# **AMENDED AGENDA**

#### REGULAR MEETING

# **Town of Owego Planning Board**

Tuesday, December 27, 2022 – 7:00 PM

Owego Town Hall, 2354 State Route 434, Apalachin, New York

## I. Call Meeting to Order

### **II.** Approval of Minutes

Meeting held November 22, 2022

# III. Appeals

Recommendation (revised site plan) Appeal No 2122 – Harry Singh -- Request for a Special Use Permit to add gas pumps at Harry's (former Lawler's) 1423 State Route 96

Recommendation Appeal No 2124 – Riverside Cemetery Marshland Road Request for a Special Use Permit to add fill

Recommendation Appeal No 2106 – Farmer Brown Solar LLC Request for a Floodplain Development Permit to resurface driveway at entrance to solar farm on State Route 434

Recommendation Appeal No 2126 – Dunkin' Donuts Apalachin Request for a Floodplain Development Permit to construct a new store at 7868 State Route 434 Apalachin

## V. Schedule next meeting

January 24, 2022

#### VI. Adjournment

The Regular Meeting of the Town of Owego Planning Board was held at 7:00 PM on Tuesday November 22, 2022 at the Owego Town Hall, 2354 State Route 434, Apalachin, New York.

Present: Chairman Rieg, Craig Wademan, Lynne Esquivel, Jim Tofte, Lisa Baileys and David Marsh. Excused: Leah Hammond.

Chairman Rieg called the meeting to order at 7:02 PM. The minutes from the October 25, 2022 meeting were considered. Craig Wademan made a motion to accept the minutes as written. Lynne Esquivel seconded the motion. Chairman Rieg, Mr. Wademan, Mr. Marsh, Mr. Tofte, Ms. Baileys and Ms. Esquivel all voted in favor.

The Board considered Special Use Permit #2122, submitted by Harry Singh for the addition of gas pumps at Harry's Expressway at 1423 State Route 96, Owego. Sukhwinder Singh, Gagondeep Singh and Brian Doak were in attendance.

Chairman Rieg asked for a brief overview of the request. Brian Doak of Doak Engineering introduced the project stating that Mr. Singh wishes to add 8 pumps to his parcel, which now includes a liquor store and a convenience store. Mr. Doak referenced an Area Varaince, which was approved by the Zoning Board of Appeals on November 3, 2022, allowing for an additional gas station within a radius of 1,500 feet. Mr. Doak mentioned that the Tioga County Planning Board reviewed this request at their meeting on November 16 and recommended that the applicant contact Tioga State Bank to draw up an agreement that the bank, and Harry's, can continue the "gentleman's agreement" regarding the shared driveway between properties. Mr. Doak emphasized that this agreement has no bearing on this Special Use Permit request.

Mr. Rieg then asked about the relationship between Mr. Singh and the Kaur Sisters LLC, the entity shown as the owner of record. Mr. Sukhwinder Singh replied that he is the sole owner of Kaur Sisters LLC. Mr. Rieg asked the applicant to submit a formal letter to the town so its records would be accurate.

Mr. Tofte had three suggestions on the site plan: 1) access aisles next to each accessible parking space need to be eight feet wide and must include a sign for each space; 2) directional arrows painted on the parking lot could be removed because people do not pay attention to traffic flow when getting gas; and 3) the plan should show how fuel delivery trucks will turn around making deliveries.

Mr. Rieg expressed a general concern about traffic flow, asking how often fuel would be delivered. Mr. Gagondeep Singh stated that there is a meter on each pump, and the gas station requests deliveries when the fuel is low, which typically come at 8:00 or 9:00am. Mr. Tofte pointed out that the fuel truck would be displacing parking along the liquor store when deliveries are made, and the owner may even need to place cones in the pumping aisles if a delivery truck needed to idle in a fueling lane when delivering fuel.

The site plan showed eight cars at the fuel pumps. Mr. Wademan expressed concern that cars would have difficulty leaving the pumps nearest the liquor store parking area. Mr. Rieg agreed, stating that he was also concerned with the three parking spots near the driveway adjacent to

Route 96—pedestrian safety in particular (Sheet 2, SE Corner) as pedestrians must cross all lanes of vehicular traffic to get to the store.

