

**TIOGA COUNTY PLANNING BOARD
MEETING MINUTES
December 17, 2014
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 Doug C. called the meeting to order at 7:00 PM.

II. ATTENDANCE

A. Planning Board Members:

Present: Tim Pollard, Doug Chrzanowski, John Current, William Dimmick III, Patty Porter, Pam Moore, Georgeanne Eckley

Excused: Elaine Jardine, Dave Mumbulo, Hans Peeters

Absent: Jason Bellis, Gary Henry, Jr.

B. Ex Officio Members:

C. Local Officials:

D. 239m Review Applicants: Terry and Virginia Hills, Day Hollow Animal Hospital PC, John Whitcomb, Jt. Town and Village of Spencer Planning Board.

E. Guests:

F. Staff: Linda Sampson, Caroline Quidort

III. APPROVAL OF AGENDA

- Approval of agenda – a request was made that the 239 Review County Case #2014-025: Town of Owego-Zoning Change, Day Hollow Animal Hospital be heard first.
P. Moore /P. Porter/Carried
None Opposed
No Abstentions

IV. APPROVAL OF MINUTES

- Approval of November 19, 2014 minutes – Motion to table the approval of the November minutes until next month’s Planning Board meeting (1/21/15) due to a missing page of the document and a misspelled name.
J. Current/P. Porter/Carried
None Opposed
No Abstentions

V. PRIVILEGE OF THE FLOOR

- None heard

VI. CORRESPONDENCE

There was no correspondence.

VII. NEW BUSINESS

A. 239 Reviews

1. County Case 2014-025: Town of Owego, Zoning change, Day Hollow Animal Hospital

The applicant is requesting to rezone their 1.01 acre and 1.7 acre property from Residential B to Neighborhood Transition. The parcel located at 345 Day Hollow Road is the site of the Day Hollow Animal Hospital. This property and use were established prior to zoning and therefore is considered a pre-existing, non-conforming use. The applicant recently purchased the adjoining property at 407 Day Hollow Road with intention of utilizing the property for an expansion of their veterinary services. It is believed that the existing house on 407 Day Hollow Road will remain. The applicant is requesting to rezone the properties so that both parcels and the related uses will be compliant with zoning.

The surrounding neighborhood is a mix of used including residential, industrial, general business, and religious.

Staff Comments:

- The proposed Neighborhood Transition zoning is appropriate given the location of the property and its current and proposed use. While this is currently zoned as a residential neighborhood, it contains a mixture of uses including business, religious, and residential. The rezoning will bring a pre-existing non-conforming use into compliance with current zoning regulations.
- It is recommended that the Town of Owego Planning Board explore the implication of rezoning the parcels on the southern portion of Day Hollow Road.

After thorough consideration of the above, Staff advise the County Planning Board to recommend approval of the rezoning request.

Q: T. Pollard – Will this impact/change the expansion plans we saw in a site review we saw a while ago?

A: T. Hills – Yes and no. The expansion plans put us close to the property line without conforming boundaries. The building that is there gave us the opportunity to spread out the footprint for a daycare for dogs and create a fenced in area for outdoor activities which brought on the reconsideration for original plans for expansion on this available property.

Q: G. Eckley – Could I have a brief definition of a neighborhood transition?

A: C. Quidort – Ms. Quidort read the definition under purpose on page 2, previously distributed.

Q: J. Current – Is there municipal water and sewer?

A: T. Hills – It is all well & septic.

Q: Doug C. – Looking at the map, has the parcel always been landlocked?

A: T. Hills – That parcel is owned by Lockheed.

With no further discussion, motion to recommend approval of the site plan:

P. Moore/P. Porter/Carried

Yes 7

No 0

Abstention 0

2. County Case 2014-024: Town & Village of Spencer – Comprehensive Plan Adoption

The Comprehensive Plan, which was prepared by the Spencer Town & Village Joint Planning Board with assistance from students of the Department of City & Regional Planning at Cornell University, was attached.

Staff Comments:

The Joint Comprehensive Plan is for the Town & Village of Spencer is the culmination of years of collaborative work. The Joint Comprehensive Plan provides a summary of the physical location, a short history, and a basic analysis of the demographic and physical characteristics of the community as well as goals, objectives and recommendations. The plan is laid out with separate goals, objectives, and recommendations for the Town and Village. Although separate, the goals and objectives are complementary to each other. Community members were able to participate in the development of the plan via paper and phone surveys conducted by students from a Cornell University planning class in the fall of 2011.

