

Present: Gerald Putman, Chairman
Marcia Ward, Vice Chair
Lori Thorn
Michael Sheredy

Also Present: Keegan Coughlin, Attorney for Village
Kim Cunningham, Planning Board Clerk
Stephanie Yezzi, Director of Planning

Absent: David Michalak, Secretary

A work session was held at 7:00pm.

The Board discussed the agenda and the applications.

- 400 Riverside Drive
 - Attorney Coughlin advised there is a Petition by neighbors to have the Sunset Knoll entrance/exit turned into emergency only or gated. They don't want traffic in that area.
 - Parking – they are adding 100 parking spaces
 - Shelby Street residents want a wall built to prevent people from walking in their backyards.
 - SEQRA was done at the Village Board Meeting
 - SHPO identified this is not a historic site. It is eligible, so it may be added at some point.
 - Added a condition to the SEQRA Determination if SHPO did move forward, the applicant would work with SHPO
- 174 Oakdale Road
 - On-site well
 - Approval for site plan should have a condition added that would reflect that in the event there is any environmental significance determined at the well that satisfactory compliance be provided to the Planning and Code Office prior to the issuance of the Certificate of Compliance for the office.
 - Office plan
- 560 Harry L Drive
 - Parking

Chairman Putman called the Planning Board meeting to order at 7:30pm.

Chairman Putman noted the fire exits.

PRIVELEGE OF THE FLOOR

Chairman Putman opened the privilege of the floor. There being no one who wished to speak, Chairman Putman closed the privilege of the floor.



MINUTES

A motion for approval of the May 28, 2024 meeting minutes was made by Ms. Thorn and seconded by Ms. Ward. The motion carried with all those present voting in the affirmative.

OLD BUSINESS

400 Riverside Drive – Square Deal Partners, LLC

Site Plan Review

Attorney Sarah Campbell of HH&K gave the Board an updated site plan and explained the additions.

- Added lighting dark sky compliant with house shields
- Landscaping planting schedule
- Dumpster locations identified. Attorney Campbell showed the map with the dumpster locations.
- Added the athletic fields to the site plan and included the house located there. They are not making changes to the athletic fields.
- Neighbors wanted additional landscaping along Sunset Knoll.
 - Their landscape architects took a look at that and they are going to put additional landscaping where the parking is going internal to the site. They will have a continuous hedge row along those parking spaces so the lights from cars won't shine across the street and won't be an issue for the neighbors.
- Neighbors spoke about people cutting through the yards to get to or leave the campus. There is no way to fence the whole perimeter of the site. They don't want it to look institutional. They are not going to fence between the college and Shelby Street. One of the neighbors created a stairway up or down to their backyard and up and to the campus. If the neighbors want to maintain privacy they are going to have to put in their own fences.
- Neighbors wanted the Sunset Knoll access be limited in some sort of capacity.
 - They need to maintain two means of egress and ingress.
 - There will be more traffic and they don't think it will be as busy as when the college was in session and fully operational, but there will be more people.
- They went from 125 to 225 parking spaces on site which meets what developers deem is necessary for their proposal and it exceeds what the Village would require if parking was required. No one will suffer more than the developers if parking is an issue because it limits the marketability of the property.
- There is a marriage between residential users and commercial users. They won't necessarily be at peak time at the same time so they can share parking. There is no restrictions with respect to parking on the campus.
- There is a bus stop directly in front of the Riverside Drive entrance so not everyone may have a car.
- Unit counts have not changed.
- They read the staff report and have no issue. They ask that the sidewalk completion be synced with permanent certificate of occupancy. It will be a big-ticket item, \$50,000 to replace the sidewalk all in front. It would be nice to do that as the project generates revenue. They will be removing the tree that is in the sidewalk. The grade isn't terrible, the biggest issue is the width is too small.
- Monument signs will be there just with new verbiage.



Attorney Coughlin stated the Village Clerk did receive a petition from the residents in that neighborhood requesting gated or emergency access for the entrance on Sunset Knoll. Attorney Coughlin advised in talking to the Fire Marshal, gated is not something that the fire access would be supportive of in that scenario so that is going to be out of the picture.

