

The Regular Meeting of the Town of Owego Planning Board was held at 7:00 PM on Wednesday May 24, 2023 at the Owego Town Hall, 2354 State Route 434, Apalachin, New York.

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

Excused: David Marsh

Chairman Rieg called the meeting to order at 6:57 PM. The minutes from the April 25, 2023 meeting were considered. Ms. Esquivel made a motion to accept the minutes as written. Ms. Baileys seconded the motion and was carried with five yes votes and one abstention (Chairman Rieg recused himself due to prior absence).

Appeal No. 2132

Chairman Rieg introduced Appeal Number 2132, a Special Use Permit to board pets at 140 Kellam Road. The applicant, Shannon Klatt, was present.

Ms. Klatt explained that she would like to pet sit for one family at a time in her home. She has an entire walkout basement devoted to the animals. Her yard is already fenced in securely. Chairman Rieg stated that he had looked at the aerial view of the property and it appeared there is only one house nearby. Ms. Klatt confirmed that she has 26 acres. Chairman Rieg asked if Ms. Klatt had previously boarded pets. Ms. Klatt confirmed that she had, in Oxford, New York, for about three years. She also currently walks dogs and does house visits.

Mr. Tofte asked why the applicant was here, as opposed to just pet sitting like the average person would do without going through the application process. Ms. Klatt stated that she wants permission instead of doing something that she is not supposed to do.

Chairman Rieg made a motion to recommend approval of Appeal No. 2132 to the Zoning Board of Appeals. Mr. Wademan seconded the motion and it was unanimously carried.

Site Plan No. 2-2023

Chairman Rieg introduced Site Plan Number 2-2023, a request to expand a parking lot for Farmer Brown's on State Route 434. Tim Gourley, the engineer, was in attendance.

Mr. Gourley stated that they are looking to add a parking lot to the right of Farmer Brown's Marketplace for special events and food trucks. He mentioned the original comments from DOT and stated that everything had been addressed with the exception of the sign out front that needs to be removed.

Mr. Tofte told the applicant that they should account for the additional accessible parking spaces. Mr. Gourley stated that they did, in the original parking lot, and not in the expansion.

Mr. Tofte asked about the additional impervious surfaces when the greenhouses were added. Mr. Paul Darpino stated that the greenhouse portion of the property is not part of this expansion, Mr. Logan Keeney is responsible for that parcel. Mr. Darpino stated that he has no future plans for this parking lot expansion, but would like to make the parcel more marketable for any potential future use.

Mr. Tofte asked about a second way off the property. Mr. Gourley stated there is not another. Mr. Tofte then asked what the plans would be if a business does go into this location. Mr. Gourley stated that they will come back through the process of getting everything approved at that time.

Ms. Baileys then asked for clarification on the driveways and their uses. Mr. Gourley stated the existing driveway for the greenhouses will be the only one used for this parking lot expansion while the other driveway is for the solar project only. Mr. Tofte asked if the greenhouses have an easement to use the existing driveway. Mr. Darpino stated yes.

Chairman Rieg asked if the handicap accessible parking spots are appropriately marked. Mr. Gourley stated that it has to be striped and signed. Mr. Tofte stated that if it is gravel it only needs to be signed.

Ms. Esquivel likes the idea of the expansion to allow for more food trucks.

Mr. Tofte asked if there will be more vendors, such as fireworks sales, on site. Mr. Gourley stated he did not think so. Mr. Tofte then asked why the expansion with no future plans. Mr. Darpino stated that he wants the parcel ready to go if someone shows interest.

Mr. Tofte asked if there are plans for screening or shrubbery for the parking lot expansion. Mr. Gourley replied no, there are no plans. Mr. Darpino added that screening would come in the next phase, if someone wants to bring a business on the site. Mr. Gourley added that they would get all permits if and when that time comes. Mr. Tofte asked if the parking lot will be built all at one time. Mr. Gourley replied that it will. Chairman Rieg then confirmed that there will be no screening done at this time. Mr. Wademan asked Ms. Graven if screening is

required with a parking lot. Ms. Graven stated it is not. Chairman Rieg asked Mr. Darpino if he would be willing to add screening. Mr. Darpino replied that he would, as he has always kept his property nice in the front. Mr. Tofte suggested a few clusters along the length of the parking lot.

Chairman Rieg stated there is not a negative impact in relation to SEQR. Mr. Tofte made a motion to approve the SEQR decision. Mr. Wademan seconded the motion and it was unanimously carried.

Mr. Tofte made a motion to approve Site Plan Number 2-2023, with the condition of intermittent landscaping between the parking lot expansion and State Route 434. Ms. Esquivel seconded the motion and it was unanimously carried.

