

Minutes of a regular meeting of the
Johnson City Planning Board held on
October 27, 2015 at 7:30pm at
243 Main St., Johnson City, NY

Present: Gerald Putman, Chairman
John Walker, Vice Chairman
Joanne Drimak
Andrew Holbert

Absent: Lee Briggs, Secretary

Also Present: Diane Salva, Clerk to the Planning & Zoning Boards
Jeff Jacobs, Attorney for the Village
Paul Nelson, Town of Union Planning Director
Marina Lane, Town of Union Senior Planner

A brief work session was held at 7:00pm. The board discussed the agenda and reviewed the applications. Chairman Putman called the meeting to order at 7:30pm & noted the emergency exits.

MINUTES – A motion to approve the minutes of the May 26, 2015 and June 23, 2015 regular meetings was made by Mrs. Drimak and seconded by Mr. Walker. The motion passed with all those present voting in the affirmative.

COMMUNICATIONS – None

CONTINGENCIES - None

OLD BUSINESS - None

NEW BUSINESS

SOUTHERN TIER AMERICAN REALTY, LLC – 153 OAKDALE ROAD
Declare Lead Agency, SEQR & Site Plan Review

Southern Tier American Realty, LLC, has submitted an application to renovate a 4,560 square foot building located at 153 Oakdale Road (#143. 37-1-5) into a new medical office. The property is zoned General Commercial (GC), and the medical office is a permitted use. The building has existing utilities. As there will be in no increase in impervious area, there is no post-renovation stormwater remediation required. The existing sign base will be used for a future sign. The property is currently in the 500-year floodplain, but it is in the preliminary 100-year floodplain, therefore the renovation will include flood-proofing measures. The building did flood in 2011. Based on the area of the building, the site is required to have 23 parking spaces (5/1,000sf). The site plan shows 32 parking spaces, including two handicapped accessible spaces. Additional landscaping shall be planted, as shown on the site plan.

Mr. Greg Abdo, Engineer for the project was present on behalf of the applicants.



Lead Agency

A motion to declare the Planning Board as Lead Agency for the purposes of SEQR was made by Mr. Walker and seconded by Mr. Holbert

Motion Carried - Vote:

Yes – 4 (*Walker, Drimak, Holbert, Putman*) **No** – 0 **Absent** – 1 (*Briggs*)

SEQR

Chairman Putman explained that a SEQR Short Environmental Assessment Form has been prepared.

The board, having reviewed Part I and Part II of the SEQR Short Environmental Assessment Form ("Short EAF") has determined that there will not be any significant adverse environmental impacts with respect to the project, therefore a motion was made by Mr. Holbert and seconded by Mrs. Drimak finding that the proposed action will not have a significant adverse environmental impact and authorizing the Chairman to sign the Negative Declaration.

Motion Carried - Vote:

Yes – 4 (*Walker, Drimak, Holbert, Putman*) **No** – 0 **Absent** – 1 (*Briggs*)

Site Plan Review

Mr. Abdo reviewed the project and explained that the site is not changing much. The building was previously used as a medical office and will again be used as a medical office. There was a plan to use the building for apartments but that never materialized.

Mr. Walker asked about the interior of the building and damage sustained during the flood. Mr. Abdo explained that the ceiling is intact. The sheetrock was removed and the building will need to be rewired. Daria Golazeski in Code Enforcement suggested that they look into new devices for the doors to help with flood prevention.

Planning Director Nelson asked about the condition of the electrical panels and the heating system. Mr. Abdo explained that the heating system is in the attic. They have not had electricians or HVAC guys in yet to check everything out.

Chairman Putman read the department head comments and the staff recommendations.

DEPARTMENT HEAD AND 239-REVIEW COMMENTS

The project was subject to a 239-Review as it is within 500 feet of State Route 17. The applicant's proposal is considered an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA), and the Planning Department recommends a Negative Declaration. The following comments are from the internal and 239-Review:

Code Enforcement: The applicants shall use licensed contractors and apply for appropriate building permits.

Fire Dept: No compelling interest. Must follow Fire Code with Code Enforcement Office

Police Dept: No compelling interest.

Public Works & Water:

- Handicap Parking –The previous site plan indicated 3 spaces, this plan indicates 2 spaces,



how many are required? *Two are required, and are included on the site plan.*

- The handicap spaces do not indicate that signs are included. *Corrected.*
- Is the label “gas” supposed to be sewer? The location on the attached plan is approximately the location the sewer was located and marked by DPW. *Corrected.*
- Proposed new “stop sign” needs to be located on the other side (south) of the driveway and cannot be placed within the Village Right-of-Way. *Corrected.*
- Water meter is old type ARB meter; it must be upgraded at cost to a radio read meter.
- Existing water service is a 1 inch diameter and requires a backflow device. Engineer should verify that the service is adequate for proposed usage. If a fire service is required the size and material of proposed fire service is required and the service must enter the building at right angle to water main. The domestic service cannot be utilized for a fire service.
- The following sections of the water code apply: No permits shall be granted until the department is supplied with detailed plumbing and utility plan and the engineer's report for backflow device.

§ 270-28. Piping installation from main to curb stop and box; expense.

The installation of all service piping from the water main to and including the curb stop and curb box shall be made by the Department at the expense of the owner of the premises served. Charges for services and meters are payable in advance and at rates established from time to time by the Department.

§ 270-29. Services to be constructed at right angles to main.

All water services shall be constructed at right angles to the main for their entire length into the premises.