Mr. Tofte asked the applicant if his business model was dependent upon having four pumps. Mr. Sukwinder Singh stated yes.

Discussion ensued regarding traffic. Mr. Doak stated that he worked for the NYS DOT for 30 years, the plan went before their Planning Committee and this plan is in compliance with their design standards and did not flag any kind of traffic issues or a history of accidents near the site. He also mentioned that the gravel road around the rear of the convenience store will be shut off. After discussion about the driveway, Mr. Doak reminded the board that the DOT does not approve site plans with two entrances.

Mr. Rieg inquired about reorienting the pumps so cars would face the convenience store. Mr. Doak said that could not be done because the road between Mr. Singh's parcel and Tioga State Bank is not a legal ingress.

Mr. Tofte asked about the possibility of moving the underground tanks (same as below) to the rear of the convenience store. Mr. Wademan concurred that would be a good idea. Mr. Tofte asked about separation requirements between a well and fuel tanks. Mr. Doak stated he did not find anything in his review of the regulations, and emphasized that the gas tanks have containment systems.

Mr. Rieg then asked about traffic flow during a 12-week construction period, stating this period would present a new set of problems including navigating around a very large hole in the ground. As a means of illustrating the size of the hole for the fuel tanks, Mr. Wademan pointed out that two 5,000 gallon tanker trucks would equal the size of one 10,000 gallon underground fuel storage tank. Mr. Tofte and Mr. Wademan suggested placing the underground tanks behind the convenience store to avoid business stoppage during construction and to open up the traffic flow during day to day operations.

Mr. Tofte asked about grading as none was shown on the site plan, as it would be useful to understand sheet flow for a spill plan. Mr. Doak stated that the site is dead flat.

Mr. Wademan asked about the frequency of current deliveries. Applicant responded two times each week.

Mr. Rieg asked about the Quonset hut. Applicants stated that they planned to take it down, but did not have a specific time frame Mr. Wademan suggested that when the Quonset hut is removed (possibly phased) the applicant shift parking in the direction of the Quonset hut to create more space in between the the gas pumps.

Mr. Marsh asked about lighting. Mr. Doak stated that the county suggested they use a green/brown LED lighting, and emphasized that lights would be pointed downward.

Mr. Tofte and Mr. Rieg stated that they could not approve the plans as submitted and recommended a resubmission at the Planning Board's December 27, 2022 meeting that addresses

"pinch points" around the pumps where multiple traffic flow directions are depicted, and the following:

Required: Increase size of ADA access aisles to 8 feet and add signs at the ADA parking spaces and associated access aisles.

Strongly consider the following changes to improve traffic flow a) show "future parking" spaces in the gravel area behind the Quonset hut; b) delineate phases, including one that shows removal of the Quonset hut, parking where the Quonset huts was, and perhaps moving/spacing the pumps further apart and towards where the Quonset hut currently sits, and c) move underground storage tanks to the rear of convenience store/on the gravel lot.

Mr. Tofte made a motion to table the review until the December 27, 2022 Planning Board Meeting. Mr. Rieg seconded the motion and it was unanimously carried.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Joann Lindstrom Planning & Zoning Administrator Town of Owego





185 MAIN STREET OWEGO, NY Cell: 607/759-5792 Email: bdoak2 @mac.com

Joann Lindstrum, MPA
Planning & Zoning Administrator
Town Of Owego
2354 State Route 434
Apalachin, NY 13732

Ms. Lindstrum,

Re: Special Use Permit #2122 Harry's Expressway 1423 State Route 96

Owego, NY 13827

This letter is in response to the comments provided by the Town Planning Board on November 22, 2022. The comments identified as "required" and "Strongly Consider" have been transcribed for reference followed by our response.

#### Required:

- 1. Increase ADA access aisles: Changed from 60" to 96".
- 2. Add ADA signing: Added.

#### Strongly Recommended:

- 1. Show future parking area behind the Quonset hut: This is already shown on the Parking Study Sheet (S-3).
- Delineate phases including one that shows removal of the Quonset hut and parking where the Quonset hut was: A note has been added indicating the owner's future intention of demolishing the Quonset Hut. The seven additional parking places created, and the required access lane are shown on the Parking Study Sheet (S-3).
  - a. And perhaps moving/spacing the pumps further and towards where the Quonset Hut currently sits: After consulting with the contractor and the engineer, the owner clearly desires the pumps to be located where they are currently shown.

