

A Regular Meeting of the Town of Owego Planning Board was held 7:00 PM on Tuesday, January 28, 2025 at the Owego Town Hall, 2354 State Route 434, Apalachin, New York.

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

Others Present: Bill Carrigg & Dean Morgan

Chairman Rieg called the meeting to order at 7:01pm. The minutes from the September 24, 2024 regular meeting were considered. Ms. Baileys made a motion to accept the minutes as written. Mr. Wademan seconded the motion which was carried 5-2, with Mr. Tofte & Ms. Grenier abstaining. The minutes from the October 29, 2025 special meeting were considered. Mr. LaClair made a motion to accept the minutes as written. Mr. Wademan seconded the motion which was carried 6-1 with Chairman Rieg abstaining.

Planning Board Special Permit No. 2-2024

Mr. Carrigg introduced the project stating that Vanessa Marshall on behalf of her husband James, is requesting a livestock permit for their property located at 2062 East Campville Rd, Tax Map # 132.14-1-4. Mr. Carrigg stated that the property is zoned residential B and is 6.96 acres which meets the code requirement of being five or more acres. Mr. Carrigg stated that Ms. Marshall is requesting to have up to three horses on the property with a future 36ft x 36ft horse barn. Mr. Carrigg stated that the planning board special permit is being requested under Article V, Section 125-12, C2. Mr. Carrigg stated that this is a Type II action under SEQR with no further review. Mr. Carrigg stated that the planning board were provided copies of Chapter 70 of the Town of Owego Zoning Code, which governs the keeping of livestock and provided the associated answers supplied by Ms. Marshall. Mr. Carrigg stated that Ms. Marshall is proposing placing a culvert pipe in Dead Creek on the property for access to the proposed horse barn, pasture and feeding area. Mr. Carrigg stated during preparation for this hearing it was discovered that Dead Creek is a Class C stream and is governed by the Army Corp of Engineers. Mr. Carrigg stated he spoke with Tioga County Soil and Water and was advised that they will assist Ms. Marshall with the proper sizing and permitting if needed.

Mr. Carrigg stated comment letters were sent to neighbors and no comments were received.

Chairman Rieg stated Town of Union and Tioga County Planning Board had no comment.

Chairman Rieg invited Ms. Marshall to discuss the project.

Ms. Marshall explained that she has an older horse who requires a lot of care who is currently being boarded and wants to bring him home to have a happier, longer life. Ms. Marshall explained that the request is for up to three horses as they are herd animals and need to be with other horses.

Ms. Marshall explained the plan was to put fencing up around the west side and back 2/3 of the property. Ms. Marshall explained that behind the wooded area there is a clearing and that would be the main pasture for the horses and would be adding a driveway for access to that and the barn. Ms. Marshall stated that the driveway would be 10ft and would be from the west side of the property back to the barn. Ms. Marshall stated she is currently working with Mike Jura from Tioga County Soil and Water regarding any required permitting and that there will either be a bridge or a culvert over the creek. Ms. Marshall explained the 36ft by 36ft barn, each horse would have a 12ft by 12ft stall, along with an aisle and hay storage. Ms. Marshall explained she would likely continue to make her horse feed at her home and bring it out to the barn. Ms. Marshall stated she will have water buckets and that there will not be a large trough. Ms. Marshall explained she will store the manure in a Taylor Garbage container and it will be over next to the barn which is 100ft from the property line, 200ft from the front and will have it removed weekly. Ms. Marshall stated her closed neighbors are in the front of the property, which is about 300-400ft away and that her neighbors on either side are acres away.

Mr. Tofte inquired if Taylor Garbage accepted concentrated animal waste. Ms. Marshall stated that she knew of someone that rids of their manure this way but will ask Taylor Garbage if they will accept it.

Chairman Rieg opened the public hearing for comment. With no one present wishing to speak, a motion was made to close the public hearing by Mr. Wademan. Seconded by Chairman Rieg. All in favor.

Chairman Rieg opened up the meeting for the board to ask questions.

Mr. LaClair asked if Dead Creek was dry or if it had water. Ms. Marshall replied it has a little water. Mr. LaClair inquired whether a bridge or culvert is installed, will it be accessible by emergency vehicles. Ms. Marshall replied that the bridge or culvert will be built to allow access to emergency vehicles.

Mr. Tofte inquired if there were any structures currently. Ms. Marshall replied no.

Ms. Baileys asked what kind of fencing will be used. Ms. Marshall replied electric fencing.

