

**TIOGA COUNTY PLANNING BOARD
MEETING MINUTES**

March 17, 2021

~~Ronald E. Dougherty County Office Building
Legislative Conference Room — Main Floor
56 Main Street, Owego, NY~~

7:00 PM

I. CALL TO ORDER AND INTRODUCTIONS

- Chairman D. Chrzanowski called the meeting to order at 7:01 PM.
- Note - this meeting was conducted via Zoom as allowed by Governor Cuomo Executive Order and extensions regarding COVID-19 spread prevention. These minutes also serve as a transcript of the meeting.

II. ATTENDANCE

A. Planning Board Members:

Present: Doug Chrzanowski, Grady Updyke, Tim Pollard, Mike Reynolds, Art Cacciola, Georgeanne Eckley, Pam Moore, Matt Tomazin, Chelsea Robertson, John Current

Excused: Rawley Filbin

Absent: Tim Goodrich

B. Ex Officio Members:

C. Local Officials: none

D. 239m Review: Brandon Smith of Scott Smith & Son, Inc.

E. Guests:

F. Staff: Elaine Jardine

III. APPROVAL OF AGENDA

- Approval of agenda, correcting April's meeting date.
J. Current/T. Pollard/Carried
None Opposed
No Abstentions

IV. APPROVAL OF MINUTES

- Approval of February 17, 2021 minutes with on correction on page 5.
P. Moore/M. Reynolds/Carried
None Opposed
No Abstention

V. PRIVILEGE OF THE FLOOR

- None

VI. CORRESPONDENCE

- On file at the EDP Office

VII. NEW BUSINESS

A. 239 Reviews

1. County Case 2021-006: Town of Tioga, Site Plan Review, Scott Smith & Son, Inc.

The applicant is requesting site plan approval to expand their current bulk liquid heating fuel storage facility on this 3.6-acre parcel. The expanded storage at this facility (which SS&S has been operating since 1995) will replace their existing underground storage facility at 8 Delphine Street in the Village of Owego. The expanded storage facility will occupy only 0.25 acres of the property. It will be located in the middle of the property, between the front street side of the property that is in the 100-year floodplain the steep terrain located to the rear of the property. Additionally the facility will be constructed at a location that is 814 amsl, well above the base flood elevation of this site at 812.5 amsl.

This facility is proposed to contain three above ground, steel double-walled 20,000-gallon storage tanks set on concrete pads, along with associated appurtenances, that will store liquid kerosene and diesel fuel for heating purposes only. There will be no gasoline stored at this site. A 10'x10' foot monitoring and control shed is also proposed. Truck access from Glenmary Drive to the tanks will be in a one-way direction, with trucks entering via the east driveway and exiting using the west driveway.

Truck traffic for liquid heating fuel delivery will increase from the current maximum of three trips per week to a maximum of six trips per week due to this storage expansion. Propane deliveries will increase from a maximum of three loads per day to a maximum of five loads per day with this expansion.

E. Jardine commented that the site plan is difficult to interpret and presents confusion regarding flow of traffic internally and driveway(s). Brandon Smith explained that delivery trucks will be traveling from the west off State Route 17C and along Glenmary Drive west to east; therefore they will be using a new driveway proposed on the western side of the property, as shown on the site plan. Also, where it is shown internally that trucks will encounter the fenced area, they plan to reduce the size of that fenced in area. D. Chrzanowski also pointed out the E. Jardine's provided map indicates the incorrect parcel because the County's Real Property Database has it incorrect. This is now is being fixed by Tioga County GIS.

Staff recommends approval of the site plan review with the condition that the applicant complies with the Tioga County Department of Public Works requirements for the proposed driveway, including a highway work permit, a site distance analysis, details on construction materials.

Q. C. Robertson: Will a floodplain permit be required for the new driveway work? **A. E. Jardine –** That did not cross my mind when doing the permit, but yes, the Town of Tioga Local Floodplain Administrator should require a floodplain development permit. The Board Members agreed by consensus to add this issue to item #k of the Town of Tioga's Criteria for Site Plan Review in the Staff Analysis and Recommendations document, and not add it to the Conditions, before providing to the applicant.

