

The Regular Meeting of the Town of Owego Planning Board was held at 7:00 PM on Tuesday July 26, 2022 at the Owego Town Hall, 2354 State Route 434, Apalachin, New York.

Present: Chairman Robert Rieg, Lisa Baileys, Lynne Esquivel, James Tofte

Alternate Ed Harrison, Alternate Robert Hornick

Absent: Leah Hammond

Excused: Craig Wademan, David Marsh

Chairman Rieg called the meeting to order at 7:00 PM. Lisa Baileys made a motion to approve the minutes from the May 25, 2022 meeting as written. Lynne Esquivel seconded the motion. Chairman Rieg, Mr. Hornick, Ms. Baileys, Mr. Tofte, and Ms. Esquivel all voted in favor. Mr. Hornick abstained due to not being present for that meeting.

The Board first considered a proposed solar energy local law and associated zoning amendments. Board members have been involved in the process of drafting this legislation and their input has been incorporated. The Town Board will hold a public hearing to consider this matter on August 2, 2022. Chairman Rieg made a motion to recommend to the Town Board that this legislation be adopted. Mr. Tofte seconded the motion and it was unanimously carried.

Chairman Rieg introduced Site Plan #1-2022, submitted by Forys Savage LLC, to relocate their existing storage shed sales facility. Owners Jim & Teresa Savage explained that the business is currently located next to Bud's Place. They are in the process of purchasing a new parcel, located at the corner of Forest Hill Road and State Route 434.

The business has no employees other than the two owners. Hours of operation are 11:00 AM to 5:00 PM Wednesday, Thursday, and Friday and 10:00 AM to 1:00 PM on Saturday. A 12' X 28' shed, placed on stabilized gravel, will be used as an office. Gravel roads will be installed within the site and there will be no soil disturbance. Electric poles have been installed on the site, to get power to the property. Teresa Savage explained that this is a seasonal business, with most off-season business being done on-line. Maximum number of sheds on the parcel will be 40.

The site can be accessed via existing drives on both Forest Hill Road and State Route 434. NYSDOT Site Plan Review Committee commented that the applicant will need to work through their Highway Work Permit application process. The Tioga County Planning Board recommends approval of this application.

Janet Brown, 70 Forest Hill Road, is concerned with the driveway on Forest Hill Road, due to people speeding down the road to the intersection and would like the applicants to have access and egress via the State Route 434 driveway only. Jim Savage stated that the business generates minimal traffic and prefers to utilize both existing driveways for better traffic circulation on the site.

After reviewing the Short EAF form submitted by the applicant, it was determined that this is a Type II action for SEQR purposes and no further action is required. Chairman Rieg made a motion to approve Site Plan #1-2002, with the following conditions:

- 1) The applicants submit an updated site plan, including sign location, and detail of the 12' X 28' shed to be used as an office.
- 2) The applicants comply with NYSDOT Region 9 Site Plan Review Committee's comments and requirements.
- 3) The applicants obtain all required state, county and local permits, licenses and registrations.

Mr. Tofte seconded this motion and it was unanimously carried.

Chairman Rieg then introduced Site Plan #2-2022, submitted Franklin Land Associates, LLC, to construct a Dollar General store at 6946 State Route 17C. The developer of this project, Bob Gage, from GBT Realty Corporation, was in attendance. Mr. Gage explained that they propose to construct and operate a 10,640 SF Dollar General. The 5.25-acre parcel is located in a General Business (GB) zoning district. The project includes installation of a well, septic system, and stormwater practices.

The Tioga County Planning Board recommended approval of the site plan.

NYSDOT Region 9 Site Plan Review Committee provided the following comments:

- 1) The project obtains a PERM 33-COM Highway Work Permit prior to the commencement of any work within the State right-of-way.
- 2) All new or existing driveway openings must be designed and constructed or reconstructed in accordance with the *NYSDOT Policy and Standards for the Design of Entrances to State Highways*.
- 3) Submittal of a drainage study if required, completed by a licensed engineer, for review and comment by NYSDOT prior to permit issuance.
- 4) In light of likely increase in foot traffic from nearby residences and places of employment, construction of a pedestrian connection between the building and the shoulder along NYS Route 17C.
- 5) Consideration of Complete Streets principles in the site design.
- 6) Nothing may be placed within the State right-of-way, including signage or parking.

Mr. Gage stated that there will be 8-10 employees total and estimated traffic is 30 vehicle trips during peak hours in the morning and evening. Hours are 8:00 AM to 10:00 PM daily.

Mr. Gage pointed out that although the Town of Owego Code requires 93 parking spaces for this project, he is proposing to develop 36 spaces with land banked for development of the additional spaces if needed. He is agreeable to install the pedestrian connection as requested by NYSDOT. One pole sign will be erected, 25 feet in height, in accordance with Town of Owego sign regulations. Wooden privacy fence, 6 feet in height will be erected along the north and south sides of the site. A 30' wide driveway, with one lane in and one out, is proposed for the project.

Mr. Tofte questioned the septic location and suggested relocating the tank to make servicing the system easier.

Mr. Gage explained that this store is a new prototype for Dollar General, being larger than other stores. It will have more food, more cooler sections, and may have produce. Mr. Gage submitted a rendering of the proposed store as well as elevations.

