

Minutes of a meeting of the Johnson City
Planning Board held on May 28, 2024 at
7:00pm at 60 Lester Avenue, Johnson City, NY.

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

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

Absent: None

A work session was held at 7:15pm.

The Board discussed the agenda and the applications.

Attorney Coughlin stated there will be no decisions made tonight for 400 Riverside Drive. Only questions can be asked. We do not have the final SWPPP. Attorney Campbell stated the only thing they are missing is SHPO.

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 February 27, 2024 meeting minutes was completed on April 23, 2024 with a motion made by Ms. Ward and seconded by Ms. Thorn. The motion carried with all those present voting in the affirmative.

OLD BUSINESS

400 Riverside Drive – Square Deal Partners, LLC

Site Plan Review

Attorney Coughlin advised the Village Board did not determine the PUD so the Planning Board cannot make a decision as it was contingent on the Village Board.



Eddy Pezzino and Dave Drew of Square Deal appeared on behalf of the application. Mr. Pezzino stated Ms. Yezzi summarized the project very well so he is fine with the Board reading her memo as the content is mostly what he would discuss.

Attorney Campbell of Hinman, Howard & Kattell, Eddy Pezzino and Dave Drew of Square Deal appeared on behalf of the application. The spoke regarding:

- Renovation of the old Davis project
- Renovation of three apartment buildings
- Residential use
- Library converted to office use
- Gymnasium will remain athletic facility
- Café hoping to have a tenant.
- Post Office will stay
- Dining hall will be converted to tenant common space
- Riverside Gardens
- Que analysis
- Traffic study
- Preliminary SWPPP. It is not finalized because they are waiting for something from SHPO
- 120 spaces and adding 10 spaces
- Some tree removal
- Landscaping
- Additional lighting for safety
 - Downward facing
 - Compliant
- New windows in dormitory windows
- Names will be removed from the buildings
- Chart on Site plan 43-1-bedrooms, 6 studios, 14-2-bedrooms and five houses that will be for rental use. Market-rate housing target young professionals
- Entrance price is \$1,500
- Dumpsters – private hauler
 - Not sure yet

Chairman Putman asked about Security

- Cameras
- Key fobs on buildings
- Gate will not be secured

Attorney Coughlin asked about the exterior plans.

Attorney Campbell explained it is fully documented on the site plan. There is a small cemetery in the rear. They are not touching it.

Vice Chair Ward confirmed there are no historic buildings listed.

Attorney Coughlin stated the Director of Public Services would not sign off on the SWPPP because it is not a final copy.

- Maintain the landscaping



- Chairman Putman said the Planning Board will require a landscaping plan
- Connecting into current sewer system
 - If new connection is needed contact Josh
 - O&M Plan
- They will be over an acre and that is why they are doing a SWPPP
- Deliveries to each building
- Mail will go to Post Office
- Amazon deliveries

Attorney Campbell stated they need to make the sidewalks ADA compliant. They will make them better; not at the beginning. It is a big inconvenience because a lot of people use them.

- They are looking to the Village to see if there are any matching funds.
- Environmental issues in buildings.
 - All buildings have been tested. In floor tiles and adhesive that holds on old mirrors and caulk in the doorways
- All steam boilers
- No asbestos wrapped pipes or on fixtures.
- Maintaining sidewalks and garbage

Attorney Campbell said at the Village Board meeting residents were asking to have one way in or out on the driveway on Sunset Knoll. They didn't have anyone coming out Sunset Knoll. They will check with the Fire Dept.

- Additional landscaping on Sunset Knoll?
 - Something around the driveway could limit visibility
 - General landscaping or impervious the whole way on Sunset

Ms. Thorn asked about the utilities.

Attorney Campbell responded each unit have their own meter. They haven't figured out whether it's better to use the AC splits or steam heat. They will provide heat with rent unless they go with AC splits then each unit will be charged. There will be wireless internet/WIFI for each building

- They don't have any plans to restrict access or change the driveway to the house at ball fields

The Board had no further questions.

