

**TIOGA COUNTY PLANNING BOARD  
MEETING MINUTES  
January 20, 2021**

~~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 7:01 PM.
- Note - this meeting was conducted via Zoom as allowed by Governor Cuomo Executive Order regarding COVID-19 spread prevention. These minutes also serve as a transcript of the meeting.

**II. ATTENDANCE**

A. Planning Board Members:

**Present:** Doug Chrzanowski, Rawley Filbin, Grady Updyke, Tim Pollard, Mike Reynolds, Chelsea Robertson, John Current, Art Cacciola, Georgeanne Eckley, Pam Moore, Matt Tomazin

**Excused:** Tim Pollard

**Absent:** Tim Goodrich

B. Ex Officio Members:

C. Local Officials: none

D. 239m Review: Dr. Stephen Laudermilch of Endless Mountains Veterinary Center, Jenn Shaw of Shear Paradise

E. Guests: Bryan Goodrich of Tioga County GIS

F. Staff: Elaine Jardine

**III. APPROVAL OF AGENDA**

- Approval of agenda as amended to add item VII B. Tioga County Planning Board / Village of Owego updated GML 239 referral intermunicipal agreement.
  - C. Robertson/J. Current/Carried
  - None Opposed
  - No Abstentions

**IV. APPROVAL OF MINUTES**

- Approval of December 16, 2020 minutes with typo correction on page 2.
  - P. Moore/M. Reynolds/Carried
  - None Opposed
  - 1 Abstention (A. Cacciola)

**V. PRIVILEGE OF THE FLOOR**

- None

**VI. CORRESPONDENCE**

- On file at the EDP Office

## VII. NEW BUSINESS

### A. 239 Reviews

#### 1. County Case 2021-001: Village of Owego, Site Plan Review, Endless Mountains Veterinary Center

The applicant is requesting site plan approval to construct a one-story 1,900 square foot addition to the 5,900 square foot existing building. Applicant states the new addition is needed to expand existing operations and add more staff. There are also plans to expand the driveway and parking areas.

There will be no change in hours of operation, but the project will allow the facility to add 8 -10 staff members. Applicant states current operation plus expansion will generate 85-120 vehicle trips per day traffic, which will have minimal impact on the existing street network.

The only aspect of the proposal that does not meet the Village's zoning regulations is that the number of parking spaces provided as shown on the site plan is 59 while the zoning code requires 78.

This proposal would allow this successful small business to again operate at a fuller capacity. Any small business that expands its services during this difficult financial time is of benefit to the community. The project will have little to no negative impact on the neighborhood.

Staff recommends approval of the site plan review with the conditions that the Village of Owego Planning Board and Zoning Board of Appeals address the needed area variance for parking as required by the Village's zoning code and that the applicant comply with NYS DOT Region 9 Site Plan Review Committee's comments and requirements.

**Q. D. Chrzanowski:** It looks like the existing stormwater retention pond will be encroached upon according to the site plan. How will this be remediated? **A. E. Jardine** – I apologize, I forgot to include the applicant's drainage report in the 239 case materials. It says in that report that stormwater will now be handled by a closed storm drainage system.

**Q. D. Chrzanowski:** What is the construction timeline for this project? **A. S. Laudermilch** – We will hopefully be starting in April, depending on this local approvals process. **D. Chrzanowski** – You may want to inform your construction contractor that there are two other construction projects that have the same timing in that exact area, and things might get congested. There is both the Val-U tow truck garage across the street and the Owego Gardens 2 housing project up the hill. **S. Laudermilch** said he would do that.

**Q. C. Robertson:** Is there a reason that the Village would not follow their own regulations regarding the area variance needed for parking? **E. Jardine** – No, however I did not receive a request for an area variance with the 239-referral materials, therefore I treated it as a local issue to be decided at the local level. If the Board wishes, I can change the wording of that condition to reflect that Village Planning Board and ZBA should address the area variance required by their zoning code. Board consensus was to change the wording. **E. Jardine** will do that before distributing to the applicant and Village officials.

**Q. P. Moore:** Is this expansion for veterinary services only or is EMVC considering additional services such as pet grooming? **A. S. Laudermilch** – Just to expand veterinary services. Although we would like to have pet grooming, there is just physically not enough buildable space on the lot, as it is on a hill, to expand the building enough for additional services.

