

Minutes of a regular meeting of the
Johnson City Planning Board held
on December 22, 2020 at 7:00pm
via Zoom Video Conference

Present: Gerald Putman, Chairman
Mary Jacyna, Vice Chairman
Greg Matyas
Marcia Ward

Also Present: Keegan Coughlin, Attorney for the Village
Kim Cunningham, Planning Board Clerk
Marina Lane, Town of Union Senior Planner
Trustee Martin Meaney
Trustee John Walker

Absent: Matthew Cunningham

A work session was held at 7:00pm.

Chairman Putman stated there are just two items on the agenda for this evening. One is the signage for the Beer Tree and the other one is to the Village Board for rezoning Avenue B.

Chairman Putman continued, with respect to Beer Tree, they have a sign and they are allowed 80 square feet and they have two signs that are absolutely huge. But they do look good.

Daria Golazeski of Town of Union Code stated with how far the building is from the road, it does not look out of place. Macy's got variances for three wall signs for 300 square feet many years ago.

Chairman Putman asked Ms. Golazeski why we can't just change the code.

Ms. Golazeski responded they have a draft sign code it was more designed for the iDistrict downtown. She said there are some changes she would suggest making for the mall area, when you have plaza signs like at the small mall. They did that at the town and also for buildings that are set so far back like Wegmans, Aldi's or Toys R Us where they previously didn't have such a small limit. She will draft something up for the Board and Jerry to look at in the next month or so.

Chairman Putman said that would be good. He thinks the signs are very tasteful and he doesn't think they are out of line and they look much better than the pole signs or monument signs on the other side of the road.

Mr. Matyas agreed with Chairman Putman and recognized signage is a very delicate point in the Village and it's almost a precedence of what the Planning Board does. On the other hand, he doesn't have a problem with it. He added it's not like it is right on the road and you are distracted from it; it's recessed in the mall. It's a unique situation. It's off it by 150 feet.



Mrs. Jacyna thinks it makes the area look better; it's lit up and it looks good.

Ms. Ward thinks it is appropriate for the mall area which is different from being downtown or in other areas in the Village.

Ms. Golazeski stated it is actually 400 feet off the road.

Chairman Putman said the second one is rezoning 19 Avenue B to take it from Industrial to Commercial. Everything else in that area is General Commercial and it makes a lot of sense to ask the Village to rezone this to General Commercial in light of what is going to happen in the next couple of years.

Ms. Golazeski said we rezoned 59 Lester to General Commercial from Industrial. The County owned 19 Avenue B at the time, and they didn't want us to look at the rezoning. Now it is in the hands of the Village and the Village is going out for proposals. The General Commercial district gives better flexibility for the redevelopment.

Attorney Coughlin confirmed it is extensive redevelopment.

Mr. Matyas stated he heard about the old Victory Building in the news media.

Ms. Golazeski replied, they haven't received the formal application yet. The DEC was taking comments until last Friday. She met with the developer months and months ago before COVID, but they haven't seen any plans, not even a draft plan, other than what was in the paper. There was a parcel that they think they bought that the County still owns and she told them they need to get that straightened out and she is unsure whether they have or not. It is just a small parcel, but there is a problem with it. She has not seen anything.

Ms. Golazeski informed the Board they are going to start demolishing Goudy Station. Although it is not in the Village we may get phone calls about it. It is a company out of New Jersey that is doing the demolition. A local company is doing the asbestos remediation, reports and monitoring. She feels confident in that company. She has not seen a redevelopment plan at all.

Ms. Golazeski stated that next month the two applications she knows of are the rezoning of Sarah Jane Johnson Church so the Community Action Team can have emergent child care. The property is currently zoned Central Business District and the proposal would be to attach it to the Neighborhood Commercial district to the south, the hospital property at 55 Baldwin, so they can have child care. There are three parcels involved. Childcare is not a permitted use at all in the Central Business District because technically you don't have room for outdoor activities for the kids. The church does have an indoor gym. The other project is a special permit for outdoor entertainment at the Goodwill Theatre. They want to put up a 90' x 40' tent for about 200 people non-COVID restrictions. They need to look at the occupancy based on what code allows, not based on what the COVID restrictions would be. That would be putting in about 50 parking spots on the four properties they demolished on Broad Street.

