

**TIOGA COUNTY PLANNING BOARD  
MEETING MINUTES  
December 18, 2013  
Tioga 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 7:01 PM.

**II. ATTENDANCE**

A. Planning Board Members:

**Present:** William Dimmick III, Tim Pollard, John Current, Doug Chrzanowski, Arrah Richards, Hans Peeters, Gary Henry, Jr., Georgeanne Eckley

**Excused:** Jason Bellis, Pam Moore

**Absent:** Nathan Clark, Patty Porter

B. Ex Officio Members:

C. Local Officials: Jim Tornatore, Village of Newark Valley Mayor and Scott Kasmarcik, Village of Newark Valley Code Enforcement Officer

D. 239m Review Applicants: Patsi Spoonhower and Bob Stevens for Studio 34, Kraig Moss for KRM Management Group LLC

E. Guests: None

F. Staff: Elaine Jardine

**III. APPROVAL OF AGENDA**

- Approval of agenda.

G. Henry/W. Dimmick III/Carried  
None Opposed  
No Abstentions

**IV. APPROVAL OF MINUTES**

- Approval of September 18, 2013 minutes

A. Richards/T. Pollard/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 2013-019: Village of Newark Valley, Site Plan Review, Studio 34**

The applicant wishes to establish and open a hair and nail salon at this site that was formerly a diner. The business will employ up to three part-time stylists with operating hours of Monday through Saturday 8:30 AM to 7:00 PM. A stylist would service up to 4 customers during each shift. There is sufficient parking with 11 existing parking spaces.

The business will utilize the village's municipal water system and existing septic system. The applicant has already had an engineer test the septic system, which showed the system is working properly. The property is in the FEMA 1% Annual Change Special Flood Hazard Area.

The salon is a suitable reuse of a currently vacant property. It is a less-intensive commercial use than a restaurant, and yet maintains the neighborhood character and tax base of the Village.

The neighborhood contains a mixture of commercial and residential uses. Staff recommends approval of the site plan review with the conditions that the applicant obtains a Floodplain Development Permit from the Village's Code Enforcement Officer and the proposal gets referred to the NYS DOT Region 9 Site Plan Review Committee.

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

<b>G. Henry/A. Richards/ Carried</b>	
<b>Yes</b>	<b>8</b>
<b>No</b>	<b>0</b>
<b>Abstention</b>	<b>0</b>

**2. County Case 2013-020: KRM Management Group LLC, Rezoning, Town of Owego**

The applicant is requesting to rezone this 4.9-acre vacant property from Residential B to General Business with the intention to create a commercial development if this rezoning request is successful. The property sits right in between NYS Route 434 and East Main Street in Apalachin. This parcel, although recently filled and graded, has been and remains vacant land. While most of the property is in the FEMA 1% annual flood chance Special Flood Hazard Area, the recent fill and grading has brought it up above flood elevation.

The surrounding neighborhood is mainly residential in nature, but there are nearby commercial strips/uses both east and west of the property along NYS Route 434.

The proposed General Business zoning is appropriate given the location of the property along NYS Route 434 and that there is commercial development as well as Business zoning on either side of this site along Route 434. While this is a residential neighborhood, access to a future commercial development will be from NYS Route 434 only and the entire development will be oriented away from the houses, facing the state highway. That access already exists. There will be no access from East Main Street. This should minimize impacts on the current residential neighborhood.

There is not quite enough acreage with this property alone, given that the property is 4.9 acres and the General Business zoning district regulations require 5 acres minimum. This is why the adjacent property owned by Peggy Ayres has also requested a zoning change (County Case 2013-021).

Staff recommends approval of the rezoning request.

**Motion to recommend approval of the rezoning request for both KRM Management Group LLC (2013-020) and Peggy Ayres (2013-021).**

**G. Henry/H. Peeters/ Carried**

**Yes 8**

**No 0**

**Abstention 0**

**3. County Case 2013-021: Peggy Ayres, Rezoning, Town of Owego**

The applicant is requesting to rezone this 0.49-acre vacant property from Residential B to General Business with the intention to create a commercial development if this rezoning request is successful. The property sits right in between NYS Route 434 and East Main Street in Apalachin. This parcel is not in the FEMA Special Flood Hazard Area.

The surrounding neighborhood is mainly residential in nature, but there are nearby commercial strips/uses both east and west of the property along NYS Route 434.

This property 0.49-acre property, combined with the 4.9 acres KRM property, makes a total of 5.39 acres for the future commercial development, meeting the General Business zoning district regulations 5 acres minimum requirement.

Staff recommends approval of rezoning request.

**The TCPB combined the recommendation of approval of this case with County Case 2013-020 above.**

**VIII. REPORTS**

**A. Local Bits and Pieces**

1. Town of Candor – G. Henry
  - New salt barn has been constructed.
  - The Town Barn has been expanded with new work bay and renovated.
  - Updating Town Comprehensive Plan.
2. Town of Nichols – P. Porter
  - Not in attendance.
3. Town of Berkshire – T. Pollard
  - Updating Town Comprehensive Plan and have enlisted a citizen volunteer group to design the survey.

- The convenient store on Route 38 in the hamlet has reopened again after at least 5 years out of business. May pose problems with snow mobiles, as it has in the past.
4. Town of Tioga – D. Chrzanowski
    - Town Board is considering Site Plan Review regulations again and has passed it along to the Planning Board for development.
  5. Village of Waverly – W. Dimmick III
    - Village of Waverly Board of Trustees could not carry the vote for the LED signs for churches zoning amendment.
  6. Village of Owego – G. Eckley
    - No report.
  7. Town of Newark Valley – H. Peeters
    - No report.
  8. Town of Richford - vacant
  9. Town of Owego – J. Current
    - No report.
  10. Town of Barton – A. Richards
    - Arrah has moved to Sayre, PA so this is her last TCPB meeting. One of the Town of Barton Planning Board members might be interested.
  11. Spencer – N. Clark
    - Not in attendance.

- B. **Staff Report** – Staff report sent in mailing. E. Jardine added three items:
1. If members wish to claim mileage for 2013, completed forms must be submitted to Linda in the EDP Office by next Monday, December 23.
  2. NYS DEC released new SEQR EAF forms in October. Broome and Tioga Counties intend to do a joint training sometime next year.
  3. Elaine will be on a 4-6 weeks medical leave starting January 29<sup>th</sup> due to another shoulder surgery. Erik Miller of STERPDB will cover for the February TCPB meeting.

## **IX. OLD BUSINESS**

- A. None

## **X. ADJOURNMENT**

- A. Next Meeting January 15<sup>th</sup>, 2013 @ 7:00 PM in the Legislature Conference Room.
- B. Motion made to adjourn at 7:38 PM. Hans Peeters/T. Pollard/Carried.

Respectfully submitted,  
Elaine D. Jardine, County Planning Director