There were no further questions for the Board.

Eddy Pezzino and Dave Drew of Square Deal also appeared on behalf of the application. They did not have anything to add.

Chairman Putman read the Site Plan Review, Environmental Summary, 239 Review and Department Head Comments and Planning Staff Recommendations

Site Plan Review:

Square Deal Partners, LLC submitted an application to create a new PUD at 400 Riverside Drive (tax map #159.32-2-1.1) to allow a greater flexibility of uses. The property is presently developed as a former college campus, and includes a variety of pre-existing uses, such as educational classrooms, a dormitory, office space, a gymnasium, coffee house, and a small U.S. post office. The former educational use was permitted in the Urban Single Family zoning district as long as it was operated by the education law of New York State.

The goal of the proposed PUD is to repurpose the existing buildings as multi-family residences, office space and commercial businesses. The Post Office will remain in the same location and other uses shall include a restaurant and potential fitness center/gym for tenants.

Per Section 300, Article 65 of the Village Code, Planned Unit Development zoning requires a minimum of two contiguous acres, no less than 25% dedicated open space, and at least two different uses. The property is 16.62-acres, surpassing the minimum PUD requirement of two-acres. The proposal includes recreational, residential, and office and commercial uses, and therefore surpasses the minimum requirement of at least two uses. The plans indicate that at over 25% of the property is open space. Parking and open space calculations have been provided, meeting the zoning regulations and requiring no variances.

The Village Board of Trustees held the public hearing regarding the PUD application and completed SEQR at the special meeting held on this day. Attorney Coughlin stated the Village Board did pass a local law approving the PUD's preliminary development plan.

Environmental Summary:

The applicant's proposal is considered a Type I action under the New York State Environmental Quality Review Act (SEQRA). The Village Board of Trustees has declared themselves Lead Agency and completed SEQRA at their regular June 18 meeting. At that time, the Board of Trustees issued a negative declaration of environmental significance.

239 Review and Department Head Comments:

The project requires a 239 review due to its proximity to the municipal boundary and a state roadway. The following 239 and department head comments were provided:



- **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 provided the project complies with the BMTS, NYSDOT, DPW, and BCHD comments, SEQR, and with all other applicable requirements.

We commend the creativity of this mixed-use project, bringing this historic and anchor site in Broome County back to productive use, while maintaining the bucolic nature of the site. While the application seems to indicate some relevant documents have been completed, they have not been included in the submittal for review, including the cultural resource information and SHPO determination, as well as the final stormwater management plan. We recommend that any DEC, SHPO, and Village of Johnson City concerns about outstanding documents be addressed prior to approval of the action (see comments below).

We request to see the final SEQR FEAF, SHPO determination, final site plan, final SWPPP, and all other supporting documents required for the environmental review when available and the opportunity to comment to the extent necessary. See BMTS, NYSDOT, DPW, and BCHD comments and comments below.

- The Village should ensure that the project complies with the SHPO determination to the extent applicable. The cultural resource information should address the proposed exterior alterations to the buildings and grounds of this historic site, including the plans to "replace all older style windows (approximately 40)"; add new lighting; remove green space for parking; and any tree removal (if applicable). The extent to which these features, including the windows, brick driveway entrance, historic light standards and fixtures, green spaces, and trees contribute the overall history and character of the site should be considered and fully documented in the site plans, photographs, renderings, and studies.
- The SEQR SEAF should be completed and should reflect the final site plan, SWPPP, SHPO determination, and all other applicable documents and agency requirements for the full environmental review. (See BMTS, NYSDOT, DPW, and BCHD comments.)
- The need for an O&M Plan for buildings and grounds maintenance, landscaping maintenance and restoration, solid waste removal, management, and other operations and maintenance should be addressed.
- The site plan should show compliance with the BMTS, NYSDOT, DPW, and BCHD comments and with all other applicable requirements; delivery, shuttle, van, and bus areas; complete landscaping plan and schedule clearly showing the current and proposed landscaping, green space, trees, and any removal (see above); zoning table with the required and proposed dimensions and PUD regulations; lighting plan design, specifications, any removal (see above); existing and proposed window designs and specifications; dumpster/enclosure; signage plan; and before and after renderings of the buildings and grounds.
- The numbers of residential and commercial units and required and proposed parking spaces should be confirmed and accurately reflected in all applicable documents. For example, the site plan shows 75 residential units; the applicant letter states: "aim is to develop the campus into 75 units, comprised of 71 residential housing units and 4 commercial units"; the Riverside Gardens narrative states: "total conversion to 67 housing units"; and the SEQR FEAF shows 75 residential units.