Please note that the pump layout and access is relatively standard. Also, t the access lane between the pumps and the liquor store parking is 35.5'.

3. Move underground storage tanks to the rear of convenience store/on the gravel lot. After consulting with the contractor and the engineer, the owner clearly desires the underground storage tanks remain as shown on the plans.

Other comments noted in the meeting minutes:

- 1. Remove directional arrows: Removed
- 2. Indicate fuel delivery truck turn around: WB-50 turning area indicated on Parking Study Sheet (S-3).
- 3. Three Parking post indicated in the southwest corner of the main parking lot: These are shown on the Parking study Sheet (S-3). As indicated on the sheet, these spots are shown as only potential parking spaces.

If you have any questions, I can be reached at the phone, email or mailing address noted above.

Sincerely,

Brian R. Doak Brian R. Doak, PE

Doak Engineering Design, PC

C: file

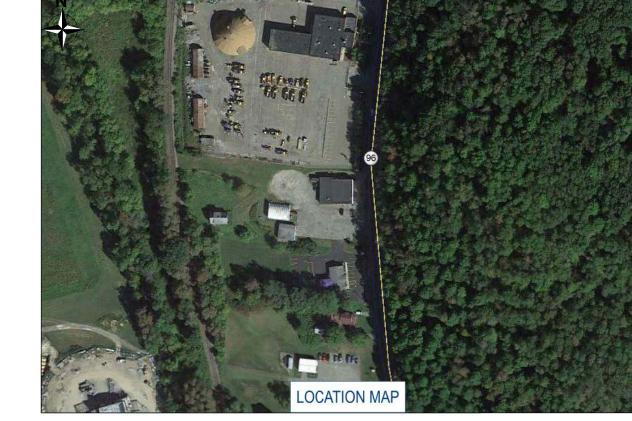
GENERAL PROJE	CT INFORMATION
PROJECT NAME	HARRY'S STORE
PROJECT NUMBER	22-194
PROJECT ADDRESS	1423 NY 96, OWEGO, NY 13827
COUNTY	TIOGA
STATE	NEW YORK
CLIENT	SUKHWINDER (HARRY SINGH
CONTACT	SUKHWINDER (HARR) SINGH
CONTACT ADDRESS	1423 NY-96, OWEGO, NY 13827
CONTACT NUMBER	(607) 221-1385
TAX PARCEL NUMBERS	117.11-1-13 117.11-1-12
ZONING DISTRICT	?
PLANNING JURISDICTION	239 REVIEW NOT REQUIRED
CODE IN EFFECT BY B	UILDING DEPARTMENT
BUILDING CODES OF N 2020 INTERNATION	
2020 INTERNATIONAL 2020 INTERNATIONAL EX	KISTING BUILDING COD
2020 INTERNATIONAL PL	ONAL FIRE CODE UMBING CODE

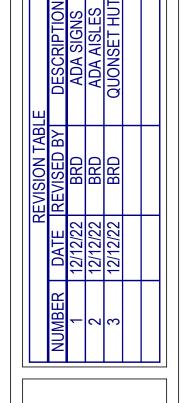
2020 INTERNATIONAL MECHANICAL CODE 2020 INTERNATIONAL ENERGY CONSERVATION **CONSTRUCTION CODE** A117-09 ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES