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

<b>R. Filbin/P. Moore/Carried</b>	
<b>Yes</b>	<b>10</b>
<b>No</b>	<b>0</b>
<b>Abstention</b>	<b>0</b>

**2. County Case 2020-019: Village of Owego, Site Plan Review and Floodplain Special Use Permit, Shear Paradise**

The applicant is requesting site plan approval and a floodplain special use permit to construct and operate a 1,405 square foot, one-story addition on the existing 3,688 square feet hair and nail salon structure to add spa services. The structure, which was formerly an upholstery business, is located on the corner of McMaster and Foundry Streets.

Hours of operation are 9:00AM to 8:00PM Monday through Saturday. The applicant expects to add four employees to the existing 10. There will be no new signs, and only one exterior wall security light added to the rear entrance of the addition. There is plenty of space on site on current gravel and grass open space to provide the required parking spaces.

This structure is located within FEMA’s 1% annual chance Special Flood Hazard Area, and is considered a substantial improvement under FEMA regulations, which requires that this new building will be constructed so that the first finished floor is 2 feet above the Base Flood Elevation. The site plan shows that the BFE at this location is 812.2 feet amsl, and the addition “first floor” will be at 814.3 feet amsl.

The applicant’s proposal meets all the numerous regulations in the Village of Owego Code. This project, which is part of the Village of Owego Downtown Revitalization initiative, would allow this successful small business to operate at a fuller capacity. It is again another example of a small business that is willing to expand services during this difficult financial time, which is of benefit to entire community; particularly given the poor condition this building was in before this owner/applicant purchased and reused and rehabilitated it. This project will have little to no negative impact on the neighborhood.

Staff recommends approval of the site plan review with the standard condition.

**Q. D. Chrzanowski:** Will the main access to the spa area be through the front of the building? **A. J. Shaw** – Yes, as that is where the client welcome and check in station is. **D. Chrzanowski** – Will there be a ramp to the rear entrance of the spa? **A. J. Shaw** - Yes. **D. Chrzanowski** – Good because that access is required by ADA.

**Motion to recommend approval of the site plan review and floodplain special use permit:**

<b>J. Current/R. Filbin/Carried</b>	
<b>Yes</b>	<b>10</b>
<b>No</b>	<b>0</b>
<b>Abstention</b>	<b>0</b>

**B. TCPB / Village of Owego updated 239 referral Intermunicipal Agreement**

E. Jardine showed the TCPB members the changes made in working with the Village of Owego officials. Two main changes were to add filter criteria for site plan review, and remove the filter of development in the floodplain. One minor change was to add up 20% of building footprint filter under area variances. A few additional changes were editorial in nature.

**Motion to approve Tioga County Planning Board / Village of Owego updated GML 239 referral intermunicipal agreement (2021).**

G. Eckley/J. Current/Carried  
None Opposed  
No Abstentions

## VIII. REPORTS

### A. Local Bits and Pieces

1. **Town of Candor** (A. Cacciola)
  - Peter Ward at 90 years old retired from the planning board and they have a few good replacement candidates
  - EMS Squad is experiencing a financial deficit due to COVID so they are trying to get the Town to pay for their operations this year.
2. **Town of Tioga** (D. Chrzanowski)
  - Doug is the Town of Tioga's new Code Enforcement Officer
  - The Town is seeing a lot of interest in moving into the area
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)
  - Going to work again on the Village's comprehensive plan update.
  - Attorney Frank Como passed away in December
  - Town of Maine ambulance facility collapsed in December's snow storm so their ambulances and crew are now in the VONV building for about six months
6. **Town of Newark Valley** (M. Tomazin)
  - No report.
7. **Town of Barton** (G. Updyke)
  - Town Supervisor Dick Carey passed away a couple months ago so Don Foster has taken the Supervisor position temporarily until November election. No one has been appointed to fill Don Foster's council member vacant position, so the Town has a four-member board until next year.
8. **Town of Owego** (J. Current)
  - No report.
9. **Town of Nichols** (P. Moore)
  - No report.

**10. Village of Waverly (R. Filbin)**

- No report.

**11. Village of Owego (G. Eckley)**

- No report.

**B. Staff Report:**

- Nothing covered other than in provided written report.

**IX. OLD BUSINESS**

- None.

**X. ADJOURNMENT**

A. Next Meeting February 17, 2021, @ 7:00 PM via Zoom.

B. Motion made to adjourn at 7:48 PM. J. Current/R. Filbin/Carried.

Respectfully submitted,

Elaine Jardine, Tioga County Planning Director

Economic Development and Planning