

A Regular Meeting of the Town of Owego Planning Board was held 7:00 PM on Tuesday, August 27, 2024 at the Owego Town Hall, 2354 State Route 434, Apalachin, New York.

Present: Chairman Robert Rieg, Lynne Esquivel, Jim Tofte, Craig Wademan, Lisa Baileys, Cheri Grenier and Eric LaClair

Others Present: Bill Carrigg and Dean Morgan

Chairman Rieg called the meeting to order at 6:58 pm. The minutes from the May 29, 2024 meeting were considered. Ms. Esquivel made a motion to accept the minutes as written. Mr. Wademan seconded the motion which was unanimously carried.

Appeal 2151

Mr. Carrigg introduced Appeal No. 2151, a request for a Special Use Permit by Ryan Kline for a grade improvement in the flood zone at 2482 State Route 17C, Owego. Mr. Carrigg stated that he spoke with Mr. Kline, who was present, and Mr. Kline wished to withdraw his request.

Appeal 2152

Mr. Carrigg introduced Appeal No. 2152, a request for a Special Use Permit to open a Taco Bell at 1054 State Route 17C, Owego. Mr. Rick Vinal representing Taco Bell was present. Mr. Carrigg stated that the current building, an old bank which has been empty for years, would be repurposed into a Taco Bell. Mr. Carrigg stated in speaking with Mike McCracken, an engineer for the project, the footprint of the bank building is within 6 square feet of current Taco Bell restaurants. Mr. Carrigg stated that there is an existing parking agreement in place between the hotel and the bank building. Mr. Carrigg invited Mr. Vinal to speak about the project.

A brief discussion was had on if Hospitality Syracuse/Taco Bell would be leasing or buying the property and who owned the property. The discussion continued with Rudra management was the owner of the property.

Chairman Rieg asked if the parking agreement is still in place from the 1973 original agreement. Mr. Carrigg stated yes, that conveys with the properties.

Ms. Grenier asked about the current lease for cars being parked there from a local dealership. Mr. Carrigg stated the cars are overflow but will be no longer be there.

Mr. Vinal stated the plan would be that the existing building would be remodeled not demolished. Mr. Vinal stated the entire parking lot would be milled and resurfaced and concrete will be chipped out and replaced. Mr. Vinal stated the western exit will be a right turn only as per NYSDOT comment. Mr. Vinal stated any damaged structures on site will be replaced, including storm drains. Mr. Vinal stated that there is one storm drain that cannot be repaired and will be replaced, the others will be checked and if they cannot be repaired they will be replaced.

Ms. Baileys asked if the documentation provided was the model or site specific. Mr. Vinal replied it will be similar as a covered outdoor patio has been added to the plans for this site which will be on the side of the building. Mr. Vinal provided copies of the proposed covered outdoor patio plan to the board members.

Mr. Tofte asked if there was dimension or site plan available. Mr. Vinal stated he did not have one but could send one. Mr. Carrigg interjected and said the original building plans were provided and are the same footprint.

Mr. Vinal had a brief discussion with the board members regarding the prints that were shown of the prototype and of the outdoor covered patio. Mr. Wademan made mention that the brand book that was received previously did not show this outdoor covered patio. Mr. Tofte asked if this was a typical brand book and not specific to this project. Mr. Vinal responded yes, this is a typical brand book.

Mr. Tofte asked if this new build would be a typical size store or larger. Mr. Vinal responded they are usually a typical size of 2640-2650 square feet.

Mr. Morgan stated due to the building being zoned HIC which refers back to GB, project needs to go through the board process because a bank is different use than a restaurant.

Mr. Wademan stated a letter received dated July 31, 2024, said a dedicated 35 visits per hour with some peak hours being noted and the plans show one dedicated lane coming around the building concern is for traffic stacking up on State Route 17C. Mr. Vinal responded 2-3 minutes is typical time for prep and car to exit. Mr. Vinal stated they usually do a stack test and the typical stack is 4-6 cars. Mr. Vinal stated the current plan shows enough room to stack 12 cars.

Mr. Wademan asked if this was a single drive-thru lane. Mr. Vinal responded yes and will have a single exit lane around. Mr. Wademan asked if this would be eat in as well as drive-thru. Mr. Vinal responded yes.

Mr. Wademan asked if the 34 parking spaces were grandfathered with the original parking agreement. Mr. Morgan stated that it meets the requirement. Mr. Vinal stated the typical amount of cars in the parking lot is 10-12 as most people go through the drive-thru.

