

Present: Vernon Rowlands, Chairman
Edward Mazanek, Vice Chairman
Leonard Sas, Secretary
Dr. Steve Holowinski

Absent: Charles Snedaker

Also Present: Diane Salva, Clerk to the Planning & Zoning Boards
Nathan VanWhy, Attorney for the Village
Daria Golazeski, Town of Union DCPW/C&O

A brief work session was held at 7:00pm. During the work session the board reviewed the applications on the agenda.

Reorganization of officers

A motion to nominate Mr. Vernon Rowlands as Chairman was made by Dr. Holowinski and seconded by Mr. Sas. The motion carried with all those present voting in the affirmative.

A motion to nominate Mr. Edward Mazanek Vice Chairman was made by Dr. Holowinski and seconded by Mr. Sas. The motion carried with all those present voting in the affirmative.

A motion to nominate Mr. Leonard Sas as Secretary was made by Dr. Holowinski and seconded by Mr. Mazanek. The motion carried with all those present voting in the affirmative.

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

Minutes – A motion to approve the minutes for the December 8, 2014 regular meetings was made by Mr. Mazanek and seconded by Mr. Sas. The motion carried with all those present voting in the affirmative.

Privilege of the Floor - None

Communications - None

Contingencies - None

OLD BUSINESS - None

NEW BUSINESS

Pacemaker Steel – 16 Wells Avenue **SEQR & Public Hearing for an Area Variance**

Pacemaker Steel and Piping Co., Inc., has submitted an application to construct an addition to the existing warehouse building located at 2 North Floral Avenue in the City of Binghamton. with the bulk of the new addition extending primarily onto 16 Wells Avenue (#143.67-1-13) in the Village of Johnson City. The addition is planned to span across 16 Wells Avenue located in the Village of Johnson City, the adjacent principal lot of 2 North Floral Avenue and an un-numbered landlocked parcel located between 2 North Floral Avenue and 16 Wells Avenue



(143.67-1-13). Due to the proposed addition crossing over property lines, variances are necessary in order to build within the side and rear setbacks. The following variances are proposed: a 20 foot rear set-back variance with parcel 143.67-3-7 located in the City of Binghamton, an 18 foot rear set-back variance with parcel 143.67-1-9 on the western boundary and a 9 foot side set-back variance with parcel 143.67-1-9 on the northern boundary.

The property was rezoned from General Commercial (GC) to Industrial (I) by the Jonson City Village Board of Trustees on January 6, 2015, and the warehouse is a permitted use in the Industrial zoning district. The proposed addition is 10,118 square feet, 30-foot high metal panel building with a concrete foundation. Two downward-shielded wall-pack lights will light the one 14-foot by 16-foot loading door and one domestic door. Roof leaders will be directed into a perforated drainage pipe system flowing from highest elevation at the southeast corner to the lowest elevation at the northeast corner, and from there drainage will be directed into a drywell. There is an overflow design that will send stormwater to the sanitary sewer system as there is no available storm sewer system at this location. The total disturbed area for this project is approximately 0.43 acres, and therefore a full Stormwater Pollution Prevent Plan (SWPPP) is not required, but erosion control measures during construction and post-construction stormwater runoff mitigation shall be required. An eight-foot high chain link fence with slats is proposed to surround the properties, located three feet from the property line. No landscaping is proposed.

Attorney Sarah Campbell with the law firm of Hinman, Howard & Kattell, LLP, Mr. Jeff Ulrich with Pacemaker Steel and Mr. Todd Anderson with Chianis and Anderson Architects were present on behalf of the applicant.

Chairman Rowlands opened the public hearing.

Attorney Campbell reviewed the application and explained the variances. This Binghamton branch of Pacemaker Steel & Piping is a distributor of custom-made steel, aluminum, and other metal alloy products such as metal sheets, pipes, valves and beams. Other than custom cutting existing products, no production of the products is done on site. The building is principally used for warehousing and distribution. There will be no noise. There will be some loading and unloading of trucks but that occurs inside of the building. The houses located on the other side of Wells Avenue are not owner occupied.

Chairman Rowlands closed the public hearing.

SEQR

Attorney Van Why explained that this is an uncoordinated review, a SEQR Short Environmental Assessment Form has been prepared and reviewed the form.

