

Present: John Walker, Vice Chairman  
Joanne Drimak  
Andrew Holbert  
Donald Slota

Absent: Gerald Putman, Chairman

Also Present: Diane Busko, Clerk to the Planning & Zoning Boards  
Nathan Van Why, Attorney for the Village  
Mayor Gregory Deemie  
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.

Vice Chairman Walker called the meeting to order at 7:30pm & noted the emergency exits.

**MINUTES** – The minutes from the March 22, 2016 regular meeting were held over to the next meeting.

**COMMUNICATIONS** – None

**CONTINGENCIES** - None

**OLD BUSINESS** - None

**NEW BUSINESS**

**HANNAH ENTERPRISES – 71 BALDWIN STREET**  
**REQUEST FOR EXTENSION OF APPROVAL DATE**

On December 18, 2013, the Village of Johnson City Planning Board approved the Negative Declaration under SEQRA for a proposed medical office at 71 & 75 Baldwin Street, 72 & 76 Arch Street, and a portion of 55 Baldwin Street. On January 28, 2014, the Village of Johnson City Planning Board approved the site plan for the medical office building with stipulations. With the exception of 55 Baldwin Street which is under lease, the remaining properties have since been combined into 71 Baldwin Street. The properties are located in a Neighborhood Commercial zoning district and the medical office is a permitted use. The properties were granted setback variances and a landscape buffer variance. A parking variance was also approved, with the requirement that Corliss Avenue be changed to a one-way street and adding angled parking to the north side, which has since been completed. The water, fire, and sewer lines have been extended to the properties and the work has been paid for by the applicant, as was required. At this time, the applicant is requesting a two-year extension of the site plan approval to May 31, 2018, giving them more time to market the project.

Sarah Grace Campbell with the law firm of Hinman, Howard & Kattell, LLP was present on behalf of the applicant.



Attorney Campbell explained that the applicant does not yet have a tenant for the building and is not going to build a spec building. They would like a two year extension but would be fine with one year. They are going to move forward with the demolition of the fire damaged building along with the other buildings that need to be demolished in the next few months which will hopefully make the property more marketable.

Vice Chairman Walker read the department head comments and the staff report.

**Department Head Comments:**

- Code Enforcement:** Building on site damaged by fire shall be demolished as soon as possible.
- Fire Dept:** Fire alarm system design shall be submitted to the Fire Department.
- Public Works & Water:** Developer has met DPW requirements.
- Planning Staff:** The Planning Department recommends an extension of the approval of the site plan for 71 Baldwin Street and 55 Baldwin Street, with the following stipulations: 1) The approval shall be extended through May 31, 2017. Additional extensions may be requested from the Planning Board. 2) The fire-damaged structure on 71 Baldwin Street shall be demolished by September 30, 2016. The applicant shall first apply for a demolition permit. 3) A shared parking agreement shall be reviewed by the Village Attorney. Once approved, the parking agreement shall be filed with the deeds of 55 and 71 Baldwin Street in the event that the properties are sold in the future. A copy of the Broome County Clerk's receipt shall be submitted to the Village of Johnson City prior to the issuance of a Certificate of Occupancy. 4) The parking lot shall be striped prior to the issuance of a Certificate of Occupancy. 5) Approved landscaping shall be installed by May 31, 2018. 6) 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 with terms and conditions deemed appropriate, and for a period no longer than six months. 7) Any new outdoor lighting fixtures shall be submitted to the Planning and Code Enforcement Offices for review and approval prior to their installation. 8) A sign permit shall be submitted to the Building Permits office for all proposed signage. All temporary signs (including price signs), portable signs, search lights, balloons, sidewalk and curb signs shall be reviewed and approved by the Code Enforcement Office prior to being placed on the property. Signs that flash, blink, rotate, or move are not permitted. 9) Once the applicant signs and returns the letter of decision, and upon approval of the drainage calculations, the applicant may apply for a building permit. 10) The applicant shall be required to acknowledge all of the above conditions, in writing by May 6, 2016. The



applicant shall agree to follow stipulations of approval in strict accordance with the site plan approved by the Planning Board.

Mrs. Drimak asked for clarification on the extension dates for the building and for the landscaping. Would it be better to make both dates 2018? Senior Planner Lane explained that one year for the building allows the Village some leeway in case something changes with the project and revisions are needed.

A motion to approve the request for extension of approval date to May 31, 2017 including the department head comments and the planning staff recommendations was made by Mr. Holbert and seconded by Mr. Slota.

*Motion Carried - Vote:*

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

**CRUX PROPERTIES, LLC – 157 OAKDALE ROAD**  
**REVISED SITE PLAN REVIEW**

On July 28, 2015, the Planning Board approved the site plan for a new 37,969 total square foot, 4-story commercial building submitted by Crux Properties, LLC, for 157 Oakdale Road. The building plan has changed in that it will now have three floors of commercial office space rather than one residential floor and two floors of offices. The building will be set on piers, allowing for ground level parking under the building. A side setback area variance was granted by the Zoning Board of Appeals in 2015, and a 50 space parking variance was granted in April 2016. The site plan shows the required 140 parking spaces. The site is served by public water and sanitary sewer. Storm sewer is not available. A stormwater pollution prevention plan (SWPPP) is required, and will include aspects of pervious paving.

Mr. Michael Haas with Haas Landscape Architects, Mr. George Schambach, Ms. Gina Curcio, property owner and Mr. Gary Bush were present on behalf of the application.

Mr. Haas explained that the applicant is currently in talks with a potential tenant who would want to rent the entire building for their northeast regional headquarters. There would be approximately 100 employees and approximately 15 – 20 visitors. The 1<sup>st</sup> and 2<sup>nd</sup> floors would be office space. The third floor would have 3 large offices for the president, vice president and comptroller and a fitness center for employees. The Zoning Board granted the parking variance earlier this month. They have updated the site plan, added 4 spaces and reworked the parking under the building. Some of the spaces under the building, where the columns are, will be wider than required, 12½ feet. The other spaces will be 9 feet x 18 feet.

Vice Chairman Walker asked if the columns under the building will be protected with buffers. Mr. Bush explained that they will be steel reinforced concrete columns. Mr. Haas stated that the columns will be painted and there will be lighting in the area. Senior Planner Lane asked about the size of the spaces with the columns. Mr. Haas stated that they are about 12½ ft. wide. The other spaces will be 9 ft. x 18 ft. The columns will be round and should be easy to see around. There is a short wall/sheer wall that wraps the corner of the building. That wall can be lowered at the corner to a 3ft. height to fix the visibility issue when someone is backing out of a space or pulling into the lot. Mr. Haas stated that it is a one way drive. Vice Chairman Walker asked if they could stripe the spaces so that the columns are not part of a parking space. Mr. Haas stated that would be fine.



Vice Chairman Walker and Senior Planner Lane reviewed the department head comments and the staff report.

**Department Head Comments:**

The applicant's proposal is considered an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA). Under the requirements of Section 617.7(c), the proposed action was examined (Short Environmental Assessment Form), and was found not to have a significant impact on the environment. The Planning Board made a Negative Declaration under SEQRA on June 23, 2015. This project was not subject to a 239-Review. Department head comments were received and the site plan was amended as applicable:

**Code Enforcement:** Have to adjust parking spaces under building because of piers. Piers cannot be located in required width of spaces.

**Fire Dept:** Would like to review the fire alarm systems. Would like to review fire truck access to the building and the sprinkler systems that will be used in the building design.

**Police Dept:** Had no compelling concerns.

**Public Works & Water:** 1.) A SWPPP is required. 2.) There is no municipal storm drainage with Oakdale Road in the area of the site. The former trailer park was graded to flow to the storm drainage in Harry L. Drive, therefore the proposed on-site storm drainage design shall ensure that all on-site storm drainage is held on site. 3.) The south entrance should be signed "enter only". 4.) If there is not an existing sewer lateral to connect to, the Sewer Plant Flow Credit program shall be met. 5.) A maintenance program shall be developed and adhered to regarding the proposed pervious pavement. 6.) Size and material of proposed fire service and domestic service is required and must enter the building at right angle to water main. 7.) Location of the water meter/mechanical room must be supplied to the Water Department; it must be on the east side of the building. 8.) The following sections of the water code apply: No permits shall be granted until the department is supplied with detailed plan and engineers report for backflow device. 9.) The following sections of Code apply and shall be conditions of approval:

§ 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. 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.