Mr. Tofte inquired if there would be any accessibility enhancements for people with disabilities. Mr. Vinal stated yes, all ADA requirements will be met. Mr. Tofte asked if there would be two accessible parking spaces and one 8 foot exit aisle. Mr. Vinal replied yes. Mr. Vinal stated the main entry to the building on the side of the building and that is where the parking spaces and ramp for ADA will be.

A brief discussion was had regarding the plans showing where the drive-thru will be and that there is a possibility of two drive-thru windows, one for payment and one for pick up.

Mr. Wademan asked if there was a dumpster and delivery plan. Mr. Vinal stated deliveries will be at the back exit door and that deliveries are made early in the morning and there will be no dock or ramp. Mr. Wademan asked if the delivery would be a semi-truck or box truck. Mr. Vinal stated usually semi-truck.

A brief discussion was had regarding Hospitality Syracuse Inc. would purchase the property.

Ms. Baileys asked if the supply delivery would affect the drive-thru. Mr. Vinal responded no, deliveries are between 4am and 6am and restaurant does not open for until 7am. Mr. Vinal stated tractor trailers for deliveries are not allowed during business hours. Mr. Vinal stated one initial delivery and 1-2 deliveries per week after that.

Mr. Wademan asked about a timeframe to start the project. Mr. Vinal stated they would like to start at the end of September and could have finished in 90-100 days as there is no major site work needed.

Mr. Tofte inquired on landscaping enhancements. Mr. Vinal stated when a store is opened, they sod the whole store, and no hydro-seed will be used.

A brief discussion was had regarding the electric car stations are on a separate property, adjacent to the west.

Mr. Vinal provided a site plan copy to the board members.

A brief discussion was had regarding the site plan showing pedestrian access from State Route 17C.

Mr. Tofte inquired about a grand opening and how that would affect traffic. Mr. Vinal stated just recently another store was opened and even at peak time, the stack was typically 4-6 cars. Mr. Tofte stated with a new store with new staff and public grand opening, would there be traffic control assigned. Mr. Vinal yes, if needed, traffic control would be in place. Mr. Vinal stated new stores are opened on Wednesday, with a soft opening a couple days before, if traffic control is needed, they will provide it.

Mr. Morgan stated traffic can go through the traffic light and park elsewhere if necessary.

Chairman Rieg stated there are 2 pitch points regarding traffic, 1) being if the product isn't ready and the car would need to pull ahead, and 2) being if there is so much business traffic gets backed up onto State Route 17C. Mr. Wademan stated they have 2 lanes coming in for the drive-thru, one is for ordering and one is an exit lane that goes along the outside. Chairman Rieg asked if there will be drive-thru only signs. Mr. Vinal stated yes, as well as signs on the pavement as well, stating drive-thru with arrows.

Chairman Rieg asked where deliveries would be. Mr. Vinal referred to the site plan showing a side door on the east side of the building, centrally located, to the right of the handicapped parking spaces, is where deliveries would be.

Mr. Tofte inquired if there is a dumpster enclosure shown on the site plan. Mr. Vinal stated no but he would provide one. Mr. Vinal stated they usually use a Trex product, sometimes they use block if there is no brick on the building.

A brief discussion was had regarding what is needed to make a recommendation of approval to the Zoning Board of Appeals. The discussion continued stating, site plan, to include plans for the outdoor patio, dumpster enclosure and material as well as site lighting and signage. Mr. Vinal stated there are lights on the building and in the parking lot.

A brief discussion was had regarding signage, entry and exit, as well as a pylon sign, which originally was next to the building and had been moved to the sidewalk.

Mr. Vinal stated the usual project includes 6-12 lights. Mr. Tofte asked if the lighting would affect neighboring properties. Mr. Vinal said he was unsure but would get that question answered. Mr. Vinal stated they can provide dual head lighting and if neighboring properties had no lighting they would request to put a couple lights on those properties.

A brief discussion was had regarding that the "L" shaped concrete around the perimeter was a sidewalk.

Ms. Baileys asked if any of the existing lighting would be reused. Mr. Vinal stated no, all lighting would be replaced.

Mr. Tofte inquired if any update to drainage would be done. Mr. Vinal stated there are no plans to change drainage but will inspect and replace structures as needed, storm drains and catch basins.

Mr. Tofte asked at what phase of the NYSDOT permit were they at. Mr. Vinal stated he does not believe a NYSDOT permit is required as they are not doing any major work in their right of way. Mr. Tofte inquired about NYSDOT comment stating a right exit only sign was needed. Mr. Vinal stated yes, a right exit only arrow sign was agreed upon.

