

**TIOGA COUNTY PLANNING BOARD  
MEETING MINUTES  
June 20<sup>th</sup>, 2018  
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.

**II. ATTENDANCE**

A. Planning Board Members:

**Present:** Doug Chrzanowski, Georgeanne Eckley, Grady Updyke, Tim Pollard, Mike Reynolds, John Current, Sarah Titus, Art Cacciola, Chelsea Robertson

**Excused:**

**Absent:** Pam Moore

B. Ex Officio Members:

C. Local Officials:

D. 239m Review:

E. Guests: Matt Freeze, Sayre Morning Times

F. Staff: Elaine Jardine

**III. APPROVAL OF AGENDA**

- Approval of agenda.

T. Pollard/J. Current/Carried  
None Opposed  
No Abstentions

**IV. APPROVAL OF MINUTES**

- Approval of May 16, 2018 minutes

S. Titus/G. Eckley/Carried  
None Opposed  
No Abstentions

**V. PRIVILEGE OF THE FLOOR**

- None heard.

**VI. CORRESPONDENCE**

- Folder passed.

**VII. NEW BUSINESS**

**A. 239 Reviews**

- 1. County Case 2018-014: Town of Nichols, Solar Energy Systems Code Amendment, Town Board**

The Nichols Town Board and Planning Board have worked together to create the attached proposed Solar Energy Systems local law. While it will be a stand-alone chapter in the Nichols Town Code, it will be tied to the Zoning Code via reference, as seen in the proposed law. These regulations will apply to minor and major solar systems, as defined in the proposed code, and will be allowed in all zoning districts with the exception of R (Residential), which is a very small zoning district in size, that encompasses the Taylor Road subdivision only.

This is a thorough, yet concise law that somewhat follows NYSERDA Model Solar Law guidance. Ideally, these regulations should be placed within the Town’s Zoning Code, but their municipal attorney advised against it due to logistical complications. At least there is an inserted reference proposed in the Zoning Chapter to link the two chapters of town code.

Staff recommends approval of the code amendment.

**Q. D. Chrzanowski** – So there will be only 16MW capacity allowed town wide? **A. E. Jardine** – Yes. **S. Titus** commented that this is also on a first come, first served basis. Discussion ensued around this restriction with the conclusion that the Town Officials intend these solar regulations to be restrictive to protect valuable farmland throughout the town.

**Q. C. Robertson** – How do they propose to distinguish between minor and major solar projects? **A. E. Jardine** – By the definitions on page 1.

TCPB members then identified items that need changing before the Town Board adopts this local:

- §194-4, D., 2. – After list of restrictions, insert the following “If any conflicts arise between this section and all other sections of Chapter 194, the regulations in this section shall take precedence”.
- §194-4, D., 3. (d) – Change the minimum height of fence to 7 feet, as required by NYS Building Code.
- §194-4, D., 3., (g) – Remove this requirement of Tioga County Soil & Water Conservation District review of site and stormwater management plans. The Town of Nichols is not a regulated Municipal Separate Storm Sewer (MS4) municipality, and only NYS DEC can conduct Stormwater Pollution Prevention Plan (SWPPP) review and approval in non-regulated areas.

E. Jardine then stated that these changes require a recommendation change to Approval with Modification.

**Motion to recommend approval with modification of the Solar Energy Systems Code Amendment:**

<b>D. Chrzanowski/S. Titus/Carried</b>	
<b>Yes</b>	<b>9</b>
<b>No</b>	<b>0</b>
<b>Abstention</b>	<b>0</b>

**2. County Case 2018-014: Town of Nichols, Site Plan Review Zoning Amendment, Town Board**

The Nichols Town Board and Planning Board have worked for a number of years to create this Site Plan Review Local Law to be inserted into the Town’s zoning code. This has long been needed, considering the industrial development that has occurred in the town in recent years. It will aid the Town in guiding development in a logical fashion that is suitable for the Town of Nichols. Staff recommends approval of the code amendment. Again, this is a thorough, yet concise law that follows all standard practices of Site Plan Review regulations.

**Motion to recommend approval of the Site Plan Review Zoning Amendment:**

<b>T. Pollard/S. Titus/Carried</b>	
<b>Yes</b>	<b>9</b>
<b>No</b>	<b>0</b>
<b>Abstention</b>	<b>0</b>

**III. REPORTS**

**A. Local Bits and Pieces**

**1. Town of Candor – A. Cacciola**

- The exterior of the Bostwick’s Auction building expansion is complete and they are now working on the interior.
- Planning Board is working on a wind energy local law.

**2. Town of Nichols – P. Moore**

- Not in attendance.

**3. Town of Berkshire – T. Pollard**

- The Town has a new Code Enforcement Officer, Christopher Hammond.
- The Dollar General site has been filled and is now ready for building construction.

**4. Town of Tioga – D. Chrzanowski**

- The Halsey Valley Road – Route 17C intersection road elevation project site is now being staged and construction will be starting soon.

**5. Village of Waverly – vacant**

**6. Village of Owego – G. Eckley**

- G. Eckley inquired about the Farmhouse Brewery at 62-64 Central Avenue. E. Jardine responded that this project did not go through. However, there is another purchaser in contract right now, and the TCPB should be seeing a related 239 referral case in the next couple months.

**7. Town of Newark Valley – S. Titus**

- Requested E. Jardine’s research on the NYS zombie property law.
- E. Jardine requested a copy of the final copy from S. Titus.

**8. Village of Newark Valley – M. Reynolds**

- LED street light replacement project will take place soon.

**9. Town of Owego – J. Current**

- No report.

**10. Town of Barton – G. Updyke**

- No report, but E. Jardine discussed the situation with the asphalt pavement expansion project on Route 17C.

**11. Town of Richford - vacant**

**12. Spencer – vacant**

- B. **Staff Report:** None.

**IX. OLD BUSINESS**

- A. None.

**X. ADJOURNMENT**

- A. Next Meeting July 18<sup>th</sup>, 2018 @ 7:00 PM in the Legislature Conference Room.  
B. Motion made to adjourn at 8:10 PM. S. Titus/T. Pollard /Carried.

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