

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

Present: Chairman Robert Rieg, James Tofte, Eric LaClair, Lynne Esquivel, and Cheri Grenier

Excused: Lisa Baileys, Craig Wademan

Others Present: Irene Graven, Joann Lindstrom, Bill Carrigg, Dean Morgan

Chairman Rieg called the meeting to order at 7:01 PM. The minutes from the December 26, 2023 meeting were considered. Mr. Tofte made a motion to accept the minutes as written, Ms. Esquivel seconded the motion which was carried 4-1, with Mr. LaClair abstaining.

Appeal No. 2139-2142

Chairman Rieg read the following documents into the record

Comment letter from Campville Fire Department Kevin Ford
Comment letter from Town of Owego Utilities Director Tyson Stiles
Comment letter from Town of Owego Highway Superintendent Mike Roberts
Comment letter from NYSDOT
Comment letter from Bill Carrigg, Town of Owego Emergency Manager
Floodplain Development Permit
Southern Tier LLC granting authority to ALDI to submit application
Reciprocal parking agreement
SHPO No Effect letter for SEQR
Tioga County Planning Board recommendation of approval
Email dated February 23, 2024 from Angela Malone, a Wilseyville NY resident, stating support for the project

Chairman Rieg brought up Mike Roberts' comment letter regarding the need for a traffic study. Kurt Charland of Collier's Engineering, the Civil Engineering firm for the project, acknowledged the letter, stating that ALDI stores are not a significant traffic generator with 50-60 peak trips per hour, and customers to this site would have access to two signalized intersections. Mr. Charland also noted that the NYSDOT reviewed the application and did not recommend a traffic study.

Chairman Rieg stated that there is a quorum present, granting the board authority to act on this review.

Chairman Rieg asked Mr. Charland to introduce the project. Mr. Charland was joined by Chase Kramer, also of Collier's and Vanessa Banks of APD Engineering/Architecture. Mr. Chirag Patel, manager of the Quality Inn (former Treadway Inn), was also present.

Mr. Charland explained that ALDI is interested in demolishing the Quality Inn's existing events center and constructing a 19,631 SF store, a state of the art design, V9 prototype building. The Quality Inn will retain 75 hotel rooms and that building will be severed where the main utility room is, just east of the current entrance.

Mr. Charland said there will be shared parking and access agreements because they are going to utilize the existing entrance as the main entrance (from 17C). The ALDI site will be subdivided into a roughly 2 acre parcel, with 88 parking spaces, typical of ALDI stores. The hotel will retain 88 spaces and will be in compliance with the Owego Town Code. Site lighting will be new. There will be no net change in stormwater runoff, and the site will incorporate hydrodynamic separators underground, which filter stormwater before it is discharged into the Susquehanna River. The site will be raised approximately 3 feet, with the store entrances/exits 1 foot above base flood elevation (BFE), fitted with door dams that will be installed by employees in case of flood. Existing utilities will remain, the transformer may be replaced at its existing location.

Chairman Rieg referenced the package, noting that the building has been designed with state of the art floodproofing measures, asking if ALDI's has used these technologies in the past. Ms. Banks addressed his question referencing the construction of an ALDI's store in Massachusetts that was situated 8' below BFE and citing stores in Florida that have been tested during flood events. Mr. Charland stated that Collier's had completed projects similar to ALDI's that were designed to be floodproof.

Mr. Tofte asked about ADA access aisles and pavement thickness. Mr. Charland replied that the pavement depth was based on the geotechnical analysis that was submitted with the project application. Mr. Tofte asked about the maintenance agreement on the hydrodynamic separators, which Mr. Kramer stated that the maintenance would be the owner's responsibility, not the town's.

Ms. Grenier asked Mr. Charland about the parcel split, which he said was modified to allow more room for trucks at the loading zone in the rear of the building. Chairman Rieg asked if trucks will need to back into the space for the loading zone, Mr. Charland affirmed stating that ALDI typically has one to two truck deliveries each day, scheduled for off hours to accommodate customer traffic. Mr. LaClair asked what the distance is between the trucks in the loading zone and the main building. Mr. Charland responded that it is 26 feet.