Mr. Carrigg stated contact information for Tony Signorelli, NYSDOT Binghamton was given to Mike McCracken, who represents this project, so they can communicate.

A brief discussion was had that the entryways from the State Route will be a different type of asphalt.

A brief discussion was had regarding the process is the planning board makes a recommendation to the Zoning Board of Appeals.

A brief discussion was had regarding that all materials requested in the recommendation needs to be supplied to the Zoning Board of Appeals not at time of the building permit.

Mr. Wademan made a motion to recommend approval of Appeal No. 2152 to the Zoning Board of Appeals with the following conditions:

A site plan submitted to the Zoning Board of Appeals to include: site lighting, signage, landscaping, information and intent on dumpster enclosure (size, location & materials involved), define specific use of the outdoor area and a statement that deliveries will be made outside of hours of operation.

Mr. Tofte asked if that outdoor seating area is a required egress. Mr. Wademan stated that would be defined by codes and would depend on the occupancy.

Seconded by Chairman Rieg. All in favor. Motion unanimously carried.

Appeal 2153

Mr. Carrigg introduced Appeal 2153 a Special Use Permit is requested for 1327 State Route 17C Owego for Mike Thompson, owner of TNT Performance, for a 40ft by 52ft addition, 2080 square feet, on the north side of the existing building. Mr. Carrigg invited Jason Bellis, Engineer, representing Mike Thompson, to speak about the project.

Mr. Bellis stated the owner Mike Thompson, would like to expand his existing mechanic shop 40ft by 52ft with 3 bays. Mr. Bellis stated Mr. Thompson is the sole owner/operator. Mr. Bellis stated that there will be 3-5 vehicles per day, mechanic work usually performed is routine, e.g. rotate the tires, change the oil. Mr. Bellis stated Mr. Thompson does perform enhancement work, there will be a special bay to test engines to include a dyno as Mr. Thompson is aware of the noise involved as this is not a new service. Mr. Bellis stated that there is plenty of space to stage vehicles and Mr. Thompson likes to keep an empty lot and rarely keeps cars in the parking lot overnight. Mr. Bellis stated that there is plenty of space for the 18 parking lot minimum requirement and for snow removal toward the highway off to the north. Mr. Bellis stated there will be no improvements made in the NYSDOT right of way, drainage would remain the same and site lighting would remain on the building as not necessary for the parking lot.

Mr. Tofte inquired about added floors drains or are there any exiting floor drains. Mr. Bellis stated he was unsure of existing but no drains would be added. Mr. Tofte asked if there were sanitary/washrooms in the facility. Mr. Bellis stated he was unsure of existing but no new is being added, just adding bays. Mr. Tofte stated with changing oil there is usually a drain. Mr. Bellis said he believed catch pans were being used, no oil sand separator. Mr. Wademan inquired on the waste oil disposal. Mr. Bellis stated the waste oil would be disposed of legally.

A brief discussion was had regarding Mr. Thompson would be doing the same work but needed a larger building and there are existing lifts and that most likely lifts would also be added.

Ms. Baileys asked if the hours of operations were Monday-Friday, 9am to 5pm. Mr. Bellis replied yes.

Chairman Rieg inquired if there was a paint facility. Mr. Bellis stated he was unsure. Mr. Carrigg stated no.

Chairman Rieg asked if the expansion parking would be paved. Mr. Bellis stated yes.

Chairman Rieg inquired on a timeline, start to finish, for the project. Mr. Bellis stated Mr. Thompson would like to get started as soon as the approvals are in place but unsure at this time of a timeline.

Mr. Tofte inquired about site lighting. Mr. Bellis stated lights are on the building and there is no pole lighting.

Mr. Tofte inquired if there were bollards protecting the building. Mr. Bellis said he was unsure if any bollards are existing or if any would be added.

Mr. Tofte asked if Mr. Thompson was a licensed facility with the DMV and if there was any bulk storage. Mr. Bellis stated he was unsure of the license but stated there is no bulk storage.

Chairman Rieg made a motion to recommend approval of Appeal No. 2153 to the Zoning Board of Appeals. Seconded by Mr. Wademan. All in favor. Unanimously carried.

The next regular meeting is scheduled for Tuesday, September 24, 2024 at 7:00PM.

There being no further business, the meeting was adjourned at 7:49PM.

Respectfully submitted,

Tina Tammaro

Secretary