Trustee Walker asked about the Coury property.

Ms. Golazeski responded nothing on the demolition of the actual store yet. They are working on finding an asbestos consultant to do the survey.



Ms. Golazeski added they should be getting a revised application for 27 Jennison for the University Foundation. They had looked at that about a year ago. There should be a revised plan coming in look at within the next couple months.

Chairman Putman asked if they were going to start demoing soon.

Ms. Golazeski answered that they do not tell her.

Chairman Putman stated they should get you in that loop. He would like to set up a meeting with Ms. Golazeski and Harvey Stenger to talk about what is going on.

Trustee Walker questioned storm damage in the Village.

Ms. Golazeski responded they lost 13 Broad Street; the small building attached to the three story one at 15-17 Broad Street. A couple awnings collapsed, but nothing else was reported. Mr. Post put them in contact with a couple demolition contractors. She is worried about the rain.

Trustee Walker feels it is going to put a lot of weight on structures that we don't need more weight on.

Mr. Matyas stated DPW did an absolutely fantastic job on this last snow storm with the prime loader and removing all the snow from curb to curb. He commended the Village and DPW on this.

Trustee Walker said we had the State here to help, they are here until tomorrow and they are working 24/7.

Chairman Putman called the meeting to order at 7:30p.m. Chairman Putman took roll call and determined there was a quorum.

Chairman Putman read the Recommended Procedure and Executive Order regarding virtual meetings.

Chairman Putman welcomed Trustee Meaney, Trustee Walker and the Planning Board Secretary Kim, and on behalf of the Board, please convey our best wishes to her husband Matt as he recovers from this dreadful virus and our prayers and thoughts are with him and they want him to know that.

MINUTES

A motion to approve and place on file the November 24, 2020 meeting minutes of the Johnson City Planning Board was made by Ms. Ward and seconded by Mrs. Jacyna. The motion carried with all those present voting in the affirmative.

PRIVILEGE OF THE FLOOR

Chairman Putman opened the privilege of the floor to the public and the attendees present at the Zoom meeting. There being no one who wished to speak, Chairman Putman closed the privilege of the floor.

UNFINISHED BUSINESS – None



NEW BUSINESS

501 Reynolds Road – Beer Tree Works

Sign Area Variances – Advisory Opinion to the Zoning Board of Appeals

Chairman Putman said we have Brendan Harder with us and told him he would like to say the place looks fabulous and we are happy you are open and he has been there twice.

Mr. Harder stated they would like to have approval to put a sign on the north face of the building as well as the east face of the building. The east side will be facing Reynolds Road and the north side faces a large parking lot. Both signs are at least 400 feet from any other main traffic or house so he doesn't think it will impact much.

Chairman Putman stated the biggest concern was the signs were up and it's a little bit after the fact, but it doesn't impact what we are doing.

Mr. Matyas questioned the signs that the Beer Tree is requesting right now, how much different are those from any other existing sign than those at the mall presently.

Chairman Putman answered he will let Ms. Golazeski speak to that, but the Board provided variances to Macy's.

Ms. Golazeski replied Macy's was granted a variance, and originally Kaufman's was granted a variance for the number of wall signs and the maximum size was 300 feet under the old code. Under the code currently in place from 2010 the maximum size sign, no matter how far back or how big the building, is 80 square feet and only one wall sign is permitted. So, they gave variances to Wegmans after they had to rebrand after the trademark lawsuit when they had to change the W and that went from about 80 square feet to about 220. The Bon Ton signs predated the current code and she did not have time to look that up to tell the Board how big they were. Burlington also had to get a variance for their signs and for the number because they had three faces. Businesses were limited even under the old code to only two signs.

