

Present: Marcia Ward, Vice Chair
David Michalak, Secretary
Michael Sheredy
Jen Reinhart

Also Present: Avery McLean, Attorney for Village
Kim Cunningham, Planning Board Clerk

Absent: Gerald Putman, Chairman

A brief work session was held starting at 7:00pm.

The board discussed the agenda and reviewed the applications.

- 345 Grand Avenue
- 5 Endicott Avenue
 - Waiver of 10 parking spots
- 190 Main Street
- 214 Main Street
 - 9 parking spaces
- 76 N. Broad Street
 - Parking from Sr. Center
 - No parking plan

Vice Chair Ward called the Planning Board meeting to order at 7:30pm and noted the fire exits.

PRIVELEGE OF THE FLOOR

Vice Chair Ward opened the privilege of the floor. There being no one who wished to speak, Vice Chair Ward closed the privilege of the floor

MINUTES

A motion for approval of the June 24, 2025 meeting minutes was made by Mr. Michalak and seconded by Ms. Reinhart. The motion carried with all those present voting in the affirmative.

OLD BUSINESS

345 Grand Avenue – Amanat Afsar

Site Plan Review

Amanat Afsar appeared on behalf of the project.

Vice Chair Ward stated there are code violations that have not been taken care of.



Mr. Afsar responded he does not have a list of code violations. He knows there is work he needs to do, but he can't do anything until he has approval. He questioned why was he not told about the violations. He asked Randy what he needs to do and he was not told that was a requirement of approval. He has had email conversation with Randy and the code violations were never brought up. He said they were just waiting on the 239 comments and the wellhead committee comments. He is asking if he can work on the violations simultaneously as it is putting him in a tough spot.

Attorney McLean advised we cannot give approval without the code violations being taken care of. She said the violations would have to be rectified before the Board can consider approval.

The Site Plan Review, Department Head Comments, Wellhead Advisory Committee and Recommendations and Staff Recommendations were added to the record.

Site Plan Review:

The applicant is seeking to open an enclosed motor vehicle repair shop at the property located at 345 Grand Avenue. The use is an allowed use within the industrial zoning district in which this application is located. The business proposes to operate out of a portion of an accessory structure on the property previously purposed for storage.

Department Head Comments:

The SEQR Review for the project is an unlisted action, the Planning Board shall conduct SEQR analysis at this time.

The application was routed to the department heads and Broome County Planning Department for 239 Review and comment. The following has been received.

- 239 Review: See attached comments.
- **Police Department:** No compelling interest.
- **Fire Department:** Knox box key entry system shall be obtained from the Fire Marshal's office. Facility will be required to have a fire inspection prior to opening and annually thereafter.
- **Water Department:** The building will require the applicant to install a testable backflow prevention device on the domestic water line. If a separate line is required for a fire suppression system the applicant will need to refer to the referenced village codes. The applicant will need to contact the water department for information on Backflow applications and water meter installation
- **Code Enforcement:**
 - Applicant shall be in compliance with the specific use requirements set forth in the zoning code of the village of Johnson City.
§ 300-40.3 **Automotive service station, motor vehicle repair shops, gasoline stations, or gasoline service stations.**
Gasoline stations, service stations, motor vehicle repair shops, motor vehicle sales agencies, and drive-in businesses shall comply with the following:
 - A. No such use shall be located within 150 feet from any lot or parcel occupied by a hospital, library, school or church. Measurement shall be made between nearest respective lot lines.
 - B. Any such use shall be buffered from adjacent uses by no less than 10 feet.



- C. The entire site area that is traveled by motor vehicles shall be hard-surfaced (i.e., asphalt, concrete, or any other dust-free surface).
- D. Rubbish, oil cans, tires, discarded motor vehicle parts and components and other waste materials may be stored up to one month in a completely fenced-in opaque enclosure adjacent to the building, provided that the area of such enclosure shall not exceed 5% of the area of the principal service station building. There shall be no storage of any items, at any time outside of such enclosure or building.
- E. Landscaping (Article 54), signage (Article 52), and lighting (Article 55) shall meet the requirements of their respective sections.
- F. Motor vehicle repair shops and service stations shall comply with the following regulations:
 - (1) The number of vehicles that can be accommodated on site for repair and storage is to be determined by the Planning Board.
 - (2) Motor vehicle repair garages shall not be used for the storage, sale, rental or display of automobiles, trucks, trailers, mobile homes, boats, snowmobiles or other vehicles.
 - (3) All maintenance, service and repairs of motor vehicles shall be performed fully within an enclosed structure. No motor vehicle parts or unlicensed motor vehicles shall be stored outside of an enclosed structure.
 - (4) A spill prevention plan is provided.
 - (5) No vehicle in for repair may remain outside longer than 10 days.
- Applicant shall contact the code enforcement office with regarding open violations at the property
- Signage advertising any business at the property requires permits to be obtained thru the code enforcement office
- Any renovations to any primary or accessory building requires permits to be obtained from the code enforcement office. All contractors shall be registered with the village of Johnson City.

