

**TIOGA COUNTY PLANNING BOARD**  
**MEETING MINUTES**  
**March 18, 2020**  
**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 teleconference as mandated by Governor Cuomo regarding COVID-19 spread prevention. These minutes also serve as a transcript of the meeting.

**II. ATTENDANCE**

A. Planning Board Members:

**Present:** Doug Chrzanowski, Rawley Filbin, Art Cacciola, John Current, Grady Updyke, Tim Pollard, Mike Reynolds, Tim Goodrich, Sarah Titus, Georgeanne Eckley, Pam Moore

**Excused:**

**Absent:** Chelsea Robertson

B. Ex Officio Members:

C. Local Officials: None

D. 239m Review: none

E. Guests: none

F. Staff: Elaine Jardine

**III. APPROVAL OF AGENDA**

- Approval of agenda with correction of Minutes date to February 19, 2020.  
P. Moore/S. Titus/Carried  
None Opposed  
No Abstentions

**IV. APPROVAL OF MINUTES**

- Approval of February 19, 2020 minutes.  
T. Goodrich/T. Pollard/Carried  
None Opposed  
No Abstentions

**V. PRIVILEGE OF THE FLOOR**

- None heard.

**VI. CORRESPONDENCE**

- Not applicable

**VII. NEW BUSINESS**

**A. 239 Reviews**

**1. County Case 2020-007: Town of Nichols, Rezoning, Tioga County Industrial Development Agency**

The applicant, on behalf of and in agreement with the three property owners, has petitioned the Nichols Town Board to rezone said properties from A-R to I2-B-A-R. An existing I2-B-A-R zoning district lies adjacent to these parcels, so the proposal is essentially requesting to expand the industrial zone. The Tioga County IDA is requesting this as there is little developable land remaining within the adjacent I2-B-A-R zoning district.

Total size of the three properties is approximately 88 acres (please see attached maps). The vast majority of this land is not within FEMA's Special Flood Hazard Area. Engelbert Farms Organic owns the greatest area of farmed land within these properties, which is also the property that is directly adjacent to the current industrial zoning district. They have provided a statement that this land is among the least productive of farmland they own in the area due to the rocky soil.

This action is consistent with a short-term goal listed in the Economic Development section of Tioga County's 2020 Strategic Plan that states to identify a site to develop into a future industrial or office park. This sight is highly suitable in that it is adjacent to an area and zoning that already has industrial uses, and is therefore compatible.

Staff recommends approval of the rezoning.

**Q. P. Moore** – These parcels are targeted for agricultural protection in both the Town of Nichols Agricultural & Farmland Protection as well as the Tioga County Agricultural & Farmland Protection Plan. Could you document and include this in the review, Elaine? **A. E. Jardine** – Yes, I will. (This was done before sending to Town of Nichols Officials)

**Q. T. Goodrich**– If this field is so rocky, why is the area designated for agricultural protection? **A. P. Moore** – My family used to own and farm this property. It was better farmland than what we had on a hilltop farm. Most of Engelbert's farmland is along the river, and therefore more productive. So it is all relative.

**Q. D. Chrzanowski** – Is the parcel south to this being rezoned as s well? **A. E. Jardine** – No. **D. Chrzanowski** - Why was this not included? **E. Jardine** - This was the IDA's decision.

**Q. D. Chrzanowski** - Are the residential properties along Depot Road included in the current I2-B-A-R District? **A. E. Jardine** - No. **D. Chrzanowski** - Does this constitute spot zoning, then, if they are left out of the rezoning? Board discussion ensued and consensus was yes, it might. **T. Goodrich** asked why the IDA didn't consider these parcels in the rezoning. **E. Jardine** stated they probably simply didn't think about it. **D. Chrzanowski** stated he wasn't meaning for this to be a condition, but wanted Town of Nichols officials to consider rezoning the residential properties in the future. **E. Jardine** stated she would convey this in notification correspondence to them (this was done). Rezoning should be done in in bulk and not piecemeal.

**Q. P. Moore** - Were the residential property owners notified? **A. E. Jardine** - Is not required for the TCPB to notify neighbors. **D. Chrzanowski** stated that the Town of Nichols Board should have to notify neighbors before the public hearing required before they vote on the rezoning.

**Motion to recommend approval of the Rezoning:**

**B. D. Chrzanowski/T. Goodrich/Carried**  
**Yes 7**

No 2  
 Abstention 1 (P. Moore)

## B. Financial Affidavit Disclosures

E. Jardine informed the Board Members that the County Legal Office requires these documents to be submitted in paper format with an original signature. Digital copies are not allowed. There is one EDP staff member in the office each day of the working week. So someone should be there during regular working office hours to receive these from you. The County Attorney is also working in the office. The Legal Office is now on the Main Floor of the County Office Building.

## VIII. REPORTS

### A. Local Bits and Pieces

1. **Town of Candor** (A. Cacciola)
  - Daffodil Festival is cancelled this year.
2. **Town of Tioga** (D. Chrzanowski)
  - Is there any guidance on how to conduct planning and zoning board meetings during this health crisis? E. Jardine did not have an answer. When she finds out some information she will pass it along.
3. **Town/Village of Spencer** (T. Goodrich)
  - Village of Spencer is looking for Planning Board members.
  - Dissolution vote has been postponed until April 30.
  - Village elections moved to April 28.
4. **Town of Berkshire** (T. Pollard)
  - Sapping event cancelled this year.
  - DOT put up speed advisory signs for 45mph on State Route 38 south of the hamlet.
  - Creekside Park Committee is seeking implementation funding for this new park. E. Jardine advised that local foundations would be a good option and to contact Cyndi Herrick in Richford.
5. **Village of Newark Valley** (M. Reynolds)
  - Village elections delayed until next month.
  - Mike also inquired about the Village of Newark Valley Comprehensive Plan. E. Jardine said that while the attempt was definitely good, the document just was not up to standards and wasn't ready for local approvals. That is why she had suggest to Mayor Tornatore to hire Thoma Development Consultants to develop a comprehensive plan update from both the great resident survey from last year, and the outline from the 2000 Comprehensive Plan.
6. **Town of Newark Valley** (S. Titus)
  - Everything in town is cancelled.
7. **Town of Barton** (G. Updyke)
  - No report.

8. **Town of Owego** (J. Current)
  - No report
9. **Town of Nichols** (P. Moore)
  - No report
10. **Village of Waverly** (R. Filbin)
  - No report
11. **Village of Owego** (G. Eckley)
  - Not in attendance.

**B. Staff Report:**

E. Jardine again repeated that one staff member would be working in the office per day during regular working hours. Otherwise, contact her via email.

**IX. OLD BUSINESS**

- A. None.

**X. ADJOURNMENT**

- A. Next Meeting April 15, 2020 @ 7:00 PM in the Legislature Conference Room, or via teleconference.
- B. Motion made to adjourn at 7:43 PM. R. Filbin/T. Pollard/Carried.

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