Mr. Tofte inquired if Ms. Marshall discontinues having horses on her property, can she in the future or can someone else have horses on the property. Mr. Carrigg replied that the permit is non-transferable by ownership.

Ms. Grenier asked why Ms. Marshall does not want to compost the manure. Ms. Marshall replied that would require longer storage of the manure which contributes to flies and bugs. Ms. Marshall stated that the pasture would get too mucky if she spread the manure. Ms. Marshall explained that her horse has a medical condition which is bothered by dust and allergens, therefore, keeping the property as clean as possible and getting rid of the manure weekly is best.

Chairman Rieg asked if Ms. Marshall spoke with her neighbors regarding her having horses on her property. Ms. Marshall states she spoke to her neighbor across the street and they are looking forward to seeing the horses. Mr. Carrigg stated the notification letters were sent to adjacent neighbors and no comments were received.

Ms. Marshall approached the board to explain the site plan she submitted with her application.

Mr. Wademan inquired on a timeline for the project. Ms. Marshall replied three years but plans to put in the driveway this summer.

Ms. Baileys asked if the horses are riding or pasture horses. Ms. Marshall replied one horse is a riding horse and is unsure what the other horses will be. Ms. Marshall stated she is considering fostering horses from a rescue.

A brief discussion was had regarding plans showing distances from the neighbor homes to where the horses will be and that those distances meet town law.

Ms. Marshall approached the board presenting a survey map of her property showing the distance to her neighbors.

Chairman Rieg asked if a building permit would be required for horse barn. Mr. Carrigg stated yes for zoning requirements because agricultural buildings are exempt from building code.

Chairman Rieg inquired if Taylor Garbage does not take the manure will it be composted. Ms. Marshall stated she would probably compost if not accepted by Taylor Garbage.

Chairman Rieg asked if Ms. Marshall has spoken with the Army Corp of Engineers. Ms. Marshall replied that she has been in contact with Mike Jura from Tioga County Soil and Water and he would talk to Ms. Marshall's contractor when she is ready to build, which won't be at least for another year.

Ms. Baileys asked where the horse is now. Ms. Marshall replied that the horse is with a family member.

Chairman Rieg made a motion to approve Planning Board Special Permit No. 2-2024. Seconded by Mr. Tofte. All in favor.

Reference:

Planning Board Special Permit No. 2-2024 dated December 17, 2024

ACTION OF THE PLANNING BOARD of the Town of Owego, Owego Town Hall, 2354 State Route 434, Apalachin, New York:

To: Vanessa Marshall, 2062 East Campville Road Endicott, NY 13760.

At a meeting of the Planning Board held the 28th day of January 2025, the above referenced appeal was considered and the Board by resolution GRANTED your request for a Planning Board Special Permit pursuant to Chapter 125 of the Code of the Town of Owego.

The resolution adopted by the Board follow, viz:

WHEREAS, a public hearing was held on the 28th day of January 2025, on notice according to the law, at which Vanessa Marshall appeared and gave testimony to questions put forth to her by this Board; and

WHEREAS, Ms. Marshall desires a Planning Board Special Permit to have up to three horses on her property at 2062 East Campville Road, Endicott, NY; and

WHEREAS, Ms. Marshall plans on building a 36ft by 36ft horse barn and a bridge or culvert over Dead Creek; and

NOW, THEREFORE, be it

RESOLVED, that the Board makes the following findings based on the entire record:

1. Applicant requested a Planning Board Special Permit to have up to three horses on her property;
2. Property is located at 2062 East Campville Road Endicott NY;
3. Property is situated in a Residential B(RB) zoning district;
4. The Special Permit shall not run with the land, but will sunset when the applicant no longer occupies the premises;

And be it further

RESOLVED, the application for a Planning Board Special Permit is hereby GRANTED.

Any and all other provisions of this Chapter not waived or modified by this decision are to be observed.

Mr. Carrigg explained to the board that Appeal No. 2157, a request for a special use permit for a restaurant by Ansar Miah, has been withdrawn by the applicant via email dated December 12, 2024. Mr. Carrigg replied to Mr. Miah's email and received no response and Mr. Miah was not in attendance for this meeting. Due to the withdrawal of Appeal No. 2157, there is no need for a recommendation to the Zoning Board of Appeals.

A brief discussion was had regarding rescheduling three Planning Board meetings for 2025 due to Assessor Grievance and Holidays.

The next regular meeting is scheduled for Tuesday, February 25, 2025 at 7:00PM.

There being no further business, the meeting was adjourned at 7:27PM.

Respectfully submitted,

Tina Tammaro

Secretary