Wellhead Advisory Committee and Recommendations:

The Wellhead Advisory Committee recommend approval of the Aquifer Permit for the storage of greater than 25 gallons of petroleum-based used motor oil and antifreeze, with the following stipulations to prevent contamination of the Primary Aquifer and ground:

- 1) All conditions contained within department head comments have been satisfied.
- 2) Any hazardous materials/wastes stored on site should utilize primary and secondary containment systems and be registered with the NYS DEC as required. Any vehicle/machinery associated with this project should be stored inside the facility on an impermeable surface to prevent the contamination of groundwater from accidental spills or releases of hazardous chemicals. A spill response plan and equipment should be readily available onsite for any spills, leaks or other discharges of hazardous materials/wastes.
- 3) Stationary tanks storing waste oil of any size and for any use must be registered with the NYS DEC. The storage of used motor oil shall be contingent on issuance of NYSDEC approvals. In particular, the facility shall be in compliance with the DEC's Used Oil Requirements for Service and Retail Establishments, Subpart 374-2.
- 4) Above-ground tanks and drums must be in good condition, not visibly leaking, and shall be labeled "USED OIL." The label must also include the tank's design and working capacities.



- 5) Above-ground tanks located within 500-feet of a sensitive receptor, such as an aquifer, are required to have secondary containment.
- 6) Proper clean-up and disposal measures for the used motor oil and antifreeze shall be clearly posted adjacent to their storage tanks and/or drums. The Spill Prevention and Emergency Response Plan shall be reviewed with employees routinely and posted in a highly visible location. The NYS DEC provides an auto recycler's manual with pollution prevention tips for managing spills and using absorbents and floor dry.
- 7) Proper storage of used motor oil shall be approved by the Village of Johnson City Code Enforcement Department.
- 8) The purposeful discharge or disposal of any toxic or hazardous materials, and/or petroleum products on or below the surface of the ground is prohibited. In the event of a spill to the environment, call the DEC Spills Hotline at (800) 457-7362.
- 9) Change in use or ownership. The applicant is responsible for amending an existing permit if petroleum products, hazardous or toxic materials not listed in the original permit are subsequently used or stored at the site or if there is a change in ownership. Any proposed changes to the chemicals used or stored on site must be reported to the Code Enforcement Office and Planning Department at least 30 days before in order to evaluate for safety precautions.
- 10) All requirements by the Planning Board shall be in compliance prior to the issuance of a Certificate of Compliance. Contact the Village of Johnson City Code Enforcement Department to arrange a final inspection for the Certificate of Compliance.

Recommendations

The Staff recommends any approval of the Site Plan be held over until the existing Code Violations at the property site are remedied or a plan for their remedy is provided to the Code Enforcement Office. In the event the Board wishes to move forward with an approval then the Staff recommends that such approval will be conditional such violations remedied prior to the issuance of any approvals. The Staff further recommends the approval of the proposed site plan with the 239-m & Department Head Comments & Wellhead Advisory Committee Comments and the following stipulations:

- Submission of a landscaping plan;
- For any proposed signage, a sign permit application shall be submitted to the Code Enforcement Office prior to installation. All temporary 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.
- Lighting
 - o All outdoor lighting fixtures shall be shielded or otherwise contained on the property from which it originates (known as "light trespass limitations").
 - o Parking lots. Parking lots shall not exceed light levels necessary for safety and for locating vehicles at night. The lighting plan shall be designed so that the parking lot is lit from the outside perimeter inward and/or incorporate design features with the intent of eliminating off-site light spillage.