- The proposed site plan shows a large increase in parking spaces and pavement. If it would be feasible to minimize the need for parking and impervious spaces based on mixed uses with alternate hours that do not overlap, this may be an opportunity to maintain some of the existing greenspace. While we understand this may not be feasible, we encourage consideration of this to the extent practicable.
- **BMTS:** BMTS would recommend that the Village require complete streets elements on the site, including pedestrian connections between the parking areas and building, such as raised and/or painted crosswalks, and on-site bicycle parking for tenants and visitors. Further, sidewalks and curb ramps along the site's frontages that do not conform to ADAAG standards should be reconstructed and a ladder style crosswalk should be painted across the site's driveway.
- **Broome County DPW:** The applicant should be aware that the parcel is in the Municipal Separate Storm Sewer Systems Permit Area (MS4 Area) and as such, should adhere strictly to erosion and sedimentation control guidelines set forth by the New York State Department of Environmental Conservation (NYSDEC) and the prepared Stormwater Pollution Prevention Plan (SWPPP). These measures should remain in place and be maintained until work is complete and/or final stabilization of the disturbed soil achieved; whichever applies to the implemented measure. Any long-term measures must be maintained and inspected as required by the prepared SWPPP. Pollutant discharges from construction activities should be minimized to the greatest extent possible. The provided draft SWPPP and site plan did not show the implementation of erosion controls prior to the start of construction, please provide the final SWPPP and plan set when available.

There are no other apparent impacts to Broome County infrastructure, therefore the Broome County Department of Public Works Engineering Division has no additional comments related to the project located at Tax Map #159.32-2-1.1.

•BCHD:

- No comments specific to the use of pesticides from BCHD. Would expect the use of some preventative treatment to occur on a campus of this size. Served by public water in the area, groundwater contamination not of particular concern for that level of treatment. In terms of proximity to river, again no obvious concern from standard pesticide/herbicide treatment. If chemicals were being stored onsite in large quantities, that would be a different scenario.
- A food permit from the Broome County Health Department will be required for the restaurant(s) for this project. A Floor Plan Review application will need to be submitted with the other food permit application items. Applicant may contact the Food Program Manager, Ben Holden, at 607-778-3923 for more information.
- Applicant should contact the local water purveyor for backflow prevention requirements.
 - NYSDOT will require the applicant to provide a queueing analysis for the site's driveway intersection with Riverside Drive. The applicant may contact the NYSDOT Region 9 Office of Traffic & Safety at 607-721-8080 for more information.
 - The applicant will be required to reconstruct any sections of the sidewalk along the site's frontage that do not conform to Americans with Disabilities Act Accessibility Guidelines (ADAAG).
 - The proposed expansion of the parking areas will result in the addition of a considerable area of impervious surface. Therefore, the applicant will be required to provide the project's Stormwater Pollution Prevention Plan (SWPPP) for NYSDOT review. If no SWPPP is prepared for this project, the applicant will be required to provide a drainage study, prepared by a



licensed engineer, for NYSDOT review. Please note that post-development stormwater outflows to the State right-of-way may not exceed the pre-development condition.

