

A Regular Meeting of the Town of Owego Planning Board was held 7:00 PM on Tuesday, March 24, 2026 at the Owego Town Hall, 2354 State Route 434, Apalachin, New York.

Present: Chairman Robert Rieg, Lynne Esquivel, Craig Wademan and Cheri Grenier

Excused: Lisa Baileys & Eric LaClair

Others Present: Irene Graven, Town Attorney & Bill Carrigg, Planning & Zoning Administrator

Chairman Rieg called the meeting to order at 7:00 pm. The minutes from the May 28, 2025 meeting were considered. Mr. Wademan made a motion to accept the minutes as written. Ms. Esquivel seconded the motion. All in favor.

### Site Plan 1-2026

Chairman Rieg introduced Site Plan 1-2026, a request submitted by 405 Commerce LLC/Dan Gates for construction of a storage building with parking lot and appurtenances on Main Street, Apalachin. The applicant, Dan Gates was present.

Mr. Carrigg introduced Site Plan 1-2026 stating the application is being brought forth by 405 Commerce LLC. They are requesting approval to construct a 12,000 square foot building that will be utilized for equipment warehousing for Broome Bituminous. Mr. Carrigg continued to state that the parcel number is 153.12-1-10.2, which is located just east of 2060 Main Street, Apalachin, NY, is currently vacant without a physical address and is zoned Industrial. Mr. Carrigg stated approval is being sought under Chapter 125 Article X, 125-23 A2 and Chapter 125 Article X, 125-53 A1 of the Town of Owego Zoning Code, which allows for all permitted uses within Industrial Zoning districts to have prior site plan approval before a building permit can be issued. If approved, 405 Commerce LLC will construct a 12,000 square foot warehouse with associated paved driveway, parking lot and stormwater retention areas. The parking lot will have (42) 10ft by 19ft 6in deep parking spots, which meets the Town of Owego Zoning code under Chapter 125 Article XII, 125-40 A8 and the parking space size is compliant under Chapter 125 Article II, 125-5. The parking lot will have two ADA compliant parking spaces with an associated unloading area in between. The project will take place in the northeast corner of the property and will utilize approximately 2.3 acres of the 17.59-acre lot. The parcel borders Residential B zoning on the east and south and the natural woodland landscape will be left in place outside of the project's area to satisfy the requirements of Chapter 125 Article XII, 125-52 A 1a, 2, 3 and 4b. Mr. Carrigg stated that a short form EAF (Environmental Assessment Form) was submitted by the applicant and this will be an unlisted action under SEQR and board approval of parts two and three is required prior to any board action on Site Plan 1-2026. Mr. Carrigg stated if approved, the applicant will be utilizing the building for storage of Broome Bituminous equipment, mainly in the winter months. The business will have four employees on site and hours of operation will be Monday through Friday, 7:00AM to 4:00PM.

Mr. Carrigg invited Chris Stastny, Griffiths Engineering, to discuss the project.

Mr. Stastny explained that when submission was made for SHPO (State Historic Preservation Officers) clearance, it was identified that the site is deemed archaeologically sensitive and requested Phase 1A/1B be entertained for the site. Mr. Stastny stated Mr. Gates has hired archaeologists to do Phase 1A/1B and the digs will begin next week. Mr. Stastny explained it is a disturbed site, there has been activity there before, but findings indicate further exploration is requested.

Mr. Stastny explained that the SEQR identified a wetland on the site. An ecological analysis was done, which was provided to the planning board, and that analysis showed that the wetland no longer exists even though it still shows on EAF.

Mr. Stastny stated that this would be a typical construction sequence to include, implementation of soil erosion and sedimentation control prior to construction, site clearing and grubbing and initial excavation of the stormwater facility

to act as a sediment basin during construction, which will be cleaned out and used upon completion of construction as a permanent facility for stormwater management.

