

Minutes of a regular meeting of the
Johnson City Planning Board held
on May 28, 2019 at 7:30pm at
243 Main St., Johnson City, NY

Present: Gerald Putman, Chairman
Andrew Holbert, Vice Chairman
Greg Matyas
Mary Jacyna
Matthew Cunningham

Also Present: Nathan VanWhy, Attorney for the Village
Daria Golazeski, Town of Union Code Supervisor
Kim Cunningham, Planning Board Clerk
Trustee Martin Meaney
Trustee John Walker

Absent: 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.

Discussion between the Board and Daria Golazeski and Attorney VanWhy regarding the building at 27 Jennison Avenue being in the historical district. According to Ms. Golazeski, it does not come into play because it is not established as a local district.

Ms. Golazeski discussed updates in the Village of Johnson City.

- Gateway project
- Arch Street
- 184 Corliss
- Potential new use going into Ground Round
- Sears space – mixture of office uses (DSS and employment training)
- Five Star Auto has more cars than allowed on property.
- Deli on corner of Lester and Harry L Drive
- Davis College – reuse
- Binghamton Brewery
- Press Building

Chairman Putman informed the board of a new banner sign up at Munchies Express

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

MINUTES

A motion to accept and place on file the minutes of the April 23, 2019 regular meeting was made by Mrs. Jacyna and seconded by Mr. Matyas. The motion carried with all those present voting in the affirmative.



PRIVILEGE OF THE FLOOR

Chairman Putman opened and closed the privilege of the floor, as no one spoke.

COMMUNICATIONS - None

CONTINGENCIES - None

OLD BUSINESS - None

NEW BUSINESS

27 Jennison Avenue

Declare an Uncoordinated Review under SEQRA

Classify as an Unlisted Action

SEQRA Determination

Site Plan Review

Chairman Putman discussed Part I and Part II of the Environmental Assessment Form. Chairman Putman stated that this is in the historic district and part of the building is new and part is old.

Mr. Matyas confirmed it is listed in the historical study that there is no historical significance to the building.

Attorney VanWhy stated that no impact or small impact was identified in Part II.

Chairman Putman read Part III of the Environmental Assessment Form. There is the potential for a minor impact on human health and minor impact on land.

A motion to declare an unlisted action and issue a negative declaration for 27 Jennison Avenue was made by Mr. Holbert and seconded by Mrs. Jacyna.

Motion Carried - Vote:

Yes – 5 (Matyas, Jacyna, Holbert, Cunningham, Putman) No – 0 Absent – 0

William Hall, architect for Binghamton University, appeared on behalf of the SUNY BU Foundation.

The update to the plans are the stop bars before entering Corliss Avenue or Jennison Avenue. There will not be stop bars on Ozalid Road. They will barricade their parking lot from the neighbor. They may put in curbs to stop people from driving through.

The landscaping on the drawings is correct. May be flowering trees or evergreens.

The medical waste will be picked up by an independent party. Other waste will be picked up by the municipality.



Chairman Putman read the Site Plan Review, Environmental and 239-Review and Department Head Comments.

Site Plan Review:

Bill Hall submitted an application on behalf of BFSS LLC, the SUNY Binghamton University Foundation, to replace an existing medical office building with a new medical office building at 27 Jennison Avenue. The site is in a General Commercial Zoning District and a medical office building is a permitted use. The demolition of the existing building includes demolition of an additional structure on the property that has an apartment in it.

The property is 0.4-acres, and the proposed 4,290 square-foot building will cover 24% of the property. In order to meet the parking requirement of 22 spaces, the ZBA granted setback variances for spaces that encroached into the 10-foot setback requirement on May 13, 2019. At that same hearing, the ZBA granted side setback variances for the new building, and a variance for less than 40% front façade transparency along Jennison Avenue.

Trash will be handled by municipal garbage service. Hours of operation have been proposed as 7:00 am to 9:00 pm.