- o For any work to be conducted within the State right-of-way, such as for improvement of the existing driveway or sidewalks, the applicant will require a Highway Work Permit from NYSDOT prior to the commencement of this work. The applicant may contact the NYSDOT Region 9 Permit Office at 607-721-8082 to apply for this permit.
- o The applicant will be required to restripe the crosswalk across the site's driveway should repaving of this driveway be conducted.
- o Nothing may be placed within the State right-of-way, including signage.
- o Building permits are required for any work to be performed at the location. Plumbers and electricians shall be licensed within the Village.
- o Separate fire alarm and sprinkler system permits are required for installation.
- o Any demolition of interior spaces will be required to be disclosed of as part of the building permit. Copies of any environmental testing will need to be submitted with the permit application.
- o The Fire Department requires the installation of a Knox box entry system.
- o Any proposed signs will require a permit from the Code Enforcement Office.
- o Owners are responsible to maintain the sidewalks and ensure they are free from snow and/or ice during the wintertime.
- o The use of a private garbage hauler shall be in compliance with 236-20 of the Village of Johnson City Code.

- **NYSDOT:**

- o NYSDOT will require the applicant to provide a queueing analysis for the site's driveway intersection with Riverside Drive. The applicant may contact the NYSDOT Region 9 Office of Traffic & Safety at 607-721-8080 for more information.
- o The applicant will be required to reconstruct any sections of the sidewalk along the site's frontage that do not conform to Americans with Disabilities Act Accessibility Guidelines (ADAAG).
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- o The applicant will be required to restripe the crosswalk across the site's driveway should repaving of this driveway be conducted.
- o Nothing may be placed within the State right-of-way, including signage.



- **Code Enforcement/Fire Department:**

- o Building permits are required for any work to be performed at the location. Plumbers and electricians shall be licensed within the Village.
- o Separate fire alarm and sprinkler system permits are required for installation.
- o Any demolition of interior spaces will be required to be disclosed of as part of the building permit. Copies of any environmental testing will need to be submitted with the permit application.
- o The Fire Department requires the installation of a Knox box entry system.
- o Any proposed signs will require a permit from the Code Enforcement Office.
- o Owners are responsible to maintain the sidewalks and ensure they are free from snow and/or ice during the wintertime.
- o The use of a private garbage hauler shall be in compliance with 236-20 of the Village of Johnson City Code.

- **Public Works:** There may be more later, but right off the top – I would like to see a Utility Plan and water/sewer demand for the proposed development, and I will not send the SWPPP out to our consultant for review until it is not in draft form.
- **Water Department:** The former Davis College campus is fed by a meter pit with existing backflow devices on both the domestic and fire mains. Both devices are due for their annual test in August, but other than that the Water Dept has no comments.
- **Police Department:** No compelling interest.

Planning Staff Recommendations:

The proposed PUD zoning allows for many of the existing uses, and therefore maintains the existing structures, impacting the neighborhood minimally. The lot is already zoned as a PUD, and the new proposal permits a similar mixture of uses, allowing the Village, owner and tenant greater flexibility. That being said, the Planning Department recommends approval of the site plan with department head comments and the following stipulations:

- Should SHPO ever designate the property as a historic site/district, and requires alteration of the windows/facade to be brought back to the initial historic character, the applicant shall adhere to such requirements.
- For any proposed signage, a sign permit application shall be submitted to the Building Permits 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. Zero foot candles
- The parking lot shall be striped and landscaped according to the approved site plan.
- Landscaping
 - A final landscaping plan detailing all proposed plantings shall be submitted and reviewed by the Code Enforcement Office prior to the issuance of a building permit.
 - 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 and/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.

Chairman Putman questioned the construction schedule.

The applicant responded three to eighteen months, beginning at three. He confirmed starting within a year is no problem.

Attorney Coughlin

- Regarding the dumpsters, any spilled materials are the responsibility of the property owner and/or occupant.
- Parking lot lighting. If we could put zero-foot candles. Cut sheet has that, but he would like that to be a requirement.
- SHPO commentary after windows/façade or any other SHPO requirements
- Village Board introduced a local law at their meeting as it relates to contractor registration within the Village so any contractors that are working on-site so if the Village Board decides to pass that legislation may be required to be licensed in the Village as plumbers and electricians are.
- Josh Holland, Director of Public Works is okay with a reasonable sidewalk replacement schedule. ADA compliant comes first as it relates to the on and off ramps, but as it relates the other, he is okay with a reasonable schedule put forth by the applicant. As Attorney Campbell stated, prior to the final certificate of occupancy, if Mr. Holland was given a plan that would probably be fine.