Chairman Rieg questioned when construction might begin if the site plan is approved. Mr. Gage feels that although they would like to start as soon as possible, it is dependent on other approvals being received and work may not commence until spring.

Chairman Rieg wondered how many deliveries occur each week. Mr. Gage stated that there is a large Dollar General (tractor trailer) truck delivery once a week – typically Monday mornings. Small deliveries occur during the week.

Chairman Rieg asked if local contractors are used for construction. Mr. Gage explained that the construction of the shell is done by Dollar General's general contractor in the area with the rest of the project being completed by local subcontractors.

Mr. Tofte asked what the total soil disturbance on the lot will be. Mr. Gage stated 3.8 acres. A Stormwater Pollution Prevention Plan (SWPPP) has been prepared, which will be reviewed by Tioga County Soil & Water Conservation District Manager Wendy Walsh for compliance with NYSDEC and USEPA requirements.

Mr. Tofte questioned the lighting plan. Mr. Gage explained that the intent is that light will stay on the developed area of the site. The wall lights on the store will have 100% cut-off shades and parking lot lights shine down, not out.

Chairman Rieg asked why this site was selected, given the number of Dollar General stores in the area. Mr. Gage explained that, after research, Dollar General provides his company with coordinates for location where they want a store developed. The company then works through the process, purchases the property, constructs the store and then leases it to Dollar General.

Chairman Rieg then opened the floor to hear from citizens in attendance. He noted that the Planning & Zoning Department had received a call from Janet Keesler, expressing her opposition to this project.

Tim Darrah, 250 Belknap Road, stated that he likes the rural character of his neighborhood and is concerned with increased traffic and lights if the store is constructed.

Michael Peters, 7012 State Route 17C, feels that this project will decrease his property values and detract from the rural nature. He is also concerned with flooding on the parcel.

Adam Bessey, 2816 Bornt Hill Road, is concerned that adding the Dollar General might require additional law enforcement, fire and emergency services.

Dan Dunn, 251 Belknap Road, feels the rural character of the neighborhood will be ruined if the Dollar General is built and expressed concern with increased traffic and feels his property values will be lowered.

Jackie Fabiano, 2900 Bornt Hill Road, stated she is concerned with water issues in the area and feels this site isn't a good location.

Karen Hamilton, 37 Belknap Road, currently experiences runoff issues from the hill behind her house and is also concerned with additional traffic on State Route 17C.

Mike Krom, 52 East Campville Road, is concerned that the weekly truck delivery could impact access to portions of the parking lot.

Mary Hamilton, 349 East Campville Road, questioned why that location was selected by Dollar General.

Teresa Dole, 591 Casterline Road, is concerned with how this project might impact her well.

Sue Parsons, 6995 State Route 17C, does not support this project.

Paul Reeves, State Route 17C, feels this project will impact water runoff in the area.

Chairman Rieg then closed the public portion of the meeting and the Board reviewed the Short Environmental Assessment Form submitted by the applicant for this Unlisted Action. Part 1 contains project information. Mr. Tofte led the Board through Part 2-Impact Assessment. The Board found that although the proposed action may have a moderate impact on the character of the existing community, the impact could be mitigated by installing additional landscaping and increasing the height of the privacy fence and therefore the proposed action will not result in any significant adverse environmental impacts. A negative declaration will be prepared.

Mr. Tofte made a motion to approve Site Plan #2-2022, with the following conditions:

- 1) Applicant meets all NYSDOT requirements.
- 2) Flooding concerns be considered during SWPPP review.
- 3) Applicant submit a no effect letter from SHPO.
- 4) Applicant submit detailed mitigation plan, including additional landscaping and other screening.

Chairman Rieg seconded this motion and it was unanimously carried.

Chairman Rieg introduced Appeal No. 2116, submitted by Richard Haddock, on behalf of Mapleridge Ranch. Mr. Haddock and Camp Director Duane Blasdel were in attendance. They are requesting a Special Use Permit for the first phase, construction launch phase, of the new

camp they wish to develop on their recently purchased 225-acre property at 822 Holmes Road. This phase includes building an open air pavilion, camper cabin and 40' X 70' chapel. They intend to use the camper cabin as a showcase to their donors so they can see what the camp will look like. They will also be improving the existing roadways on the new property and are currently working with an engineering firm to design the necessary septic, water and electrical systems. The camp currently operates on Montrose Turnpike, on property directly adjacent to this site. Eventually they will move their current operations to this site.

The Tioga County Planning Board submitted a letter recommending approval of this request. Apalachin Fire Chief Michael George submitted a comment letter recommending approval of the proposal, noting that the access road needs to be a minimum of 14' wide, a road should access the pond so they can draft and put in the rescue boat and a Knox box must be provided at the front gate so they can access the camp during off hours.

Ms. Esquivel made a motion to recommend to the Zoning Board of Appeals that Appeal No. 2116 is granted, contingent on the applicant submitted a revised plan with architectural renderings of the structures to be constructed during this phase. Mr. Hornick seconded this motion and it was unanimously carried.

There being no further business, the meeting was adjourned (9:20 PM)

Respectfully submitted,
Debra Standinger
Acting Secretary