- Prior to the installation of any new outdoor lighting, cut sheets for outdoor lighting fixtures shall be submitted to the Code Enforcement Office for review and approval.
- The parking lot shall be striped and landscaped according to the approved site plan.
- Landscaping
 - All landscaping and plant material that is missing, dead, decaying, or injured as of September 30 shall be replaced by June 30 of the following year at the owner's expense. The replacement shall be of the same species and size unless otherwise approved.
 - All required landscaping shall be maintained in healthy condition by the property owner.
 - Failure
 - Landscaping All landscaping and plant material that is missing, dead, decaying, or injured as of September 30 shall be replaced by June 30 of the following year at the owner's expense. The replacement shall be of the same species and size unless otherwise approved.
 - 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.
- Per Chapter 236-20(B), all dumpsters shall be kept in a place easily accessible to private collection contractors, shall be clean, neat, painted and kept in good repair; any spilled materials are the responsibility of the property owner or occupant and shall be cleaned immediately. No garbage, rubbish, trash, yard waste or other items of refuse shall be located outside of a dumpster. All dumpsters located on a property for reasons other than temporary construction shall be fully enclosed and all doors and lids must be in working order and lids must be securely closed at all times. Dumpsters not in use must be removed within 30 days.
- Per Chapter 236-20(D), the collection of garbage or other material from dumpsters shall not commence on any day prior to the hour of 6:00 a.m. nor past the hour of 9:00 p.m.
- Site plan approval shall be valid for one year, unless substantial improvements have been made pursuant to the approved site plan.
- The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of a Building Permit or Certificate of Compliance, whichever shall come first. The applicant shall agree to follow stipulations of approval in strict accordance with the site plan approved by the Planning Board. Changes to the use following approval may require a new special permit or site plan review, depending on the change.

The Board had no further questions.

Vice Chair Ward asked for a motion.

Motion that the Johnson City Planning Board hold over the site plan review for 345 Grand Avenue until the September meeting was made by Mr. Michalak and seconded by Mr. Sheredy.

Motion Carried - Vote:

Yes – 4 (Reinhart, Sheredy, Michalak, Ward)

No – 0

Absent – 1 (Putman)



NEW BUSINESS

5 Endicott Avenue – Meadowsweet Montessori, Inc.

Site Plan Review

Heather Cross and Samantha Knop of Meadowsweet Montessori, Inc. and Michael Abettan, the landlord appeared on behalf of the project.

Ms. Cross explained the project. Her and Ms. Knop are administrators are also the teachers. They will have a few other part-time assistants. They are backed by the Wildflower Organization model. Ms. Cross welcomed parking questions.

Vice Chair Ward asked if there is a parking plan.

Ms. Cross stated Crescent Academy has moved to another facility and Meadowsweet Montessori will be taking over the traffic flow. The traffic flow will be reduced. Only the two full-time staff will be the ones who are parking.

Mr. Sheredy questioned the drop off area.

Ms. Cross stated there are several spaces in front of the building. There is a large vestibule area where the parents can drop off. The teachers will meet the parents in the front. The pick-up times will be staggered so all the cars won't be dropping off at once.

The Board questioned if someone parks in front of the building. They recognized staggering is good, which eliminates some problems, but there is no restricted area for the school.

Mr. Abettan acknowledged there are two curb cuts. There is a driveway that people cannot park in front of.

Mr. Michalak said winter will make a difference with parking and asked how that can be controlled. With a full street, he questioned how are they going to know when the person pulls out so they can pull in.

Ms. Cross responded they will use a car line. Parents are trying to get to work and they are usually efficient. They are decreasing the traffic flow.

Mr. Abettan confirmed Crescent Academy is not ready to sell. He explained the traffic flow and the bus drop off. He asked if they can they block off the spots in front.

Attorney McLean said they have addressed the traffic flow and drop off, however they need to see a parking variance for ten spots. She confirmed the calculation is based on square footage.

Vice Chair Ward read the Site Plan Review, 239 Review and Department Head Comments and Recommendations.

Site Plan Review:

The applicant is seeking to open a portion of 5 Endicott Ave for the operation of an OFCS licensed Child Day Care Center from this space post renovation. The application requires a parking variance from ten (10) spaces to (0) zero. The Planning Board shall review plans and provide recommendation on the parking



variance. The project will be routed to Broome County for 239-M review and site plan will be considered at the September Planning Board meeting in the event the applicant's variance application is successful.

239 Review & Department Head Comments:

The application is considered an unlisted action under SEQR, the Village Zoning Board of Appeals shall be lead agency during the review of the parking variance for the application. The applicant shall be required to complete the SEQR Part I prior to referral to Broome County Planning for comments. The application was routed to the department heads for comment. The following has been received.