Attorney Coughlin asked if the Board wanted to address the entrance and exit comments.

Ms. Ward said they have to pay attention to what the fire department is saying that they have to have two entrances and exits and there could be safety issues if something happened near the front entrance and there was no way for people to get in and out. She doesn't see many people using the entrance or exit on Sunset Knoll.

Vice Chair Ward said they need to pay attention to what the FD is saying that they need two entrances and exits and for emergency vehicles there needs to be another entrance for that purpose. She doesn't see a lot of people going out that way as much as the neighbors are concerned about that. The Board agreed.

Attorney Coughlin questioned if the only crosswalk was the one in the middle.

Attorney Campbell responded they have added a pedestrian walkway. Perhaps add another crosswalk in the parking lot.

Attorney Coughlin asked if they came up with an O&M plan. Attorney Campbell responded there will be onsite maintenance.

Vice Chair Ward questioned the Lighting and suggested maybe not have as much lighting on Sunset Knoll. Attorney Campbell confirmed it is not a signed entryway.

Attorney Campbell explained where the lighting is and stated they are dark sky compliant and none of them will shine up or out. They are keeping the lampposts at the entrance.

Make sure the address in GPS is 400 Riverside Drive.

Attorney Coughlin spoke regarding the following:

- 239 Review and Department Head Comments have been submitted to the Village's satisfaction.
- The final SWPPP was received
- DEC comments have been satisfied
- SHPO
- Dumpster location
- Queuing analysis has been performed
- Landscaping plan has been updated and received
- Sewer and flowing test not done yet.
- Attorney Campbell and Mr. Drew confirmed the number of units
 - 66 apartments
 - 5 houses
 - 4 commercial spaces
 - Architect has not approved 68 apartments

Mr. Sheredy asked if there are charging stations.

Attorney Coughlin confirmed they are on the bottom of the plan.



Attorney Coughlin asked the applicant to confirm with NYSEG that the power grid can support the charging stations.

Chairman Putman stated that will be a condition together with no signage will be placed on the sunset knoll entrance.

The Board had no further questions.

Motion that the JC Planning Board approve the site plan for Riverside Gardens at 400 Riverside Drive taking into consideration the Department Head Comments and Staff Recommendations together with the stipulations discussed was made by Ms. Ward and seconded by Ms. Thorn.

Motion Carried - Vote:

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

174 Oakdale Road – Clarakate Enterprises, LLC

Site Plan Review

Nick Bouhouris of NBI Professionals appeared on behalf of the project.

Chairman Putman stated this project went before the Zoning Board last week and the variance was approved by the Zoning Board. He asked Mr. Bouhouris to explain the project.

Mr. Bouhouris explained it is a multi-use four family residential in the main building in the front. The back building is storage and garage space and a small professional office. Office is for him to run his business operations out of. It would be himself and his secretary.

Chairman Putman asked if there was a well.

Mr. Bouhouris explained it was brought up at the Zoning meeting by John Hussar. He said he researched and couldn't find anything about a well. Attorney Coughlin the Planning Department checked on the DEC registry to see if there was any remediation projects current or past that were related to a well and there were not any that popped up.

Leo Jones, the real estate broker for the property of Pyramid Brokerage. He represents the owners of the company. The owners have engaged Geologic and they have done the preliminary study, the historic and checked all the databases. They are coming to do an inspection of the site. They will assess and they will see what they need to do.

Mr. Bouhouris confirmed they can get four apartments in the building. Their intent is to have two two-bedroom apartments, one in the front and one upstairs and in the back, two studio apartments.

Attorney Coughlin asked about the square footage.

Mr. Bouhouris responded second floor two-bedroom is 595 sq ft. Downstairs two-bedroom unit is approximately 1,012 sq ft and the studios each are approximately 312 sq ft. The back right studio will be ADA compliant as they have a ramp there. Mr. Bouhouris explained the layout of the building and gave the Board the site plan.



