

**TIOGA COUNTY PLANNING BOARD
MEETING MINUTES
May 18, 2022
VIA ZOOM**

I. CALL TO ORDER AND INTRODUCTIONS

- Chairman D. Chrzanowski called the meeting to order at 7:02 PM.
- Note - this meeting was conducted via Zoom as allowed by NYS law regarding COVID-19 spread prevention. These minutes serve as a transcript of the meeting.

II. ATTENDANCE

A. Planning Board Members:

Present: Doug Chrzanowski, Grady Updyke, Art Cacciola, Pam Moore, John Current, Tim Pollard, Georgeanne Eckley, Rawley Filbin, Chelsea Robertson

Excused: Bryan Goodrich, Matt Tomazin

Absent:

B. Ex Officio Members:

C. Local Officials:

D. 239m Review: Robert Burgdorf of Nixon Peabody and Brett Morgan of Verizon Wireless

E. Guests: None

F. Staff: Elaine Jardine

III. APPROVAL OF AGENDA

- Approval of agenda as amended.

C. Robertson/G. Eckley/Carried
None Opposed
No Abstentions

IV. APPROVAL OF MINUTES

- Approval of April 20, 2022 minutes with a correction on page 4.

P. Moore/R. Filbin/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 2022-012: Town of Spencer, Telecommunications Site Plan Review and Special Use Permit, Town Board**

The applicant is proposing to construct and operate a 195-foot high self-supporting telecommunications tower and associated improvements via lease agreement with the property owner (Golden) on this 15.8-acre property, which is currently vacant land with some tree cover. The tower will be situated on the northernmost portion of the property and be accessed by a private drive that runs on the western property with a new road built on the subject property. There will be minimal tree clearing.

Before and After propagation maps provided (and attached) show that this tower is needed to improve telecommunications coverage and capacity at this area in the Spencer community. The applicant has also conducted a viewshed analysis, comprised of a map of view locations and simulated views at those locations (attached). The applicant also provides an analysis of how this proposal complies with the Town’s Telecommunications Law in Exhibit D (attached).

The tower will be buffered from neighbors by natural woodland. There is adjacent property enrolled in the NYS Agricultural Districts Program, so the Town is conducting the Agricultural Data Statement process.

The applicant has done a thorough job demonstrating the need for this new telecommunications tower in this location. The new tower will improve critical emergency telecommunications as well as normal customer communications.

Staff advises the County Planning Board recommend approval of the telecommunications site plan review and special use permit.

Q. D. Chrzanowski – I see there is a backup generator proposed for this project. Will this mean more truck traffic to fill up the generator’s diesel engine and will improvements be needed to the road? **A.**

R. Burgdorf – Yes, a generator is proposed but there will still be minimal truck traffic. The road will just need to be maintained.

Q. T. Pollard – Is this site larger than an acre and will you be doing stormwater permitting?

A. B. Morgan – Yes, the area of disturbance is larger than one acre and yes our engineers will be creating a SWPPP.

Motion to recommend approval of the telecommunications site plan and special use permit:

T. Pollard/G. Eckley/Carried	
Yes	9
No	0
Abstention	0

2. County Case 2022-013: Village of Waverly, PUD Special Permit with Site Plan Review, Valley Bowling Center

The applicant is requesting a PUD special permit with site plan approval to establish an outdoor 30’x30’ Tiki Bar in the front yard of the Valley Bowling Center. The bar will operate only during the summer months. Hours of operation will correspond with the Bowling Center summer hours of Tuesday through Saturday from Noon – 11:00 PM. There will be lighting in the Tiki Bar and solar lights on the three-sided fence surrounding the bar. Music will consist of a DJ, karaoke and live entertainment.

The expanded business will require no new parking spaces, as there is plenty of parking in the existing, expansive parking lot for the bowling facility. The applicant does plan on a sign at the Tiki Bar.

This proposal to expand this small business is in character with the mixed-use nature of the area. Once again, having a small business willing to expand in these tough financial times is of benefit to the community in maintaining the tax base.

Staff advises the County Planning Board recommend approval of the PUD special use permit with site plan review with the conditions that the applicant provide signage specifics to the Village Planning Board.

Q. G. Eckley – Will this be removed during the winter months? **A. E. Jardine** – I am unsure, it is a temporary building so possibly.

Q. D. Chrzanowski – I see the outside boundary of the fence will be about 30 feet from the road. Is there any local law about gatherings close to roads? **A. E. Jardine** – I was there in Waverly when then the Village Planning Board discussed this case in the sketch plan, and they didn't say anything about that.

Q. G. Updyke – Were there any noise concerns discussed at that meeting? There is a senior home and an assisted living facility directly adjacent. **A. E. Jardine** – Noise was discussed, however the Village of Waverly has no local code regulating noise. The Village Planning Board can regulate business hours through the special use permit, but noise did not appear to be a concern given the stated business hours.

Motion to recommend approval of the PUD special use permit with site plan review:

C. Robertson/D. Chrzanowski/Carried	
Yes	8
No	0
Abstention	1 (R. Filbin)

VIII. REPORTS

A. Local Bits and Pieces

1. **Town of Candor** (A. Cacciola)
 - The Town of Candor had a successful Daffodil Festival on April 30.
2. **Town of Tioga** (D. Chrzanowski)
 - Old railroad bridge is being demolished by Norfolk Southern Railroad
 - In June, the Town is having a tire and electronics collection day.
3. **Town of Berkshire** (T. Pollard)
 - Does any town have a large gatherings law? Yes, Towns of Tioga and Candor.
4. **Town of Newark Valley** (M. Tomazin)
 - Not in attendance.
5. **Town of Barton** (G. Updyke)
 - No report.
6. **Town of Owego** (J. Current)

- No report.

7. Town of Nichols (P. Moore)

- No report.

8. Village of Waverly (R. Filbin)

- No report.

9. Village of Owego (G. Eckley)

- No report.

10. Alternates (B. Goodrich, C. Robertson)

- No report.

B. Staff Report:

- Nothing other than what was sent in the meeting packet.

IX. OLD BUSINESS

- None.

X. ADJOURNMENT

A. Next Meeting June 15, 2022, @ 7:00 PM via Zoom.

B. Motion made to adjourn at 7:33 PM. C. Robertson/R. Filbin/Carried.

Respectfully submitted,
Elaine Jardine, Tioga County Planning Director
Economic Development & Planning