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. Mazanek and seconded by Mr. Sas 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 (*Mazanek, Holowinski, Sas, Rowlands*) **No** – 0 **Absent** – 1 (*Snedaker*)



Attorney VanWhy read the Planning Staff Report and Department Head Comments.

Planning Staff Recommendation:

The Planning Department staff recommends approval of the variances as proposed. The first two variances are simply between owner-owned lots. The side and rear setbacks proposed along the property lines shared with 11 Main Street are along the back of 11 Main Street and should not have a significant impact as the proposed warehouse addition is approximately 60 feet from the existing building on Main Street.

Department Head Comments:

Code Enforcement: Pertaining to the requested setback variances, "unique nature of project warrants, in my opinion, granting of variances."

Fire Dept: No comments.

Police Dept: No comments.

Public Works & Water:

1. Short EAF, 17b is marked yes. A brief description is required. (Completed)
2. The sanitary manhole located inside the building shall not have anything set on top of it.
3. The owner shall supply the Village of Johnson City with emergency contact information in case the sewer line requires access after normal working hours.
4. The contractor shall obtain a sewer permit from the Johnson City DPW prior to replacing the sewer line.

B. C. Planning:

No significant county-wide or inter-community impacts associated with the project; however the department requested the opportunity to review the final plan. The following comments were listed and addressed subsequent to their report:

1. B.C. Planning recommends that the site plan be revised to show the following: new tax map boundary, entire project site encompassing 2 N. Floral Avenue and 16 Wells Avenue, enter building (existing building and propose addition), driveway entrances and exits, parking spaces, delivery drop off and pick up, loading docks, dumpster location and screening, adjacent properties and drainage system for the entire project site.
2. B.C. Planning recommends that the bulk table presented on the site plan include the City of Binghamton zoning designation and required and existing dimensions. The required and proposed parking spaces per the Village of Johnson City and the City of Binghamton should also be noted on the site plan.
3. B.C. Planning recommends that the existing and proposed daily truck trips be noted in the application and that the traffic circulation be included on the site plan.
4. B.C. Planning recommends that the project include a landscaping plan. They recommend that the project include landscaping buffering and/or decorative fencing between the project site and adjacent



residential properties. The approvals should indicate the party(s) responsible for maintaining the entire screening.

5. B.C. Planning recommends that the project include an exterior lighting plan. The Village of Johnson City should ensure that the project does not result in spillover light and glare impacts to neighboring residents.

6. B.C. Planning recommends that the Village of Johnson City ensure consistency between the two properties, including drainage, parking, lighting, zoning and code enforcement.

BMTS: No issues with site access or traffic impact.

Broome County Engineering:

1. The applicant should be advised that the adjacent property on Floral Ave. is currently owned by Broome County and used for document storage. This county-owned property has been prone to recurrent flooding problems, primarily due to the City of Binghamton's combined sewer system overflow capacity issues. The municipalities who own the systems serving these properties should review any proposed changes to the storm / sanitary system carefully.

2. Based on their review, there are no other impacts to County infrastructure, and the DPW-Engineering Division has no comments or objections pertaining to the rezoning or site plan review of the project.

NYSDOT: No concerns. Please be advised that a Highway Work Permit must be obtained from our Department prior to the commencement of work on any activity in the state right-of-way. Further information regarding Highway Work Permits can be obtained by contacting Tom Laskowski, Assistant Resident Engineer at the Broome County Residency, at 607-775-0522.

JC Planning Board: Recommend approval.

A motion to approve to approve the 4 variances to the setbacks as described (a 20 foot rear set-back variance with parcel 143.67-3-7 located in the City of Binghamton, an 18 foot rear set-back variance with parcel 143.67-1-9 on the western boundary and a 9 foot side set-back variance with parcel 143.67-1-9 on the northern boundary) including the department head comments was made by Mr. Mazanek and seconded by Mr. Sas.

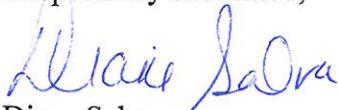
Motion Carried – Vote:

Yes – 4 (*Mazanek, Holowinski, Sas, Rowlands*) **No** – 0 **Absent** – 1 (*Snedaker*)

ADJOURNMENT

The meeting was adjourned at 7:48pm.

Respectfully submitted,



Diane Salva
Zoning Board Clerk