Chairman Putman questioned if they will be long term rentals, short term rentals, transient.

Mr. Bouhouris responded his intent is long term and that would be more than thirty days. They short term threshold would be 28 days or less. His model is corporate housing and it is generally much longer than thirty days.

Mr. Bouhouris explained his conversation with Randy Shear regarding electric and zoning class. He confirmed he will be maintaining the existing signage on site. He will probably not put the business on the sign.

Ms. Thorn asked if Mr. Bouhouris currently owns the property. He responded no.

Chairman Putman questioned construction schedule.

Mr. Bouhouris said as soon as possible as far as permitting with Randy and his intent for completion is three months.

Chairman Putman read the Variance Request and Site Plan Review, Environmental Summary, Department Head Comments and Staff Recommendations.

Variance Request and Site Plan Review:

The Applicant, Clarakate Enterprises, LLC plans to use the existing buildings and lot at 174 Oakdale Road for professional office space, storage and a multi-family dwelling unit. The parcel is zoned General Commercial and the proposed uses are allowed on the lot.

The building will contain 4 units with 2 two-bedroom units, and 2 *studio* units. As part of the application, Clarakate Enterprises, LLC has requested an area variance for the total lot size as detailed in Section 300-21.4 Table 21-3. This table requires 5,000 square feet of land for residential units; however, the lot is only 4,850 square feet. According to this section, the applicant is requesting a variance of 150 square feet. On June 17, 2024, the Zoning Board of Appeals approved the variance.

Environmental Summary:

The applicant's proposal is considered an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA). A Short EAF has been required for the review of the site plan for the mixed-use lot and corresponding bulk area variance request. The ZBA has claimed lead agency and issued a negative declaration of environmental significance at their regular June 17 meeting.

Department Head Comments:

The application does not require 239 review; however, it was sent to department heads for comment. The following comments have been received:

• **Code Enforcement:**

- The work to renovate the building will require building permit submissions. Electricians and plumbers shall be licensed within the Village.
- Units are required to be registered with the Village Code Enforcement Office and inspected prior to occupancy by the Code Enforcement Office.
- Any signage advertising a business requires a permit from the Code Enforcement Office.



- Garbage shall be disposed of in accordance with the local law.

Mr. Bouhouris confirmed they will be using municipal garbage.

- **DPW and Public Services:** If the property owner increases the size of the connection to the Village's sanitary sewer system, they must obtain the necessary additional Sewer Flow Credits prior to issuance of a building permit.
- **Police and Fire Departments:** No compelling interest.
- **Water Department:** If they are keeping a commercial space in any capacity (even the small office space), they will need to have a backflow device. I do not have any backflow information for this property. I know it was strictly commercial previous to this, so there may be an existing device that I don't have record of. If not, they will need to go through the application process.

Planning Staff/Board Recommendations

The Planning Department recommends approval of the site plan with all department head comments and the following stipulations:

- If using municipal trash service, garbage cans shall weigh no more than 50 pounds, be no larger than 35 gallons, and shall not have hinged lids. Contact the Department of Public Services at (607) 797-3031 for additional requirements
- If any changes are proposed to the exterior lighting fixtures, cut sheets for the proposed fixtures shall be submitted to the Code Enforcement Office for review and approval prior to installation.
- A sign permit shall be submitted to the Building Permits office for all proposed signage prior to installation. All temporary signs, portable signs, and sidewalk 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.
- Site plan approval shall expire after one year unless substantial improvements have been made pursuant to the approved site plan and a valid building permit.
- 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. 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.

This approval shall be conditioned on satisfactory compliance of the well in the garage if in fact it exists.

Attorney Coughlin advised we need results from the engineer; if there is any follow-up that is needed or if there are any findings that result in any contamination then it could be resolved to the extent that is required by the Code or Public Works Department. If Geologic says you don't need to do anything, if you have a copy of a letter by them to us is fine. If it came back saying something was an issue, you might need to come back to the Planning Office to modify the approval and the office portion couldn't be approved until it was resolved. The results can go to Stephanie Yezzi, Planning Director.