C	ONSTRUCTION NOTES
1	NEW GAS STATION
2	THIS LINE IS THE CANOPY PERIMETER. THE ACTUAL DIMENSIONS OF THE GAS PUMP DISTRIBUTION MAY VARY AND WILL BE CONSTRUCTED BY OTHERS. THE CLEARANCES SHOWN IN THIS PLAN WILL BE RETAINED. VARIATIONS SHALL BE REPORTED TO THE ENGINEER IF ADJUSTMENTS ARE NECESSARY.
3	TWO 12,000 UNDER GROUND STORAGE TANKS AND CONCRETE SLAB. FINAL ACTUAL LOCATION MAY VARY.
4	NEW CURB & PAVEMENT. PAVEMENT SHALL BE 12'X65'+/- AND CURB SHALL BE 80' +/
5	EXISTING DRIVEWAY MEETS NYSDOT STANDARDS. PAVEMENT MARKINGS SHALL BE PROVIDED AS SHOWN DELINEATING INGRESS & EGRESS.
6	TO COMPLY WITH NYSDOT DRIVEWAY STANDARDS, THE DRIVEWAY ENTRANCE LOCATED AT THE NORTH END OF THE PROPERTY (NOT SHOWN) SHALL BE ELIMINATED FROM USE BY PLACING JERSEY BARRIERS ACROSS THE OPENING ON THE PROPERTY AND PARALLEL WITH THE GUIDE RAIL. OTHER METHODS OF ELIMINATING ITS USE AS APPROVED BY NYSDOT MAY BE CONSIDERED.
7	THE OWNER'S INTENTION IS TO DEMOLITION QUONSET HUT AT A FUTURE DATE. THE POTENTIAL PARKING SITES INDICATED ARE SHOWN AS REQUESTED BY THE TOWN PLANNING BOARD AND ARE IN ADDITION THOSE ALREADY IDENTIFIED.

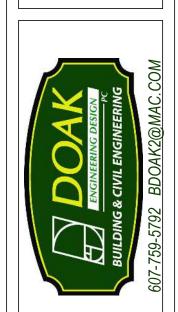
	SECTION NOTES
	12" CLEAR AND GRUB
(1)	EXCAVATE TO SUB-GRADE
	MATCH EXISTING PAVEMENT SECTION
	ASPHALT, COMPACTED GRAVEL
	1:4 (MIN) SLOPE BACKFILL CURB. COMPACT.
(2)	TOPSOIL & SEED
(2)	CREATE A CLEAN EDGE FOR NEW SECTION.
3)	LIQUID ASPHALT SEAL NEW JOINT
<b>(4)</b>	PROVIDE NEW CURB. MATCH EXISTING.

		SIGN S	CHEDULE
NUMBER	QTY	LABEL	COMMENTS
S01	3	ACCESSIBLE PARKING SPACE SIGN	SIGN SHALL BE PLACED AND CONFIGURED IN COMPLIANCE WITH ICC A117.1-2009





GAS STATION SI



DATE:

12/12/2022

SCALE:

DRAWING:

1'=10'

SHEET:



1"=10'

125-87.G

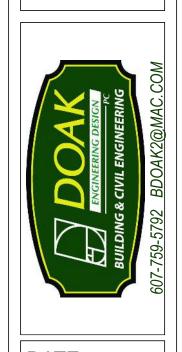
RETAIL, SERVICE



	[E]	DESCRIPTION			
	REVISION TABLE	DATE   REVISED BY			
		NUMBER			

HARRY'S EXPRESS
S STATION SITE PLAN
1423 NYS 96

CODE ANALYSIS



DATE:

12/12/2022

SCALE:

no scale

DRAWING:

S-2

SHEET:

2

HARRYS STORE LIQUOR STORE TOTAL AREA 4920 SF 1489 SF 6409 SF

6409 SF/120 SF= 54 PARKING SPACES REQUIRED 3 ADA PARKING SPACES REQUIRED (INCLUSIVE) (EACH FILLING LOCATION COUNTED AS PARKING SPACE)

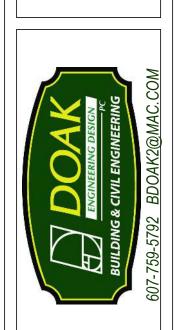
(	PARKING SPACES	S AVAILABLE:	
7		ACTUAL	POTENTIAL
>	MAIN LOT:	21	3
(	BACK LOT:	0	111
>	TOTAL:	21	114



١	_					_
	37		WB-50 TURNING	REV. P. COUNT		
	ON TABLE	ISED BY	BRD	BRD		

		ĸ	<b>REVISION TABLE</b>	ΙΈ
	NUMBER	DATE	REVISED BY	DESCR
	1	12/12/22	BRD	1 03-8W
	2	12/12/22	BRD	REV. P.
_				

STUDY **PARKING** 



DATE:

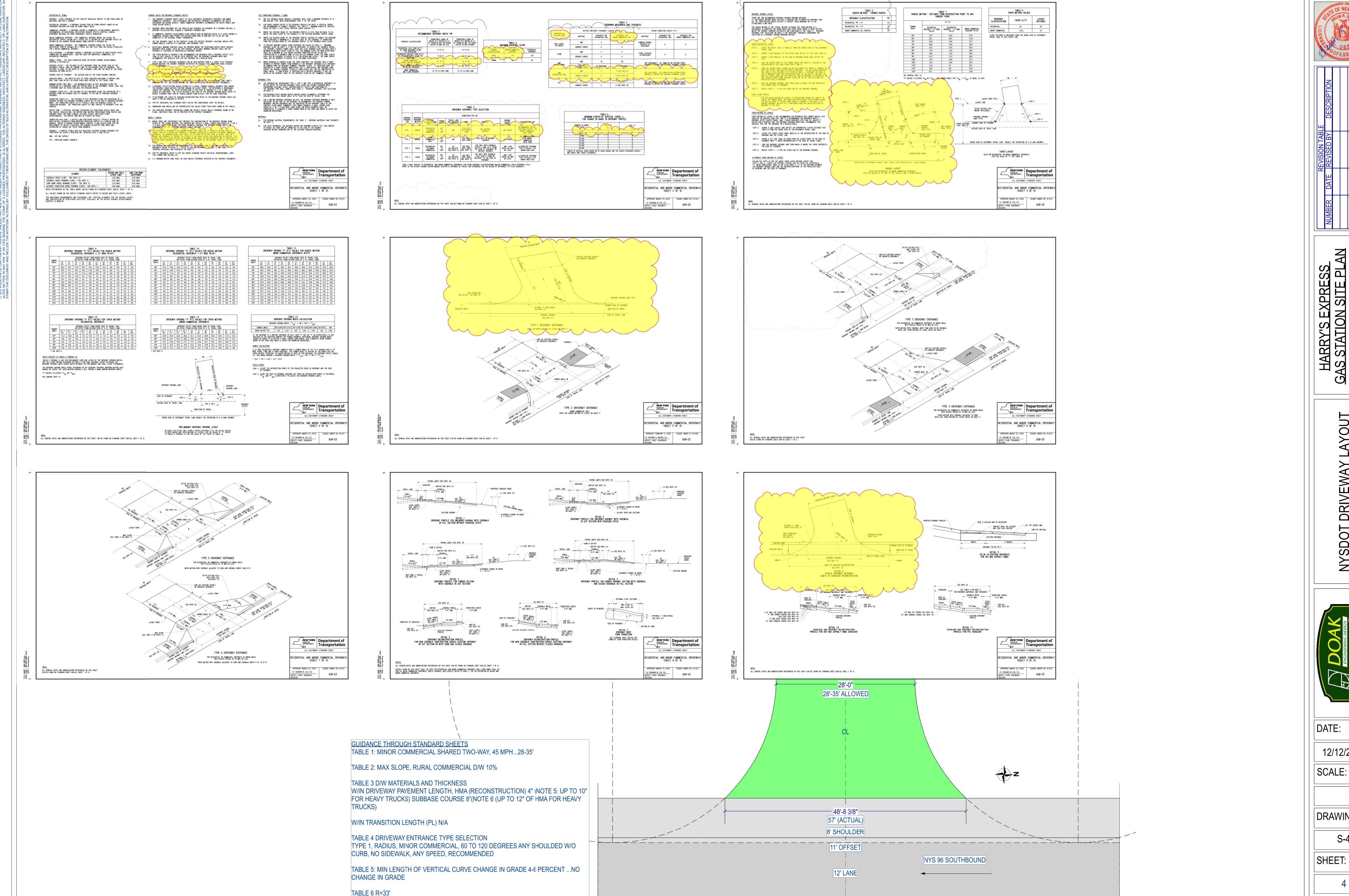
12/12/2022

SCALE:

1'=20' DRAWING:

S-3

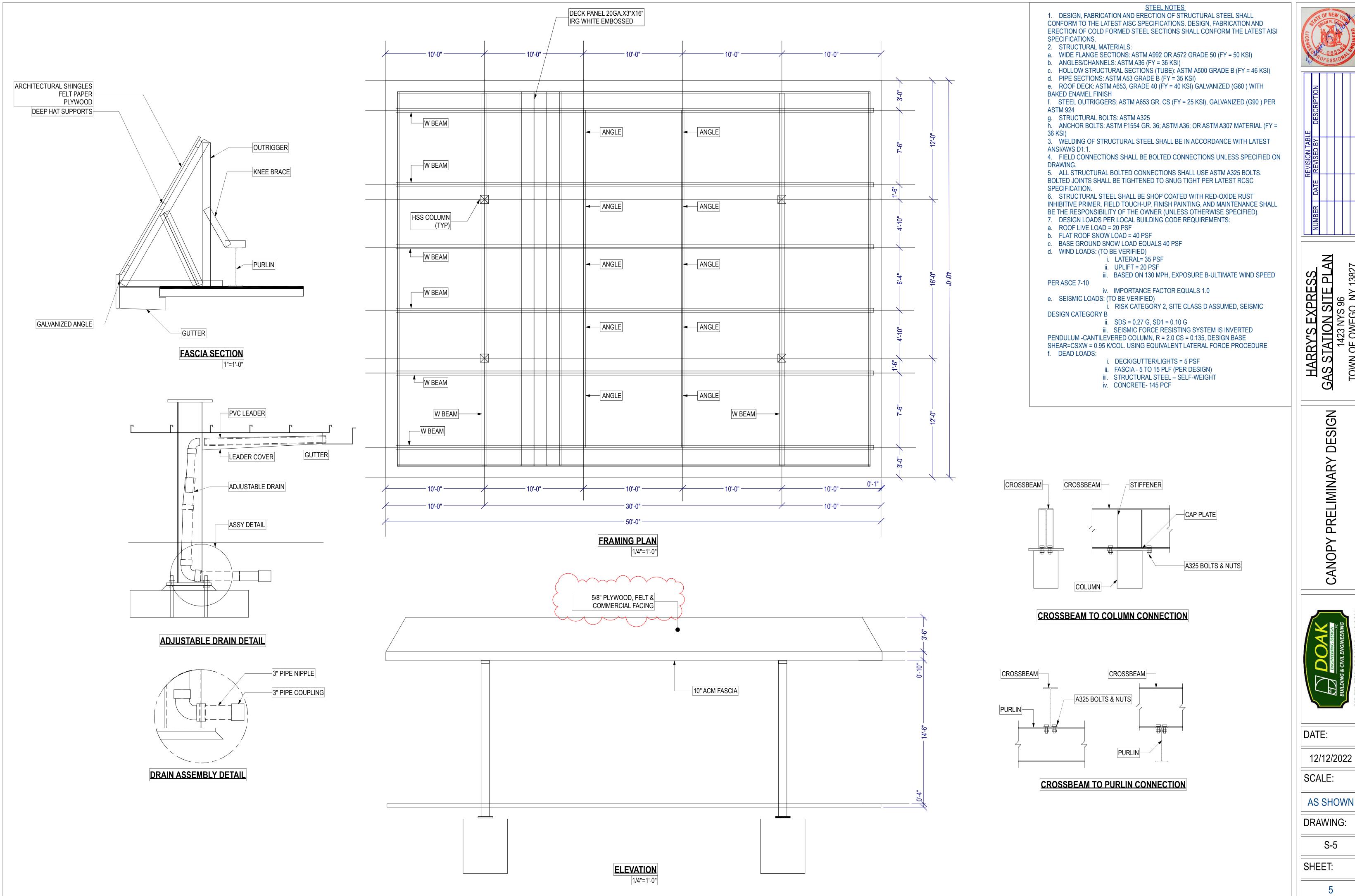
SHEET:



DRIVI Ö SD

12/12/2022

**DRAWING:** 



DATE:

12/12/2022

# **FOOTING NOTES**

- 1. OWNER/GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR FOOTING AND ANCHOR BOLT INSTALLATION.
- 2. ALL FOOTINGS SHALL BE CAST ON LEVEL UNDISTURBED SOIL, ROCK, OR PROPERLY COMPACTED SUBGRADE. FOOTING SIZE IS BASED ON MINIMUM 1500 PSF SOIL BEARING AT BASE AND 150 PSF PER FOOT OF DEPTH LATERAL
- BEARING CAPACITY. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL SOIL PARAMETERS.