Environmental and 239-Review:

The project was subject to a 239-Review as it is within 500 feet of a NY State facility. The applicant's proposal was declared an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) because although it is in an historic district, the project does not surpass any of the thresholds for a Type I action by 25%. In an uncoordinated review, the Zoning Board of Appeals issued a Negative Declaration on May 13, 2019 pertaining to variances, and the Planning Department recommends a Negative Declaration for the site plan review. A stormwater plan was not required as there will be less than one-acre of soil disturbance. The following relevant requirements and comments are from the Department Heads:

- **Code Enforcement:** The applicant shall use plumbing and electrical contractors licensed by the Village of Johnson City, and apply for appropriate building permits. Handicapped parking must comply with the Building Code of NYS. The Stop Bar shall be placed behind the sidewalk.
- **Fire Department:** The Fire Marshal shall inspect the building prior to the issuance of a Certificate of Occupancy from the Building Permits Office. Call the Fire Department to arrange the inspection at (607) 729-0428.
- **Police Department:** No compelling interest.
- **Public Works & Water:** Since this is a commercial property, the water service requires a backflow device. The device will be required to be installed by a plumber licensed by the Village of Johnson City and tested by a certified backflow device tester. The NY State Health Department forms for the application of the installation of backflow devices can be obtained from the water department (607-797-2523). The backflow prevention device shall be test annually and a report submitted to the Water Department.

The following suggestions are from the 239-Review:

- **Broome County Planning:** The Planning Department has reviewed the above-cited case and



has not identified any significant countywide or inter-community impacts associated with the proposed project; however, they had the following comments:

- 1) The project should be redesigned to follow the recently developed design standards for the iDistrict.
 - 2) The project should include landscaping along the Jennison Avenue frontage.
- **NYS DOT:** No comments.
 - **BC Health Department:** No comments.
 - **BMTS:** No comments regarding traffic impacts. However, when considering site access, BMTS recommends that the developer consider revising the site plan to better adhere to Complete Street principles as they relate to walkability and neighborhood character, which could be improved by moving the building to the front of the property, placing all parking to the rear, and providing landscape buffers between parking and the public right-of-way. This would support a number of recommendations contained in the EJ BOA Industrial Spine Revitalization Plan Design Guidelines.
 - **Planning Staff Recommendations:**

The Planning Department recommends approval of the site plan for 27 Jennison Avenue, with the requirements and recommendations from Code Enforcement, Public Works and Water, Fire Department, and with the following stipulations:

- 1) Appropriate erosion control measures shall be installed before and maintained during construction.
- 2) Prior to the installation of proposed outdoor lighting, cut sheets for outdoor lighting fixtures shall be submitted to the Code Enforcement Office for review and approval. The Code Enforcement Official may require a lighting site plan to be submitted showing the location, number, type/style, mounting height, and lighting levels produced on the ground (i.e., photometric report).
- 3) The parking shall be striped prior to the issuance of a Certificate of Occupancy according to Village Code Chapter 300, Article 51, Off-Street Parking, Loading and Stacking Regulations. The required handicapped-accessible parking spaces shall conform to the Property Maintenance Code of NYS, and shall be posted with signage displaying the international symbol of accessibility.
- 4) Approved landscaping shall be installed by May 31, 2020, weather permitting. Landscaping shall be maintained, and any dead or dying trees or bushes shall be replaced with similar plants within one month, weather permitting.
- 5) For any proposed signage, a sign permit application shall be submitted to the Building Permits office 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.
- 6) Hours of operation shall be limited to 7:00 am through 9:00 pm.
- 7) It is required that garbage be placed in cans with tight fitting lids. Contact the Public Works Department at (607) 797-3031 to schedule an on-site meeting to discuss garbage can placement locations.
- 8) Site plan approval shall be valid for one year, unless substantial improvements have been made



pursuant to the approved site plan.

- 9) The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of a Certificate of Occupancy. The applicant shall agree to follow stipulations of approval in strict accordance with the site plan approved by the Planning Board. Changes to the site plan following approval may require a minor site plan review or resubmittal to the Planning Board, depending on the degree of change per Section 300-63.2. Applicability.

Lighting will be LED and will be at the locations on the plans. Landscaping will be done by May of 2020 with a completion date of August of 2020.

A motion to approve the Site Plan for 27 Jennison Avenue including planning staff recommendations and Department Head Comments was made by Mr. Holbert and seconded by Mr. Cunningham.

Motion Carried - Vote:

Yes – 5 (Matyas, Jacyna, Holbert, Cunningham, Putman) No – 0 Absent – 0

ADJOURNMENT

Chairman Putman adjourned the meeting at 7:53pm.

Respectfully submitted,

Kim Cunningham
Planning Board Clerk