Mr. Bouhouris stated Joshua Holland had a concern about the size of the sewer line. He had a review done to acknowledge it is capable of the capacity. Ms. Cunningham will give the report to Mr. Holland.

The Board had no further questions.

Motion that the Planning Board approve the site plan for 174 Oakdale Road including the Department Head Comments and Staff Recommendations was made by Ms. Thorn and seconded by Ms. Ward.

Motion Carried - Vote:

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

Attorney Coughlin stated he will be getting a letter from Stephanie's Office with the stipulations.

NEW BUSINESS

560 Harry L Drive – VIP Nail Spa II

Site Plan Review

Wanlong He, engineer and Ye Zhou, applicant appeared on behalf of the project. Mr. He explained the project and discussed:

- Will be where the Chinese buffet was located.
- Exit lighting
- Signage – store front. Unsure if there will be signage on back of the building
 - Have not done the sign application yet
- Will show plans to code enforcement.
- 24 pedicure stations and 20 manicure stations
- Landlord gave him limited time for renovations so they are hoping to open as soon as possible

The Board had no further questions

Chairman Putman read the Site Plan Review, 239-R and Department Head Comments and Planning Staff Recommendations

Site Plan Review:

It is understood, Ye Zhou, on behalf of VIP Nail Spa II has submitted an application for site plan review of a personal services use for a nail salon at 560 Harry L Drive. The project involves no additions or changes externally and only proposes internal use for the use. There is plenty of parking on-site to accommodate the use.

239-R and Department Head Comments:

The project is considered a Type II action under SEQR and requires no further environmental review. The application has been submitted to the Broome County Planning Department for 239-m review and to department heads for comment.

- **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, we have the following comments:
 - The project site is located partially within Special Flood Hazard Area. While the building



appears to avoid the floodplain, the applicant should be aware of the risks in developing projects located within flood-prone areas.

- The site plan should show the project location within the plaza and any proposed signage.
- **NYS DOT, BCHD & BMTS:** No comments.
- **Code Enforcement:**
 - Renovations to the space may require building permits that shall be obtained through the Code Enforcement Office. Plumbers and electricians shall be licensed by the Village of Johnson City.
 - Signage will require permits to be issued by the Code Enforcement Office.
 - Garbage shall be disposed of according to Section 208-3 A2 of the Village Code.
 - Yearly fire inspection shall be performed by the Fire Department.
 - Final Certificate of Occupancy inspection will need to be performed before the space can be occupied.
- **Police Department:** No compelling interest.
- **Fire Department:** Building will require a fire safety inspection prior to opening. Fire Department requests installation of a Knox Box, contact the Fire Marshal's office for Knox Box information and to schedule the safety inspection.
- **Public Works and Water:** They will need to go through the application process for a backflow device for this property as there is not one on site. I would also like to do an inspection of the meter and backflow installation before they are issued a Certificate of Occupancy since there were plumbing issues from the previous tenants. Contact the Water Department at 607-797-2523 for assistance.

Planning Staff Recommendations:

The Planning Department staff recommends approval of the Site Plan for offices with all department head comments and the following stipulations:

- 1) Prior to any outdoor lights being installed, cut sheets for the lights shall be provided to the Code Enforcement Official for review and approval.
- 2) All signage must be submitted to and approved by the Code Enforcement Officer.
- 3) Site plan approval shall expire after one year unless substantial improvements have been made pursuant to the approved site plan and a valid building permit.
- 4) The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of a building permit. The applicant agrees to construct the project 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.

The Board had no further questions.



Motion that the Johnson City Planning Board approve the site plan for VIP Nail Spa II at 560 Harry L Drive including the Department Head Comments and Staff Recommendations was made by Ms. Ward and seconded by Ms. Thorn.

Motion Carried - Vote:

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

ADJOURNMENT

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

The meeting was adjourned at 8:42 pm.

Respectfully submitted,

Kim Cunningham
Planning Board Clerk