- **Police Department:** No compelling interest.
- **Fire Department:** Applicant will be subject to an annual fire inspection. Will need to submit life safety and evacuation plans to the FM prior to C of O. Drop off and pick up to the facility shall not hinder emergency vehicle access to the proposed facility including connections to the fire department connection for the sprinkler system. Knox box key entry system shall be obtained from the Fire Marshal's office. Facility will be required to have a fire inspection prior to opening and annually thereafter.
- **Water Department:** The building will require the applicant to install a testable backflow prevention device on the domestic water line. If a separate line is required for a fire suppression system the applicant will need to refer to the referenced village codes. The applicant will need to contact the water department for information on Backflow applications and water meter installation
- **Code Enforcement:**
 - All work requires licensed contractors, plumbers, electricians
 - Garbage is to be disposed of in accordance with section 236 of the village law
 - Tenant must obtain a C of O from the codes office and any other applicable agency prior to occupancy.
 - Signage advertising any business at the property requires permits to be obtained thru the code enforcement office
 - Any renovations to any primary or accessory building requires permits to be obtained from the code enforcement office. All contractors shall be registered with the village of Johnson City.

Recommendations

The Staff recommends that the Planning Board recommend the applicant's variance request is denied due to insufficient parking information provided and the lack of traffic considerations supplied by the applicant. The Staff makes no recommendation as to the sufficiency of any parking plan without the opportunity to review.

The Board had no further questions.

The Zoning Board will make the final decision as the Planning Board is making a recommendation.

Ms. Cross stated they want to provide a new opportunity for families. She confirmed there are only two full-time staff.

Attorney McLean said they outlined some conversation about the flow and drop off. She advised them to look into parking options.



Motion that the Johnson City Planning Board hold over a decision on the recommendation to the variance request until the September meeting for 5 Endicott Avenue with Department Head Comments and stipulations was made by Mr. Michalak and seconded by Mr. Sheredy.

Motion Carried - Vote:

Yes – 4 (Reinhart, Sheredy, Michalak, Ward) No – 0 Absent – 1 (Putman)

190 Main Street – Binghamton University Foundation
Demolition Permit

Joe Turdo appeared on behalf of the project. They are seeking a demolition permit to take the building down. There was significant water damage which is compromising the building. Gorick Construction is ready to go if they get the permit. This is owned by the Binghamton University Foundation. They will not receive any funding; it is all private money. They will turn it into greenspace and possible future development. The entire parcel would be greenspace. They will maintain the grassy greenspace. The curb cut will be retained, together with some asphalt. They also demolished 140 Main Street.

Attorney McLean asked Mr. Turdo to highlight some of the problems with the building. Document from Hunt explaining the problems with the building. Mr. Turdo has documentation if the Board would like further documentation.

Mr. Michalak asked for a timetable. Mr. Turdo said they could bring over an excavator within a week. They foresee it would be down before the end of September. Traffic consideration.

Vice Chair Ward read the Site Plan Review, 239 Review and Department Head Comments and Recommendations.

Site Plan Review:

The applicant is seeking a demolition permit for the property located at 190 Main Street. The Binghamton University Foundation has applied for a demolition permit in the Village pursuant to the recommendation of the Foundation's Engineer. The application was routed to the Village's Historic Review Advisory Committee for their recommendation to the Village Planning Board. The Planning Board shall consider this application and the impact of the demolition of the property. The property is listed as a contributing property in the National Historic District in downtown Johnson City. The Village's Historic Review Advisory Committee has recommended the approval of the demolition permit. The Planning Board is acting as the Historic Review Board in this instance. The application was routed to SHPO for their review and recommendation.

239 Review & Department Head Comments:

The application is considered an unlisted action under SEQR, the Village Planning Board acting as Historic Review Board shall be lead agency. The application was routed to SHPO for their review under SEQR. The Board shall contemplate SEQR at this time. The application was routed to the department heads for comment. The following has been received.

- **SHPO:** See Attached



- **Police Department:** No compelling interest.
- **Fire Department:** Applicant will be subject to an annual fire inspection. Will need to submit life safety and evacuation plans to the FM prior to C of O. Drop off and pick up to the facility shall not hinder emergency vehicle access to the proposed facility including connections to the fire department connection for the sprinkler system. Knox box key entry system shall be obtained from the Fire Marshal's office. Facility will be required to have a fire inspection prior to opening and annually thereafter.
- **Water Department:** any use of the street for parking of equipment shall require a building permit, will need to contact the water department for use of a Hydrant
- **Code Enforcement:**
 - Recommends approval of the demolition, selected contractor will need to obtain demolition permit, Lot shall be graded and seeded prior to certificate of compliance
 - All work requires licensed contractors, plumbers, electricians
 - Garbage is to be disposed of in accordance with section 236 of the village law
 - Signage advertising any business at the property requires permits to be obtained thru the code enforcement office

Recommendations

The Staff recommends that the Planning Board recommend the applicant's demolition application is approved due to the referral from the advisory committee and the lack of impact on the historic district in the Village. While identified as a contributing property the property is not in the design of similar historic buildings in the area and any future development following the Village's i-district design guidelines will satisfy any impact on the historic district.