Mr. Matyas confirmed back then the Board gave variances to Burlington, Macy's, Kaufman's for expansion of their signs. He was wondering what it was in comparison to what the signs at the mall were.

Chairman Putman thinks the signs are impressive and feels they complement the building.

Chairman Putman read the Variance Request, Department Head Comments and 239-Review and Planning Staff Recommendation.

Variance Request:

Brendan Harder, on behalf of Beer Tree Brew Works, Inc., submitted an area variance application for wall signs on the building at 501 Reynolds Road. The parcel is zoned General Commercial, and only one wall sign is permitted with a maximum size of 80 square feet.

The applicant requests area variances from the Village zoning code as follows:



1. To have two walls signs;
2. An area variance of 183 square-feet to have one sign 263 square-feet; and
3. An area variance of 220 square-feet to have one sign 300 square-feet.

Department Head Comments and 239-Review:

- **B.C. Planning Department:** 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.
- **BMTS:** No Comments.
- **Dept. of Public Works and Water:** No compelling interest.
- **J.C. Police:** No compelling interest.
- **J.C Fire:** No compelling interest.

Planning Staff Recommendation

The Planning Department staff recommends that the Planning Board recommend to the ZBA approval of the following variances:

1. To have two walls signs;
2. An area variance of 183 square-feet to have one sign 263 square-feet; and
3. An area variance of 220 square-feet to have one sign 300 square-feet.

Granting the requested variances will not have negative impacts on the surrounding uses. The signs are set back from the road by over 400 feet, and do not interfere with traffic or residences.

A motion to recommend approval of the area variance of 183 square-feet to have one sign 263 square-feet and an area variance of 220 square-feet to have one sign 300 square-feet for Beer Tree including the Department Head Comments was made by Mr. Matyas and seconded by Mrs. Jacyna.

Motion Carried - Vote:

Yes – 4 (Matyas, Jacyna, Ward, Putman) **No** – 0 **Absent** – 1 (Cunningham)

19 Avenue B – Village Board of Trustees

Rezone from Industrial to General Commercial – Advisory Opinion to the Village Board of Trustees

Chairman Putman read the Rezoning Petition, Environmental Review and Staff Review.

Rezoning Petition:

The Village Board of Trustees propose to rezone 19 Avenue B from Industrial to General Commercial. The Village of Johnson City owns 19 Avenue B, and the Board of Trustees are attempting to make the property more marketable. It is the only parcel in the vicinity zoned Industrial, and is surrounded by properties in General Commercial and Central Business zoning districts. The existing building complies most closely with the setback requirements of a General Commercial zoning district (see the attached



table). In addition, the permitted uses are more flexible in the General Commercial zoning district than in the Central Business zoning districts.

Environmental Review:

The proposal is considered an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA). The Village Board of Trustees will be Lead Agency for the environmental review under SEQRA.

Staff Review:

Planning Staff recommends the Planning Board recommend the Village Board of Trustees rezone 19 Avenue B from Industrial to General Commercial. The uses permitted under General Commercial are more desirable in a neighborhood than those permitted under Industrial zoning. When the Village receives an application for development, the project would require site plan review.

A motion to recommend the Village Board of Trustees rezone 19 Avenue B from Industrial to General Commercial was made by Ms. Ward and seconded by Mr. Matyas.

Motion Carried - Vote:

Yes – 4 (Matyas, Jacyna, Ward, Putman) **No** – 0 **Absent** – 1 (Cunningham)

This action will take place by the Village Board on January 5, 2021.

Chairman Putman wished everyone a very Merry Christmas and a Happy New Year.

ADJOURNMENT

A motion to adjourn the Planning Board Meeting was made by Mr. Matyas and seconded by Mrs. Jacyna. The motion passed with all those present voting in the affirmative.

The meeting was adjourned at 7:45 pm.

Respectfully submitted,

Kim Cunningham
Planning Board Clerk