NEW BUSINESS

185 Main Street – Dollar General

Advisory Opinion to ZBA (Sign Area Variance)

Matt Napierala of Napierala Consulting and Jeffrey Feinberg appeared on behalf of the project. Mr. Napierella explained the reason for the variance.

Chairman Putman read the Variance Request, Environmental Review, 239-m Review and Department Head Comments and Staff Recommendations.



Variance Request:

It is understood, FRM Properties, LLC has applied on behalf of the Dollar General for a sign area variance. The applicant has proposed to reuse the existing freestanding pylon that has been vacant over a year. The sign size is approximately 90 square feet with the allowed size at 80 square feet. A freestanding pylon sign is allowed in the General Commercial district at the existing height.

Environmental Review:

The applicant's proposal is considered an Unlisted Action under the NYS Environmental Quality Review Act (SEQR). The ZBA has claimed lead agency and shall complete the SEQRA review following the public hearing at their regular June 17 meeting.

Department Head Comments & 239-m Review:

This project requires a 239 review by Broome County Planning. The following 239 and department head comments have been received at this time:

- **Broome County Planning:** Awaiting comment.
- **NYSDOT:**
 - Variance is needed because the sign lost its preexisting and non-conforming condition
The pole and frame for the sign still exist on the site
 - Permit will be required to install the sign
- **BMTS:** Awaiting comment
- **Code Enforcement:**
 - Variance is needed because the sign lost its preexisting and non-conforming condition
The pole and frame for the sign still exist on the site
 - Permit will be required to install the sign
- **Police, Fire & Water Departments:** No compelling interest.

Staff Recommendations:

The Planning Department recommends the Planning Board support ZBA approval of the proposed variance as it does not impact the environment or neighborhood and is not a substantial request. The sign structure has sat vacant and unused and the sign type is allowed in the General Commercial zoning district.

AC asked if they combined the lots.

Mr. Napierala confirmed.

Motion that the Planning Board recommend to the Zoning Board approval of the variance for 185 Main Street including the Department Head Comments and Staff Recommendations was made by Mr. Michalak and seconded by Ms. Ward.

Motion Carried - Vote:

Yes – 5 (Sheredy, Thorn, Michalak, Ward, Putman) **No** – 0 **Absent** – 0



174 Oakdale Road – Clarakate Enterprises, LLC

Advisory Opinion to ZBA (Bulk Area Variance)

Gregory Hritcko appeared on behalf of the application. He explained the project.

- Medical office space to four family residential with storage and office space.
- Parking seems to meet Randy's requirements for the residential and office space.

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 one-bedroom 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.

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 shall complete the SEQRA review at their regular June 17 meeting following the scheduled public hearing.

Department Head Comments:

The previous 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.
- **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.

Staff Recommendations

The Planning Department recommends the Planning Board support ZBA approval of the proposed variance as it does not impact the environment or neighborhood and is not a substantial request.

According to Randy, the garbage will be collected by the Village.

Vice Chair Ward asked if garage will be used for storage.

Mr. Hritcko confirmed it will be for vehicles and construction equipment, supplies and storage to keep out of the weather.

Attorney Coughlin asked if the sewer will be using same connection.

Mr. Hritcko confirmed he thinks they will be using the same connections.

The Board had no further questions.

Motion that the Planning Board recommend to the Zoning Board approval of the variance for 174 Oakdale Road including the Department Head Comments and Staff Recommendations was made by Ms. Thorn and seconded by Mr. Michalak.

Motion Carried - Vote:

Yes – 5 (*Sheredy, Thorn, Michalak, Ward, Putman*) **No** – 0 **Absent** – 0

ADJOURNMENT

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

The meeting was adjourned at 8:25 pm.

Respectfully submitted,

Kim Cunningham
Planning Board Clerk