Mr. Stastny explained construction would be for a 12,000 square foot building at the center of the site with parking and vehicle maneuvering with an access road coming in from Main Street. The site was analyzed for movement of a UB-67 full size tractor trailer, which is plenty enough maneuverable room for the site. Mr. Stastny explained there will be over 40 parking spaces, which is more than what is needed, but necessary to meet town code.

A brief discussion was had regarding the site having enough space to maneuver a full-size 53-foot tractor trailer, which will be larger than most of the equipment that will be brought to the site.

Mr. Stastny stated there will be excavation to the site, cut in to make a flattened area for the building and parking. Mr. Stastny explained stormwater will be captured coming down off the site and any clean stormwater will go to the normal discharge points. Mr. Stastny stated stormwater processed through the stormwater management facility, according to the SWPPP, will not be coming off the site any faster than it currently is.

A brief discussion that the SWPPP was sent for review to Tioga County Soil and Water on March 10, 2026.

Mr. Carrigg discussed the NYS DOT comment on the project, which included no work to be in their right of way, and they requested a full copy of the SWPPP. A follow-up phone call was made to Sean Murphy on March 19, 2026, explaining that Tioga County Soil and Water were reviewing the SWPPP and the DEC will review before a SPDES permit is issued, Mr. Murphy requested a copy of the documentation from DEC and stated that it would be sufficient for the NYS DOT.

A brief discussion was had regarding the site plan review approval would be contingent on the SWPPP and the archaeological findings.

Mr. Stastny stated construction will begin, with board approval, this year within a couple of months and will be completed around April 2027.

Mr. Wademan inquired about the timing of archaeological dig. Dan Gates of 405 Commerce LLC, replied next week.

Ms. Esquivel inquired about where the site lighting would be and if there would be signage. Mr. Stastny replied the lighting would be mounted on the building and dark sky loaded, directed downward. A photometric analysis has not been done yet. Mr. Gates stated there will not be any signage.

Chairman Rieg inquired on water supply to the building. Mr. Stastny replied yes, a pump station would be needed just for lavatory facilities. There is a water line that comes in from Main Street and there is a sewer line that is on the south upper portion of the property.

Chairmen Rieg asked if there would a kitchen. Mr. Stastny replied no.

A brief discussion was had regarding there will not be any maintenance, repair of any machinery or any bulk storage of cleaners or anything toxic on premises, as the building is for storage only.

A brief discussion was had regarding the current plan for lighting is wall packs, however pole lighting may also be needed. It was also discussed that there will not be any night activity, as hours of operation are 7:00AM to 4:00PM.

Chairman Rieg asked if any comments were received. Mr. Carrigg replied no comment was received from Apalachin Fire Department, Town of Owego Code Enforcement or neighbors.

Chairman Rieg read the following:

*Archaeology Comment Letter from New York State Parks, Recreation and Historic Preservation.*

*NYS DEC Letter of No Jurisdictions – Freshwater Wetlands.*

*NYS DOT Comment Letter.*

*Approval letter Tioga County Economic Planning with the below listed recommendations:*

- 1. That the applicant obtains all required state, county and local permits, licenses and registrations.*
- 2. That the applicant complies with the NYS DOT Region 9 Site Plan Review Committee's comments and requirements.*

Mr. Carrigg read Part 2 & 3 of the EAF Form, which states little to no impact at this time, contingent on the archaeological findings.

Chairman Rieg inquired about traffic to the site during construction. Mr. Gates replied typical traffic for constructing a building, e.g. tractor trailers unloading materials and leaving.

Mr. Wademan made a motion to allow Chairman Rieg to sign Part 2 & 3 of the SEQR. Ms. Esquivel seconded. All in favor.

Chairman Rieg made a motion to approve Site Plan 1-2026 with the following conditions:

1. Contingent on archaeological dig findings and SHPO clearance.
2. SWPPP review results.

Seconded by Ms. Grenier. All in Favor.

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

Respectfully Submitted,

Tina Tammaro

Secretary