sewer in this area, so the property has been underutilized.

Q. D. Chrzanowski – Did I see that a battery energy storage system (BESS) was also included in this proposal? **A. J. Kline** – Yes, in a future phase. **D. Chrzanowski** – Then we need to include as a condition that if the BESS is built, the applicant needs to provide incident and management training to the personnel of the Apalachin Fire District and the Tioga County Department Emergency

Management Services. **T. Gourley** – Yes, we have already discussed this with Mike George at the Apalachin Fire District.

Motion to recommend approval of the special use permit with the two conditions noted:

C. Robertson/M. Tomazin/Carried	
Yes	9
No	2 (T. Pollard, G. Updyke)
Abstention	0

2. County Case 2022-003: Town of Owego, Site Plan Review, Special Use Permit Area Variance, Centerline Communications

The applicant is proposing to develop, construct and operate a 104 feet high telecommunications tower and associated improvements via lease agreement with the property owner (Lockheed Martin) on this 27-acre property, which is currently vacant land. This Lockheed Martin land sits directly adjacent to the east of the Lockheed Martin facility and property. The tower will be situated on the northernmost portion of the property and be accessed by a private drive between the two properties - facility and this site. The entire telecommunications complex will be on a 100’ x 100’ footprint, and enclosed with a fence and locking gate.

Before and After propagation maps provided show that this tower is needed to improve telecommunications coverage and capacity at the adjacent Lockheed Martin facility.

The tower will be buffered from non-facility neighbors by natural woodland. There is adjacent property enrolled in the NYS Agricultural Districts Program, so the Town is conducting the Agricultural Data Statement process.

Analyzing the area variance considerations, nothing is out of line regarding the five tests, except that the variance request is moderate at 60%.

This new telecommunications tower will have positive impacts on Lockheed Martin, our county’s largest employer, by increasing their telecommunications coverage and capacity, and therefore operations. Yet the tower will have little to no impact on the surrounding uses and neighbors.

Staff advises the County Planning Board recommend approval of the site plan review, special use permit and area variance.

Q. C. Robertson – Are the colocation or ring maps showing all the adjacent towers? **A. B. Blask-Lewis** – Yes, there is only one other tower in the area, another AT&T tower.

Q. B. Goodrich – Can you tell me what the legend colors mean on the propagation maps? **A. B. Blask-Lewis** – the colors correspond to what kind of signal the land uses are receiving inside buildings – in the denser, better services areas it is more pink and on the outskirts in the less serviced areas the colors are more green and yellow.

Q. D. Chrzanowski – Is this tower being installed to mainly serve Lockheed Martin’s needs? **A. B. Blask-Lewis** – Yes, but there will also be better residual coverage along Bodle Hill Road and State Route 17C.

Q. T. Pollard – Aren’t you concerned about the area variance and the height of the tower in relation to the closeness of the helicopter-landing pad? **A. E. Jardine** – I figured if Lockheed Martin wasn’t

worried about it, I shouldn't be concerned. M. Siok – Yes, we consulted with our flight division, and they studied it and said the proximity will not cause issues.

Q. C. Robertson – Will the beacon at the top stay lit constantly? **A. M. Siok** – Yes.

Motion to recommend approval of the site plan review, special use permit and area variance:

R. Filbin/J. Current/Carried	
Yes	10
No	1(T. Pollard)
Abstention	0

VIII. REPORTS

A. Local Bits and Pieces

1. **Town of Candor** (A. Cacciola)
 - No report.

2. **Town of Tioga** (D. Chrzanowski)
 - No report.

3. **Town of Berkshire** (T. Pollard)
 - No report.

4. **Town of Newark Valley** (M. Tomazin)
 - No report.

5. **Town of Barton** (G. Updyke)
 - No report.

6. **Town of Owego** (J. Current)
 - No report.

7. **Town of Nichols** (P. Moore)
 - No report.

8. **Village of Waverly** (R. Filbin)
 - No report.

9. **Village of Owego** (G. Eckley)
 - No report.

10. **Alternates** (B. Goodrich, C. Robertson)
 - B. Goodrich asked about the cumulative impact of the solar array projects and should we be in the energy development business. C. Robertson responded that this determination is the responsibility of the municipalities through local laws, we just need to make sure the projects are compliant and do not have intermunicipal or countywide impacts. Discussion ensued on this topic.
 - C. Robertson announced that her organization, Southern Tier Central Regional Planning Board is hosting a municipal leadership conference on March 31st. She will email E. Jardine another notice.

B. Staff Report:

- Nothing more than was sent with the meeting packet.

IX. OLD BUSINESS

- None.