Mr. Tofte expressed concern about the lack of building protection on the east side of the building. After some discussion about bollards, Mr. Charland agreement to add wheel stops to prevent vehicles from accidentally impacting the building.

Mrs. Esquivel asked if the site would have landscaping. Mr. Charland responded, pointing out five separate landscape beds that will have mulch and ornamental trees and shrubs.

Mr. Tofte asked Mr. Carrigg if the town would need to conduct any special inspections for the waterproofing design. Mr. Carrigg responded that the town would typically require a set of as built plans at the end. Mr. Tofte then asked about third party inspections, to which Ms. Banks stated that yes ALDI would engage third party inspectors specifically for the floodproofing materials.

Mr. Tofte asked Mr. Charland about the parking variances. Mr. Charland explained that they requested a reduction in the parking stall size because they wanted to maintain the consistency of other parking spaces in the hotels' lots, which are closer to 9 ½' x 19'. If the larger spaces were

required it would cause a ripple effect on the drive aisles, and would not line up with the existing light poles.

Mr. Tofte summarized the requirements for granting variances and stated that he did not consider ALDI's two variances requests to be significant.

Mrs. Esquivel asked about security, if the hotel and ALDI would share. Mr. Charland replied that ALDI maintains its own security.

Mr. Charland then directed the discussion back to the comment letters, stating that they took no issue with Mr. Carrigg's request to provide contacts and for a town representative to attend safety meetings, but he wanted to further discuss Mr. Carrigg's request for a camera on the rear of the property. He stated that ALDI would agree to allow the town to mount its own camera to monitor flood waters but would not provide the town access to its private camera system, as they will not provide access to their closed circuit security cameras.

Mr. Carrigg stated that it would up to him to approve the proposed emergency plan, and he had recently returned from FEMA training on floodplain management where a trainer concurred with him on ALDI providing the town access to the security camera. He further stated that he didn't think it should be contingent on the town taxpayers to provide a camera and he had concerns that ALDI employees may not know when an evacuation would be needed in the middle of the night. Chairman Rieg concurred that the Emergency Plan showed a 315 area code as a point of contact and shared Mr. Carrigg's concerns about reaching an ALDI contact in the middle of the night. Mr. Tofte concurred.

Mr. Tofte referenced the submitted Emergency Plan, Ms. Banks stated that the company provided the plan for ALDI. Mr. Charland stated it's a plan for the control system.

Chairman Rieg asked about a construction timeline. Ms. Banks replied that ALDI would like to break ground by mid-May and typically has a 7 month construction schedule. A discussion ensued regarding demolition and storage of construction materials.

Mr. Charland mentioned the NYSDOT letter, which requested ALDI include a sidewalk among other requirements. Mr. Charland asserted that since ALDI does not need a highway work permit, they cannot require a sidewalk.

Chairman Rieg requested Planning & Zoning speak with Mike Roberts regarding his comment letter to determine his reasoning for a traffic study. Ms. Lindstrom interjected, stating that Hickory Park Road is maintained by the town but is owned by New York State and she had requested comment from Town Highway in error.

Mr. Tofte made a motion to recommend approval of Appeal Numbers 2139-2142 with two recommended conditions: 1) that the required Emergency Plan include a camera on the rear of the ALDI building to monitor flood levels, providing live access and contacts who are reachable during closed store hours to the town's Emergency Manager and 2) installation of wheel stops on the east side of the building where the pavement is flush with the building. Ms. Esquivel seconded the motion. All in favor.

The next regular meeting is scheduled for Tuesday, March 26, 2024 at 7:00 PM.

There being no further business, the meeting was adjourned at 7:55 PM.

Respectfully submitted,

Joann Lindstrom, Planning & Zoning Administrator
Acting Secretary
Town of Owego Planning Board