SHPO had concerns because it was within sight of the theatre.

Attorney McLean reviewed Part 2 of SEQRA.

Vice Chair Ward read Part 3 Determination of Significance.

The proposed action may impair the character or quality of important historic, archaeological, architectural, or aesthetic resources:

The building proposed for demolition is listed as a contributing structure within a designated historic district, which under normal circumstances would warrant protection. However, this particular structure is not representative of the district's primary historic period of significance, as well as missing key features associated with like architectural styles, and it has been severely compromised due to long-term neglect and deterioration. Notable issues include: Extensive mold and fungal growth, Water intrusion and damage, Structural instability, Roof and building systems failure, Broken windows due to vandalism, Uninhabitable conditions, Evidence of squatting and illicit activity. The building no longer contributes positively to the historic character of the district and arguably detracts from it.

The property owner has considered mitigation measures. Preservation Analysis concluded that the structure's condition makes rehabilitation economically infeasible. Alternative reuse or reconstruction is not viable without significant, disproportionate investment.



Although the structure is formally contributing to the historic district, the degree of physical and architectural degradation, lack of association with the district's period of significance, and detrimental impact on neighborhood character result in a determination of no significant adverse impact.

Vice Chair Ward asked for a motion.

Motion that the Johnson City Planning Board recommend approval of the demolition application for 190 Main Street with Department Head Comments and stipulations was made by Mr. Michalak and seconded by Mr. Sheredy.

Motion Carried - Vote:

Yes – 4 (Reinhart, Sheredy, Michalak, Ward) No – 0 Absent – 1 (Putman)

214 Main Street – SUN Development Team LLC

Site Plan Review

Vice Chair Ward read the Site Plan Review, 239 Review and Department Head Comments and Recommendations.

Site Plan Review:

The applicant is seeking site plan approval for the property located at 214 Main Street. The Property Owner has applied for a site plan approval for commercial renovations for two commercial spaces on the first floor and six apartments on the 2nd floor.

239 Review & Department Head Comments:

The application is considered an unlisted action under SEQRA, the Village Planning Board shall declare lead agency at this time. The application will be routed to Broome County for 239 Review. The application was routed to the department heads for comment.

Recommendations

The Staff recommends that the Planning Board discuss any questions or concerns with the applicant at this time in preparation for the September Planning Board meeting.

The Board discussed the possibility of the work already being done.

The Board had questions about what the ground floor is being used for. They also have a question if they have a parking plan.

Motion that the Johnson City Planning Board declare lead agency for the purposes of SEQRA for 214 Main Street and their concerns with this application will be discussed at the September Planning Board meeting was made by Mr. Michalak and seconded by Ms. Reinhart.

Motion Carried - Vote:

Yes – 4 (Reinhart, Sheredy, Michalak, Ward) No – 0 Absent – 1 (Putman)



76 N. Broad Street – Meeza Ghor – NY LLC

Site Plan Review

Vice Chair Ward read the Site Plan Review, Department Head Comments and Recommendations.

Site Plan Review:

The applicant is seeking site plan approval for the property located at 76 N. Broad Street. The Property Owner has applied for a site plan approval for the conversion of the first floor for four additional residential units. There are no exterior modifications available at this time. The Application requires additional parking. The Applicant has not yet provided a parking plan to accommodate the additional parking demand.

239 Review & Department Head Comments:

The application is considered an unlisted action under SEQRA, the Village Planning Board shall declare lead agency at this time. The application will be routed to Broome County for 239 Review. The application was routed to the department heads for comment.

Recommendations

The Staff recommends that the Planning Board discuss any questions or concerns with the applicant at this time in preparation for the September Planning Board meeting.

Motion that the Johnson City Planning Board declare lead agency for 76 N. Broad Street and the parking variance decision be held over for 76 N. Broad Street until the September meeting was made by Mr. Michalak and seconded by Ms. Reinhart.

Motion Carried - Vote:

Yes – 4 (Reinhart, Sheredy, Michalak, Ward) No – 0 Absent – 1 (Putman)

There was no further discussion.

Vice Chair Ward asked for a motion to adjourn.

ADJOURNMENT

A motion to adjourn the Planning Board Meeting was made by Mr. Michalak and seconded by Ms. Ward. The motion carried with all those present voting in the affirmative.

The meeting was adjourned at 8:32 pm.

Respectfully submitted,

Kim Cunningham
Planning Board Clerk