  3. FOOTING CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH
- 4. FOOTING DESIGN BASED ON AN ASSUMED 1'-0" BURY OF THE COLUMNS FROM THE BOTTOM OF BASE PLATE TO FINISH GRADE. ANY AMOUNT OF BURY LESS THAN 1'-0" WILLL RESULT IN A LARGER FOOTING SIZE.
- 5. TOPS OF ALL FOOTINGS ARE ASSUMED TO BE AT THE SAME LEVEL. OWNER/
  GENERAL CONTRACTOR SHALL PROVIDE BURIAL DEPTH FROM HIGH GRADE AND
  UNDER CANOPY. WHERE TOPS OF FOOTINGS ARE AT DIFFERENT ELEVATIONS,
  THE OWNER/GENERAL CONTRACTOR SHALL PROVIDE THE CANOPY
  MANUFACTURER WITH ALL FOOTING AND GRADE ELEVATION PRIOR TO CANOPY
  FABRICATION. VARIATIONS FROM DESIGN ELEVATIONS MAY RESULT IN
- INADEQUATE CLEARANCE AND UNDERSIZED FOOTINGS.

  6. OWNER/GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR PLACING NON-
- SHRINK GROUT UNDER ALL COLUMN BASES AFTER CANOPY IS LEVELED AND SECURED.
- 7. FOOTINGS REINFORCING STEEL SHALL BE ASTM A615 GRADE 60 DEFORMED BILLET STEEL BARS WITH SPACING AS SHOWN ON DRAWING.
- 8. FOOTINGS ARE ASSUMED TO BE CONSTRAINED BY FUEL ISLAND AND DRIVE MAT CONCRETE. WHERE THIS CONDITION DOES NOT EXIST, THE OWNER SHALL NOTIFY CANOPY MANUFACTURER.
- 9. ANCHOR BOLTS SHALL BE PLACED IN ACCORDANCE WITH THIS DRAWING. TEMPLATES SHALL BE USED TO ENSURE PROPER PLACEMENT OF ANCHOR BOLTS. ANCHOR BOLTS ARE TO BE INSTALLED SUCH THAT A MINIMUM OF 8" OF THREAD IS EXPOSED ABOVE TOP OF FOOTING. BOTTOM OF THREADS SHALL NOT END MORE THAN 3/4" ABOVE TOP OF FOOTING.
- 10. ANY DISCREPANCIES BETWEEN THE ABOVE NOTES AND LOCAL BUILDING CODE REQUIREMENTS SHALL BE REPORTED TO THE CANOPY MANUFACTURER IMMEDIATELY. COMMENCEMENT OF FOOTING INSTALLATION SHALL INDICATE THAT THE ABOVE NO MEET LOCAL BUILDING CODE REQUIREMENTS.



BER DATE REVISED BY DESCRIPTION

S EAFRESS ION SITE PLAN 23 NYS 96

ESIGN

BUILDING & CIVIL ENGINEERING PC. COM

CONCRETE

DATE:

12/12/2022

SCALE:

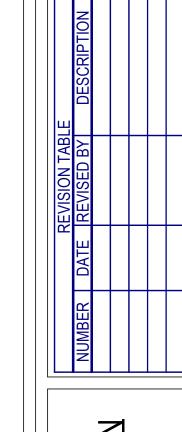
AS SHOWN

DRAWING:

S-6

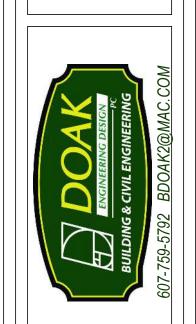
SHEET:

6



ARRY'S EXPRESS S STATION SITE PLA 1423 NYS 96

E SYRVEY



|||DAT

12/12/2022

SCALE

AS SHOWN

DRAWING:

S-7

SHEET:

