

Present: Gerald Putman, Chairman
Andrew Holbert, Vice Chairman
Joanne Drimak, Secretary
Thomas Sheredy
Donald Slota

Absent: None

Also Present: Diane Busko, Clerk to the Planning & Zoning Boards
Jeff Jacobs, 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.

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

MINUTES

Held over to the next meeting

PRIVILEGE OF THE FLOOR - None

COMMUNICATIONS – None

CONTINGENCIES - None

OLD BUSINESS

Kradjian Enterprises - 71 Baldwin Street ***Request for amendment of extension***

Per the developers' request, on April 6, 2016, the Village of Johnson City Planning Board approved the extension of site plan approval to May 31, 2017, for a proposed medical office at 71 Baldwin Street with the condition that the fire-damaged structure on 71 Baldwin Street be demolished by September 30, 2016. In her May 16th letter, Ms. Campbell stated that "Upon speaking with my client it is now their intention to demolish not only the fire damaged structure but the three other buildings associated with the project." Ms. Campbell requested that the demolition date be modified to December 31, 2016, for all four structures. On May 24, 2016, the Planning Board approved the revised conditions of the extension of site plan approval for the medical office at 71 Baldwin Street. The revised stipulations stated that all four structures on the site plan shall be demolished by December 31, 2016. On June 17, 2016, Mr. Christopher Kradjian wrote to appeal the May 24th condition that all four buildings be demolished by December 31, 2016. Although Mr. Kradjian stated that their intention is to demolish all four buildings concurrently, he requested that the Board consider granting the extension of the site plan approval with the condition that they would be required to demolish only the one (1) fire damaged building by December 31, 2016. At the following meeting, June 28, 2016, the Planning Board discussed



revising the conditions of the extension of approval with the deadline of December 31, 2016, to include the demolition of the fire-damaged structure on 71 Baldwin Street and the adjacent white building on the site, per the advice of the Code Enforcement Department and Director of Public Services. The Planning Board did not vote, but requested information regarding the costs of the demolition project, which is the developers' argument for not demolishing all four buildings by December 31, 2016. On July 18, 2016, Mr. Kradjian sent a letter with the estimated costs for the demolition of all four buildings. The total cost for demolition of all four structures in accordance with the code and legal costs would be approximately \$277,326.00. This estimate included the following costs: \$177,500 to demolish four buildings by the Gorick Construction company; \$92,326 for the abatement costs for two buildings from the Sunstream Corporation; and \$7,500 for two weeks of air-monitoring. The Kradjians have requested that the site plan approval be extended through May 31, 2017, on the condition that only the fire damaged building be demolished by December 31, 2016. The letter of request also states that it is their intention that the remaining buildings will be demolished by the May 2017 deadline.

Attorney Sarah Campbell with Hinman, Howard & Kattell, LLP and Chris Kradjian were present on behalf of the application.

Attorney Campbell explained that they are 100% committed to developing the site and reviewed the reasons behind their request. Attorney Campbell stated that they realize that future extensions are unlikely if all 4 buildings are not demolished.

Mr. Kradjian reiterate their commitment to developing the site and reviewed the costs to demolish the buildings.

Chairman Putman asked what happens if there is no tenant by May of 2017. Attorney Campbell stated that if there is no tenant then there is no project and they will need to either ask for another extension or start all over again.

Senior Planner Lane and Chairman Putman pointed out the Fire Department's comments, "These structures cannot be entered in the event of a fire therefore, if the structures should burn again, the firefighters cannot enter the buildings to extinguish the fire. There will be a negative environmental impact on the hospital's helipad, as it cannot be used during a fire."

Chairman Putman stated that the white building is condemnable. Mr. Kradjian stated that his engineers talked to Code Enforcement but they never heard back from Code on the building. Senior Planner Lane explained that Daria Golazeski said the building is condemnable. Chairman Putman stated that both buildings (the fire damaged building and the white building) need to come down now. Attorney Campbell stated that they are only asking for a few more months. Chairman Putman stated that if Gorick is already on site to take one building down it would be easier and possibly more cost effective to take all the buildings down so they don't have to restage the equipment. Mr. Kradjian stated that taking down all the buildings at the same time would not save any money but agreed that from a convenience standpoint it would be easier.

Mr. Sheredy asked for a timeline for demolishing the white building. Attorney Campbell stated that the fire damaged building would come down by the end of the year and they are asking for an extension for the remaining buildings.



Mr. Slota stated that summer is almost over and they are running out of time.

Chairman Putman reviewed the options.

Mr. Slota stated that there is a safety issue here. Attorney Campbell stated that if it is truly a safety issue, then Daria Golazeski can have the building demolished and send them the bill.

Mr. Kradjian expressed his frustration that the original request was to remove the fire damaged building by September 30th. They asked for an extension of the deadline and all of a sudden it became 2 buildings that must be demolished. Chairman Putman reviewed the time line with the requests from the summer.