X. ADJOURNMENT

A. Next Meeting March 16, 2022, @ 7:00 PM via Zoom.

B. Motion made to adjourn at 8:01 PM. J. Current/C. Robertson/Carried.

Respectfully submitted,

Elaine Jardine, Tioga County Planning Director

Economic Development and Planning

**Economic Development and Planning
Legislative Committee Report
March 8, 2022
Prepared By: Elaine Jardine**

Meetings

- Solar Projects Best Practices and Policies meetings
- CCE Tioga Youth-Opportunity Now justice-involved workforce Coalition
- ST8 Broadband Collaborative
- ST8 Regional Opportunity Zone Collaborative
- ST8 Housing Summit Series Session #6 participant
- ST8 Regional Board Meeting

Active Projects

- Working with Ithaca Neighborhood Housing Services and Village of Owego DPW to prepare an infill affordable housing project for local approvals with the Village of Owego Planning Board, Zoning Board of Appeals and County Planning Board. The Village of Owego Planning Board and ZBA still need to meet to act on this case.
- Tracking municipal boards' adult-use cannabis MRTA opt-out local laws table attached). Most permissive referendum waiting periods will be complete by the end of February.
- Starting a gateway beautification project in Waverly with school student to paint murals on the railroad underpass at State Route 17 exit 61 and fence at exit 60. Students drew designs and the Project Committee chose winners.
- Working with NYSEERDA and our Clean Energy Coordinator to set up and host a series of five training sessions regarding renewable energy for a target audience of local planning board and ZBA members, first responders, and code enforcement officers. First responders training for Battery Energy Storage Systems was held. Clean Energy and the Comprehensive Plan was held as well. Tioga County will then receive credits toward grant funding to fund various clean energy and renewable energy projects.

Grants

Active

- DOS Local Government Efficiency Program - County ITCS Shared Services with Village of Owego and Town of Candor – IT starting with Village of Owego in February in the new village office building, then the Town of Candor this summer.
- ESD Planning and Feasibility Study Program – Village of Waverly economic market analysis (\$50,000) – The Mayor has signed ESD's final Incentive Proposal. Work has started with the consultant team MRB | group and ELAN. Project Steering Committee members are being identified and confirmed.
- OPRHP EPF Municipal Grant Program – Village of Owego OPD building restoration (\$625,811) – Village of Owego working on NYS contract and acceptance resolution.

Pending

- Worked on grant application to the National Park Service's Historic Revitalization Program through REAP for a countywide historic structure revitalization program (\$750,000). Submitted before deadline of February 22. Award date in the fall.
- Appalachian Regional Commission final applications – Tioga County IDA Workforce Education Coordinator was finalized as the top-ranked application; NYS DOS has approved and the application will be sent to ARC in Washington, DC soon.
- FEMA HMGP DR 4567 – Tioga County IDA stream crossing in Town of Richford preliminary engineering services – working on application with IDA Executive Administrator. Submitted before November 10 deadline. NYS DHSES has approved and the application is moving onto FEMA for review.

- FEMA HMGP DR 4480 – working on county application, which is due April 1, to update the current Hazard Mitigation Plan, which expires in August of 2024. Grant will be awarded in 2023. See resolution C02.

Potential

- NYS DEC Climate Smart Communities Grant Program, 2022 CFA, to fund a consultant to develop Tioga County's Energy Action Plan.

Plans/Studies

- Village of Waverly Comprehensive Plan Implementation – Waverly art students' gateways mural projects and downtown design guidelines.
- Embarking on an effort to create a Tioga County Energy Action Plan. This plan would layout a path for Tioga County government, residents and businesses of all types to work toward requirements of the NYS Climate Leadership and Community Protection Act (CLCPA). Will likely be a CFA to NYS DEC's Climate Smart Communities Grant Program.
- Solar Best Practices & Policies – The consultant, MRB group has held three Management Committee meetings and two Project Committee meeting. Two reports are completed and one draft report is under review.

Reviews (239)

- County Case 2022-002: Town of Owego, Special Use Permit, Farmer Brown Solar, LLC – Applicant proposes to establish and operate a 4.95 MW solar energy project on vacant land on State Route 434 in Apalachin. Staff advised the County Planning Board to recommend approval, and the TCPB recommended approval.
- County Case 2022-003: Town of Owego, Site Plan Review, Special Use Permit and Area Variance, Centerline Communications – Applicant proposes to establish and operate a telecommunications tower on Lockheed Martin vacant land, directly adjacent to the facility. Staff advised the County Planning Board to recommend approval, and the TCPB recommended approval.
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Resolutions –

- C02 – Authorize Submission of FEMA/DHSES DR 4480 Hazard Mitigation Grant Program

**Economic Development and Planning
Legislative Committee Report
March 8, 2022
Prepared By: Megan Schnabl**

Meetings

IDA Monthly Meeting and Annual Meeting
IDA Training
Weekly call with Southern Tier Network – Broadband Nichols
Meeting with Southern Tier Network at STN Offices
Meeting with STN and Hunt Engineering
Leadership Tioga
Property Database/Website Meeting with GIS, C. Curtis
Main Street, Candor Site Visit
ARG Meeting
Meeting with Potential Sanmina Client
Meeting with Home Leasing
Meeting with Real Estate Agent re: available space

Active Projects

DRI Projects Administration-SHPO and OHPC consultations
NYMS Project Administration-Owego and Candor
GIS Mapping Activities
USDA Community Facilities Program Village of Nichols Sweeper/Vacuum Truck
State Leads Responses
GIS/IDA/EDP Available Sites Mapping and Website
USDA Small Business Technical Assistance Grant
USDA ReConnect Broadband Nichols

Active Leads

Grants

Active

Pending

USDA Community Facilities Program Village of Nichols Sweeper/Vacuum Truck
Berkshire Fire Department FEMA Grant for Sign

Potential

Completed

Plans/Studies