

The Regular Meeting of the Town of Owego Planning Board was held at 7:00 PM on Tuesday, June 22, 2021, at the Owego Town Hall, 2354 State Route 434, Apalachin, New York.

Present: Chairman Robert Rieg, Lisa Baileys, David Marsh, Craig Wademan, and James Tofte.

Absent: Leah Hammond and Lynne Esquivel

Others Present: Planning & Zoning Administrator Joann Lindstrom, Town Attorney Irene Graven.

Chairman Rieg called the meeting to order at 7:01 PM. Chairman Rieg made a motion to approve the minutes from the May 26, 2021 as written. Mr. Wademan asked that the minutes be amended to show Delta Engineers as Delta Engineers, Architects & Surveyors. Chairman Rieg seconded the motion, and the motion was carried unanimously.

Chairman Rieg introduced Appeal No. 2093, a request for a Special Use Permit to construct a 30'x 30' square foot addition for two service bays at Niko's Automotive, located at 567 Main Street Apalachin, NY 13732. Co-Owners Lee Ward and Kory Rosati were present.

Chairman Rieg called on Joann Lindstrom to clarify if this was a site plan review. Ms. Lindstrom said this was not, with Town Attorney Irene Graven agreeing, because it has yet to go to the Town Highway Department or DOT for comment. This meeting is for the recommendation to the Zoning Board of Appeals.

Chairman Rieg then asked Lee Ward, co-owner of Niko's Automotive, for a brief overview of the project. Mr. Ward stated they have been there since July 2015, and they detail and sell cars to the public, as well as detailing for outside dealerships. He went on to say the project consists of adding a 30'x 30' addition with two drive bays containing lifts to service the vehicles they sell, and warranty work offered with those vehicles.

Ms. Baileys asked if they are providing service for dealership vehicles or the public. Kory Rosati clarified they are only doing detailing right now. Mr. Ward stated they do detailing for major dealerships in the area, and the general public. Mr. Ward mentioned they are not able to do any servicing on vehicles because they do not have the equipment needed, so this extension would make that possible. Ms. Baileys then asked about access to the facility. Mr. Rosati stated that there is one point of entry from Pennsylvania Avenue, and two from Main Street. They typically provide services to 3-5 customers a day, and do not feel it would interrupt traffic flow. Ms. Baileys noted there were large tubs with flowers blocking the entrance on Pennsylvania Avenue. Mr. Rosati stated those have been removed due to damage from the winter months, but that it is still roped off to prevent vehicles from cutting through the property to avoid the stop sign at the intersection of Main Street and Pennsylvania Avenue.

Mr. Tofte acknowledged the thought put into making the line of sight free of obstruction at such a busy intersection.

Chairman Rieg questioned the property line with the extension being built. Mr. Ward stated there is approximately 67 feet from the furthest corner of the property line to the current building, and with the 30'x 30' extension, there would still leave plenty of room for traffic. Mr. Rosati

explained there would be no parking on the far side of the building, keeping the line of sight free of obstruction as noted before. Chairman Rieg referred to the diagram of the traffic pattern, and felt there were no issues with it.

Mr. Wademan asked what kind of services would be performed for warranty and maintenance. Mr. Rosati explained it would be considered basic services: exhaust, oil changes, brakes, etc. Mr. Wademan questioned the practice in place for the containment of hazards, such as oil. Mr. Rosati explained that more than likely they would not have a drum of oil around the shop due to the few customers per day they would be serving, but that each drum comes with a basin it sits in, in case of leakage.

Chairman Rieg noted that the well head permit was approved with contingencies and the Town Supervisor of Utilities documented because of the hazardous materials, there would be frequent visits from the Utilities Department.

Mr. Tofte gave a brief description of what to expect at site plan review, emphasizing unloading and loading of vehicles. Mr. Ward stated they have already thought that through, and they only load or unload one vehicle at a time on the Main Street side, because the lot is big enough for a truck to pull over and off the road.

Mr. Wademan commented about the lighting of the lot, and expressed concerns about spillage into neighboring properties. Mr. Ward stated they have a good rapport with their neighbors, and will keep that in mind going forward in the process.

Chairman Rieg asked if they are currently renting the facility. Mr. Ward stated they have a lease agreement with the current owner that is written in a contract by a lawyer that states when the owner is ready to sell the building, it will be sold to the co-owners of Niko's at market price minus the upgrades that were done. Chairman Rieg asked if there was any opportunity to grow at that location after the extension is completed. Mr. Ward stated there would be no opportunity to expand.

Chairman Rieg then stated he would recommend approval to the Zoning Board. He cited the Tioga County Planning Board's recommendation: "approval with the conditions that the applicant obtain all required state, county and local permits, licenses and registrations and return for other local approvals required at a later date." He also cited the Director of Utilities recommendation: "no more than (3) 55 gallon drums of new oil or antifreeze and require them to be stored in a containment system, and no more than (1) 55 gallon of waste oil and (1) 55 gallon of waste antifreeze may be on site and in containment system. Junk tires and parts should be removed in a timely matter and not kept on site to reduce risk of contamination."

Chairman Rieg made a motion to recommend approval of the 30' x 30' extension. Mr. Marsh seconded the motion. Chairman Rieg, Mr. Wademan, Ms. Baileys, Mr. Tofte, and Mr. Marsh all voted in favor of the motion.

The next regular meeting is scheduled for Tuesday July 27, 2021 at 7:00 PM.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Teddi Card  
Secretary