**Planning Staff:**

The Planning Department recommends approval of the site plan for 157 Oakdale Road, with the following stipulations: 1.) Per Fire Department comments, prior to the issuance of any building permit, the building plans shall be submitted to the Fire Marshal for review of the fire alarm systems, fire truck access to the building and the sprinkler systems that will be used in the building design. 2.) All comments from the Department of Public Works shall be addressed, and a revised final site plan and SWPPP shall be reviewed and approved by the Department of Public Works prior to the issuance of any building permit. 3.) The site plan shows two water lines, one for domestic and one for fire service. Any water service over 2" in diameter must be ductile iron. Prior to the issuance of a building permit, calculations for how the water service sizes were determined shall be submitted for review and approval by the Public Works Department. 4.) The sewer lateral must be either SDR 35 PVC or ductile iron. 5.) The applicant's engineer shall submit the application for the Binghamton-Johnson City Joint Sewer Plant Flow Credit program as soon as possible. No building permit shall be issued until the requirements of the program have been approved. 6.) The parking lot shall be striped prior to the issuance of a Certificate of Occupancy. The column spaces shall be delineated from the parking spaces with two (2) solid stripes. 7.) Approved landscaping shall be installed by May 31, 2017. If the landscaping is not installed prior to the issuance of any Certificate of Occupancy, a bond shall be posted upon review by the Code Enforcement Official, to be accepted by the Village Board and held in an interest-bearing account, to be returned with interest upon completion of the landscaping. The landscape plan shall be revised with labels per the key. 8.) Per § 300-54.2.E, all required landscaping shall be maintained in healthy condition by the property



owner. Failure to maintain such landscaping or to replace dead or diseased landscaping required by this chapter shall constitute a violation of these regulations. 9.) Dumpster enclosure details shall be submitted prior to the issuance of a Certificate of Occupancy. 10.) Cut sheets for outdoor lighting fixtures shall be submitted to the Planning and Code Enforcement Offices for review and approval prior to their installation. 11.) A sign permit shall be submitted to the Building Permits office for all proposed signage prior to installation. All temporary signs (including price signs), portable signs, search lights, balloons, sidewalk and curb signs shall be reviewed and approved by the Code Enforcement Office prior to being placed on the property. Signs that flash, blink, rotate, or move are not permitted. 12.) Two hard-copy final versions of the site plan and landscaping plan, as approved by the Village Planning Board, shall be submitted to be stamped and signed by the Village of Johnson City following approval. Once the applicant signs and returns the letter of decision, submits a final site plan per stipulations of approval, and stipulations numbers 1-5 are approved, the applicant may apply for a building permit. 13.) The applicant shall be required to acknowledge all of the above conditions, in writing, by May 6, 2016. The applicant shall agree to follow stipulations of approval in strict accordance with the site plan approved by the Planning Board. 14.) Site plan approval shall be valid through June 30, 2017.

A motion to approve the revised site plan including the department head comments and staff recommendations with the site plan approval valid through June 30, 2017 and the landscaping approval valid until June 30, 2018 was made by Mrs. Drimak and seconded by Mr. Holbert.

*Motion Carried - Vote:*

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

**GOUDARZI MOTORS - 26 MAIN STREET**

**DECLARE LEAD AGENCY**

**DECLARE PROJECT AN UNLISTED ACTION**

**CALL FOR PUBLIC HEARING TO BE HELD ON MAY 24, 2016 AT 7:30 PM**

Pouya Goudarzi has submitted an application to open a motor vehicle sales business at 26 Main Street, Johnson City. In addition to site plan review, a Special Permit from the Planning Board is required to sell vehicles in a General Commercial (GC) zoning district. Mr. Goudarzi has been issued a license to sell automobiles from the Department of Motor Vehicles.

No one was present on behalf of the application.

**Lead Agency Designation**

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

*Motion Carried - Vote:*

*Yes – 3 (Drimak, Holbert, Slota)      No – 1 (Walker)      Absent – 1 (Putman)*



A motion to declare the project an unlisted action under SEQR was made by Mr. Holbert and seconded by Mrs. Drimak.

*Motion Carried - Vote:*

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

A motion to set a public hearing for a special permit to sell vehicles at 26 Main Street on May 24, 2016 at 7:30pm was made by Mr. Holbert and seconded by Mrs. Drimak.

*Motion Carried - Vote:*

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

A motion to request a report from the Code Enforcement Office regarding the application for a Special Permit to sell vehicles at 26 Main Street was made by Mr. Walker and seconded by Mr. Holbert.

*Motion Carried - Vote:*

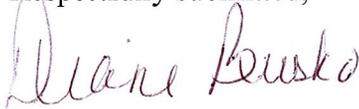
**Yes** – 4 (*Drimak, Holbert, Slota, Walker*)      **No** – 0      **Absent** – 1 (*Putman*)

Senior Planner Lane explained that the Regan project at 135-139 Baldwin Street will be coming back before the Planning Board for a change in the parking plan.

#### **ADJOURNMENT**

A motion to adjourn the meeting at 8:07pm was made by Mr. Holbert and seconded by Vice Chairman Walker. The motion passed with all those present voting in the affirmative.

Respectfully submitted,



Diane Busko  
Planning Board Clerk