Site Plan No. 3-2023

Chairman Rieg introduced Site Plan Number 3-2023, a request to open a convenience store and guitar store, Keef's Outlet, at 163-167 Pennsylvania Ave. The owner and applicant, Saquif Rahman, was in attendance.

Mr. Rahman explained that he wants a convenience store for the community to grab and go small items on their way home, while he wants the guitar store to give people a place to purchase guitars and accessories locally. He also talked about maybe making a small studio for people to play their own guitars.

Chairman Rieg asked if Mr. Rahman will be living there. Mr. Rahman stated that he will not, he wants the whole building to be a store.

Mr. Wademan asked what was in there now. Mr. Rahman stated that it is vacant and he has done the floors for the store. Mr. Rahman still needs to add the firewall in the back from the engineer's plans.

Ms. Esquivel asked if Mr. Rahman would sell tobacco products. He stated that he will be selling cigarettes and papers but no vaping products, as that is a separate license.

Mr. Tofte asked about parking size. Mr. Rahman stated that the survey of the property shows that the parcel is much bigger than he thought it was. Mr. Tofte asked if it would be enough space. Mr. Rahman believes so as most people will be in and out. Mr. Tofte stated that it has to be off street parking, so the spaces in front of the building cannot be used; he then recommended a variance for parking. Ms. Graven then added that Ms. Lindstrom's summary states that the use is non-conforming and a variance would not be necessary.

Ms. Esquivel asked about delivery trucks. Mr. Rahman stated that he will bring all the product in himself with his Suburban.

Mr. Wademan asked about exterior lighting. Mr. Rahman stated that there are existing Christmas lights there that he would like to add to. Mr. Wademan suggested more lighting for the evening hours of operation for safety reasons, keeping in mind that nothing can point towards the road and impede traffic.

Mr. Tofte stated that he needs metrics on the parking spaces with one handicap space along with circulation of traffic. Mr. Tofte suggested that Mr. Rahman's engineer can help him with that or he could use Tioga County GIS.

Chairman Rieg asked if customers would enter from Pennsylvania Avenue. Mr. Rahman replied they will. Chairman Rieg then asked which door they will enter the building from and recommended that both stay open for safety reasons. Mr. Rahman agreed to that.

Mr. Wademan asked about signs that Mr. Rahman plans on having. Mr. Rahman stated he will have signs in both of the windows facing Pennsylvania Avenue.

Chairman Rieg then asked if anyone from the public would like to speak.

April Boots of 175 Pennsylvania Avenue is concerned with the safety of parking on the street at this location. She states that it is extremely dangerous and strongly discourages it.

John Gibson, owner of 586 Main Street, is concerned with snow removal as previous owners have moved it onto his property. Mr. Rahman stated that he will make sure that he does not do that.

Mr. Tofte stated that he needs to see more as far as parking goes. Mr. Wademan added that they need to be sure that there is enough parking on the site and if not, how to navigate around that. Chairman Rieg added that the site plan also needs to have general traffic flow.

Mr. Rahman went back to the snow removal topic and stated that he can shovel it into the grass.

Mr. Tofte stated that it is up to Mr. Rahman if he would like the Board to deny the site plan or table it. Mr. Rahman would like it tabled.

Mr. Wademan made a motion to table Site Plan No. 3-2023 due to lack of adequate parking plan and upon the applicant's request. Ms. Esquivel seconded the motion and it was unanimously carried.

Mr. Wademan asked about the location of the wellhead for the Wellhead Protection Permit. Ms. Graven stated that it is the wellhead on Pennsylvania Avenue.

Chairman Rieg then visited a comment on Site Plan No. 2-2023. Ken Williams of 906 Marshland Road received an Agricultural Data Statement. Mr. Williams asked what the material for the parking lot will be. Ms. Esquivel stated that it will be gravel. Mr. Williams then asked what the square footage of the parking lot is. Mr. Tofte replied six tenths of an acre. Mr. Tofte also stated that NYS DOT owns the ditches and the culverts and has no concerns. Mr. Williams asked about the two separate entrances for the parking lot expansion. Mr. Tofte stated that there is only one, which is the same entrance that the greenhouse currently uses. The other entrance is for the solar project. Mr. Williams asked if Waterman Conservation was notified. Ms. Burrell stated that they were not because they are not within 500 feet of the project. Mr. Williams asked if the parcel for the parking lot expansion is 25 acres. Mr. Tofte replied that Mr. Darpino does not own the greenhouse parcel. Chairman Rieg then explained that the state requires notification of projects within 500 feet of an Agricultural District.

The next regular meeting is scheduled for Tuesday, June 27, 2023 at 7:00 PM.

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

Respectfully submitted,

Brenda Burrell, Secretary
Town of Owego Planning Board