

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