Q. P. Moore: It's hard to tell looking at these materials, will the tanks be located in the floodplain or not? **A. E. Jardine –** No, but might be in the 500 year floodplain, which has no restrictions or requirements. **B. Smith** further commented that the current tanks were impacted during the 2011

flood, so they now know that the new tanks have be out of the 100-year floodplain. Also, the tanks will be situated on top of a concrete pad.

Q. T. Pollard: Will the tanks be attached to the concrete pad so they won't float away? **A. B. Smith** – That is correct.

Q. M. Reynolds: Will there be three separate concrete pads for the three storage tanks? **A. B. Smith** – No, just one pad for all three storage tanks.

Q. T. Pollard: Will the storage expansion at this location reduce truck traffic on West Avenue and Delphine Street? **A. B. Smith** – Yes truck traffic will be reduced but not eliminated because there will still be traffic to the gasoline station.

Q. P. Moore: Will you be digging up the underground storage tanks at the Delphine Street location as result of this project? **A. B. Smith** – Yes, but not until the new tanks on Glenmary Drive are operation, so we don't experience a gap in customer service and delivery.

Motion to recommend approval of the site plan review with the conditions noted:

J. Current/T. Pollard/Carried	
Yes	9
No	0
Abstention	1 (D. Chrzanowki)

B. 2021 Financial Disclosure Affidavits and Ethics Certification Renewal

E. Jardine reminded the Board members that these documents must be completed in hardcopy, dated, signed and either mailed or dropped off to the Tioga County Law Department, 56 Main Street, Owego NY 13827. Also remember to write N/A on all questions not applicable to you included in the Financial Affidavit Disclosure form.

VIII. REPORTS

A. Local Bits and Pieces

- 1. Town of Candor (A. Cacciola)**
 - Village EMS is still working with the Candor Town Board to fund the paid positions gap. E. Jardine mentioned that Congressman Tom Reed has sent the EDP Office a funding opportunity for this – update – E. Jardine researched and this SAFETY grant is for firefighters only.
 - Planning Board is still working on seasonal road issue.

- 2. Town of Tioga (D. Chrzanowski)**
 - The solar developer working on a proposed solar project in Town of Tioga is conducting due diligence regarding potential contamination on the selected property/site and how it might affect the solar project before they proceed with local approvals.
 - He also inquired about if anyone heard that the State is reducing money available for solar projects. C. Robertson said she hadn't heard that, but she knows from communities she serves at Southern Tier Central Regional Planning Development Board that municipalities and IDA's are now asking for more money in PILOT payments, and some are getting both a PILOT from the IDA and a Host Community Agreement. So the solar developers' profit margins are reduced. Also, a NYSERDA Program recently expired, so that money is gone as well.

3. **Town/Village of Spencer** (T. Goodrich)
 - Not in attendance.

4. **Town of Berkshire** (T. Pollard)
 - The Site Plan Review Law amendment should come before County Planning Board in April.
 - It is rumored that the property owner who has the motocross facility has now put the property up for sale.

5. **Village of Newark Valley** (M. Reynolds)
 - No report.

6. **Town of Newark Valley** (M. Tomazin)
 - No report.

7. **Town of Barton** (G. Updyke)
 - No report.

8. **Town of Owego** (J. Current)
 - Not in attendance.

9. **Town of Nichols** (P. Moore)
 - P. Moore inquired about how the Town of Owego local board(s) has handled the fill in floodplain case on State Route 434. E. Jardine said she has not yet been notified about a final decision from Joann Lindstrom, and the TOO is very good about providing final decisions. She will check into it. P. Moore also inquired about the status of the SunEast Valley Solar project on Montrose Turnpike in the Town of Owego. E. Jardine stated that TOO ZBA is scheduled to vote on that project at their April 1 meeting. This will be the sixth consecutive ZBA meeting where this case has been on their Agenda.

10. **Village of Waverly** (R. Filbin)
 - Not in attendance.

11. **Village of Owego** (G. Eckley)
 - No report.

B. Staff Report:

- Nothing other than was provided in the meeting packet.

IX. OLD BUSINESS

- None.

X. ADJOURNMENT

- A. Next Meeting April 21, 2021, @ 7:00 PM via Zoom.
- B. Motion made to adjourn at 7:45 PM. G. Eckley/C. Robertson/Carried.

Respectfully submitted,

APPROVED

Elaine Jardine, Tioga County Planning Director
Economic Development and Planning