A motion to approve the extension of the site plan deadline to May 31, 2017 contingent upon the demolition of the first building by December 31, 2016 and the demolition of the second building by December 31, 2016 under the condition that the building is condemned was made by Mr. Sheredy and seconded by Mr. Slota.

Motion Carried - Vote:

Yes – 5 (Sheredy, Drimak, Holbert, Slota, Putman) No – 0 Absent – 0

DEPARTMENT HEAD COMMENTS:

Code Enforcement: Two buildings should be demolished no later than December 31, 2016. These are the building on site damaged by fire and the adjacent white building, which is in very bad shape.

Fire Dept: These structures cannot be entered in the event of a fire, therefore if the structures should burn again, the firefighters cannot enter the buildings to extinguish the fire. There will be a negative environmental impact on the hospital's helipad, as it cannot be used during a fire.

Public Works & Water: Agrees with Planning Staff recommendation below.

Planning Staff: The Planning Department recommends an extension of site plan approval for a proposed medical office at 71 Baldwin Street and a portion of 55 Baldwin Street, with the following stipulations: 1.) Site plan approval shall be extended through May 31, 2017. 2.) The two identified structures on the site shall be demolished by December 31, 2016. The applicant shall first apply for demolition permits. 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 August 16, 2016. The applicant shall agree to follow stipulations of approval in strict accordance with the site plan approved by the Planning Board.

NEW BUSINESS

Family Enrichment Network – 51 Roberts Street ***Public Hearing for Special Permit renewal***

Family Enrichment Network, Inc. (FEN), has submitted a request to renew a special permit for Rooming House Use to continue using the existing three-bedroom, single-family house located at 51 Roberts Street as a rooming house for independent adult clients with intellectual disabilities. The property is zoned Urban Multi-Family (UMF) and the rooming house use was first approved for a period of one year on August 25, 2015. At 50 feet wide and 5,000 square feet in area, the property exceeds bulk restriction minimum requirements of 40 feet wide and 4,000 square feet. Code requires 0.5 parking spaces per rooming unit, of which there are three, and therefore two parking spaces are required. There is approximately 55-feet of driveway to the existing single car garage, which satisfies the parking requirement. The applicant's proposal was declared an Unlisted Action and the Planning Board approved the Negative Declaration under the New York State Environmental Quality Review Act (SEQRA) on August 25, 2015. This property was not subject to a 239-Review.

Ms. April Ramsay, Director of program development for Family Enrichment Network, Inc, was present.

Chairman Putman opened the public hearing.

Ms. Ramsay explained that there are 3 high functioning, independent men living at the address. One of the men is employed full time and the other 2 do receive some assistance. FEN is responsible for all of the maintenance of the property. She stated that she has not received any negative reports and things are going well.

Mayor Gregory Deemie stated that he has not received any phone calls or complaints about the property.

Chairman Putman closed the public hearing.



Chairman Putman read the department head comments and staff report.

Department Head Comments

- Code Enforcement:** There have been no negative reports this past year.
- Fire Dept:** No compelling interest.
- Police Dept:** No compelling interest.
- Public Works & Water:** No compelling interest.
- Planning Staff:** The project meets the requirements for a Special Permit for a boarding house use. In addition to Department Head comments, the Planning staff recommends approval of the Special Permit with the following recommendations: 1. Special permit modification approval will be required if there are any changes in the use of the property. 2. Special permit approval will become void if the structure is converted back to a single family use, and a new Special Permit shall be required to reconvert the house back to a boarding house. 3. The Special Permit shall expire should the property or business be sold to another entity, per § 300-66.11. Transferability: a) A special permit is not transferable except upon approval by resolution of the issuing board. b) A special permit shall authorize only one special use and shall expire if the special use ceases for more than three months for any reason.

A motion to approve the renewal of a special permit for a rooming house including the conditions listed in the staff report and department head comments was made by Mr. Slota and seconded by Mrs. Drimak.

Motion Carried - Vote:

Yes – 5 (Sheredy, Drimak, Holbert, Slota, Putman) No – 0 Absent – 0

Village of Johnson City Board of Trustees

Recommendation to The Village Board - amendments to the Village Zoning Code to adopt new section “300-60.6.1. Code Compliance Required” and amending Section “300-52.8 – Nonconforming signs” to permit replacement of an existing sign face for a new business or advertiser without loss of non-conforming use.

Chairman Putman and Attorney Jacobs reviewed the proposed code amendments.

A motion to recommend approval of the code amendments to the Village Board was made by Mrs. Drimak and seconded by Mr. Holbert.

Motion Carried - Vote:

Yes – 5 (Sheredy, Drimak, Holbert, Slota, Putman) No – 0 Absent – 0



ADJOURNMENT

The meeting was adjourned at 8:09pm.

Respectfully submitted,



Diane Busko
Planning Board Clerk