Overall, the Joint Comprehensive Plan is sufficient document to help guide the future development of the Town and Village of Spencer. To improve the chances of a successful plan implementation, it would be helpful for the preparers of the Joint Comprehensive Plan to include recommendations on implementation of the plan including timelines and responsible parties. (This could be added as an Appendix to the document.) It might also be helpful to include a recommendation for periodic updates (at 5-year intervals) of the Joint Comprehensive Plan to help incorporate the changing demographics and needs of the community.

After thorough consideration of the above, Staff advises the County Planning Board to recommend approval of the proposed Joint Comprehensive Plan for the Town & Village of Spencer, NY.

J. Whitcomb remarked it was an interesting process and commented the elected officials of Spencer are very protective of individual property rights.

Q: Doug C. – Referring to page 28 & 29, regarding PDR, Purchase of Development Rights, is it wise to put the program percentages in a plan like this because the programs change regularly?

A: J. Whitcomb - That whole section may come out, because they eliminated the goal and objectives related to the Purchase of Development Rights, but for some reason it didn't disappear from appendix. J. Whitcomb commented the

purpose of the Appendix was to explain some of the things that are in the goals and objectives, and the goal and objective of Purchasing Development Rights was removed, but the explanation didn't make it out. I'm glad it has been pointed out here.

With no further discussion, motion to recommend approval of Staff recommendations of County Case 2014-024:

J. Current / W. Dimmick/ Carried	
Yes	7
No	0
Abstention	0

VIII. REPORTS

B. Local Bits and Pieces

1. Town of Candor – G. Henry

- Not in attendance

2. Town of Nichols – P. Porter

- The Right to Farm ordinance was approved after a public hearing.
- The refuse ordinance discussion is still going back and forth between Boards.
- Yesterday at the Planning Board meeting there was a very long and intense discussion on drones. The only place in the New York State with a drone ordinance is the City of Syracuse; prohibiting any drones being flown within the city until the state and federal governments come up with a drone law. P. Porter commented that Lockheed Martin manufactures drones and they could be testing them. If they fly over the Town Nichols, any type of wording they have would not hold up in court because Lockheed Martin could come back and say they are not breaking any state or federal laws. P. Porter added that it is a very big problem. The concern is the ability to spy on your neighbors; a privacy issue.

3. Town of Berkshire – T. Pollard

- Our new CEO, Rachel Jacobs, is doing a really good job so far; probably more enforcement activity than we've had in several years.
- The ongoing boundary dispute across the street from the Town Hall is going to be resolved soon. They have been directed to tear down the addition that's across the property line.

4. Town of Tioga – D. Chrzanowski

- The Town of Tioga passed the Site Plan Review.

5. Village of Waverly – W. Dimmick III

- Nothing to report

6. Village of Owego – G. Eckley

- Nothing to report.

7. Town of Newark Valley – H. Peeters

- Not in attendance.

8. Town of Richford - vacant

9. Town of Owego – J. Current

- Nothing to Report

10. Town of Barton – D. Mumbulo

- Not in attendance

11. Spencer – vacant

Q: P. Moore asked if the recommendations that C. Quidort made for the zoning change for exploring the implications of rezoning the other parcels between the office and 17C , County Case 2014-025, is that something we should vote on?

A: C. Quidort answered that it wasn't an official recommendation. They will get the official notification saying the Planning Board recommended the zoning change and they will get a copy of the Staff Report. If you wanted it to be a part of the official recommendation, you could have included it, but it starts the process all over again. They would need a super majority to go against our decision. This was more a suggestion for them to think about it. However, in the future if you there is something you do want included, you can amend the recommendation and have it in your motion to say we recommend approval with the recommendations as a part of the approval.

Q: P. Moore asked C. Quidort if she was able to check on what municipality has a Comprehensive Plan and who has a Master Plan.

A: C. Quidort responded continuing to work on it, waiting for some returned phone calls and will send it out as soon as the information is collected.

B. Staff Report

- L. Sampson reported that Elaine Jardine will return to work January 5th.

IX. OLD BUSINESS

- A. None

X. ADJOURNMENT

- A. Next Meeting January 21st, 2014 @ 7:00 PM in the Legislature Conference Room.
B. Motion made to adjourn at 8:15 PM. P. Porter/W. Dimmick/Carried.

Respectfully submitted,
Linda Sampson, Administrative Assistant
Economic Development and Planning