§ 270-56. Charge for private fire line. [Added 5-18-1991 by L.L. No. 4-1991]

The following charges for private fire lines connected to sprinkler systems shall be payable annually for service in arrears:

ARTICLE VI, Fire Services

§ 270-74. Submission of plans for fire services.

Original installation plans and any later revisions which fully meet fire underwriter's requirements must be submitted to the Department.

§ 270-75. Application required.

An applicant will be required to sign an application form that will be furnished upon request.

§ 270-78. Installation of detector check.

In all instances of fire services over two (2) inches in size and of a distance greater than seventy-five (75) feet from the main to the premises, a detector check will be installed. No charge will be made for water used to extinguish accidental fires.

§ 270-79. Installation of detector check bypass to handle leakage; damage caused from leakage. The owner must provide and install a detector check bypass or similar device acceptable to the Department which will suitably handle fire flows and leakage. Owners must pay for maintenance, leakage and any damage caused by leakage of the fire service.

B. C. Planning: No significant county-wide or inter-community impacts associated with the project; however the department had the following comments:

1. B.C. Planning recommends that landscaping be included along the entire building perimeter and parking lot perimeter and at the driveway entrance.



2. B.C. Planning recommends that the site plan include a lighting plan.
3. B.C. Planning recommends that the applicant should be made aware of the risks of developing in the Preliminary FEMA 100-year floodplain.

BMTS: No comments.

NYS DOT: No comments

PLANNING STAFF RECOMMENDATIONS

The Planning Department recommends approval of the site plan, with the requirements from the Department of Public Works and Water and Code Enforcement, and the following stipulations:

1. Any proposed signage shall be submitted to the Code Enforcement Officer for review and approval prior to installation.
2. If any new lighting is proposed, the applicant shall first submit a lighting plan to the Code Enforcement Officer for review and approval.
3. Any new striping of any parking lot will have to conform to the Property Maintenance code of NYS and include the new accessibility symbol.
4. The dumpster enclosure shall be maintained at all times. Per Code 300-54.6, dumpsters shall be screened from view with either a wall, a solid fence or a combination of fencing and evergreens creating a solid visual barrier to a height of at least five feet above grade.
5. Landscaping shall be completed according to the landscaping plan by May 30, 2016.
6. The landscaping plan shall be maintained at all times. Should plants die or weaken substantially, they shall be replaced. Should the property owner wish to change types of plantings, a new landscaping plan shall be submitted to the Planning Department for review and approval prior to the change of plants, and shall follow the spirit of Article 54, Landscaping, Screening and Buffering Regulations.
7. If any approved site improvements are not complete prior to the request for a Certificate of Compliance, the Building Official may issue a Temporary Certificate of Occupancy, and the applicant shall provide a performance bond, or other form of guarantee approved by the Village Attorney for the cost of site improvements not completed. The bond shall be posted to the Village Board of Trustees prior to the issuance of the temporary or permanent Certificate of Occupancy. The bond shall cover a period of one (1) year.
8. Site plan approval shall be valid for one year, unless substantial improvements have been made pursuant to the approved site plan and a valid building permit.
9. The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of a Certificate of Compliance. The applicant agrees to construct the project in strict accordance with the site plan approved by the Planning Board. Should the applicant change the site plan approved by the Planning Board, even if by petition to the Village's Zoning Board of Appeals, the site plan approval will become null and void and the applicant must resubmit a new site plan to the Village of Johnson City Planning Board.

Mrs. Drimak asked about flood proofing measures. Mr. Abdo stated that they will look into what items can be used for mitigation. One of the applicants (name unknown) stated that they do have flood insurance. It is a requirement by the bank for the loan.



Mr. Walker asked about exterior lighting. Mr. Abdo stated that there is existing exterior lighting.

A motion to approve the site plan for 153 Oakdale Road as presented, including the Planning Staff recommendations with a completion date of June 30, 2016 was made by Mrs. Drimak and seconded by Mr. Walker.

Motion Carried - Vote:

Yes – 4 (Walker, Drimak, Holbert, Putman) No – 0 Absent – 1 (Briggs)

REGAN DEVELOPMENT – 135-139 BALDWIN STREET
Declare Lead Agency & Preliminary Site Plan Submission

David Chase with Delta Engineers and Attorney Sarah Campbell with Hinman, Howard & Kattell, LLP were present on behalf of the applicant.

Mr. Chase gave an overview of the project. There will be a total of 104 1, 2 & 3 bedroom apartments between the 2 buildings. The Century building will have 6,000sq ft of commercial space in the first floor. The uses have not yet been determined. The lack of adequate off street parking is a large issue.

The Board, Mr. Chase and Attorney Campbell had an extensive discussion regarding potential uses and the size of parking variances that would be required. The property owner will be leasing property from the railroad company and the Mosque and already have letters of intent from both of them.

Lead Agency

A motion to declare the Planning Board as Lead Agency and make a preliminary decision that the project is a type 1 action for the purposes of SEQR was made by Mr. Walker and seconded by Mr. Holbert.

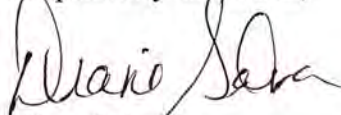
Motion Carried - Vote:

Yes – 4 (Walker, Drimak, Holbert, Putman) No – 0 Absent – 1 (Briggs)

ADJOURNMENT

Chairman Putman adjourned the meeting at 8:41pm.

Respectfully submitted,



Diane Salya
Planning Board Clerk

