

Present: Edward Mazanek, Chairman
Leonard Sas, Vice Chairman
Dr. Stephen Holowinski, Secretary
Donald Slota
Christopher Brown

Also Present: Keegan Coughlin, Village Attorney
Randy Shear, Code Enforcement Officer

Absent: Kim Cunningham, Zoning Board Clerk

A work session was held starting at 6:00pm.

Attorney Coughlin and the Zoning Board discussed the agenda and the projects.

- 75 N. Baldwin St – It is a Type 2 action therefore the Board does not need to do Parts 2 and 3 of SEQR.
 - Two bedrooms upstairs and one bedroom downstairs. Downstairs can't be two bedrooms since there is no natural light. They have enough parking as long as they keep the downstairs as a one bedroom.
- 5 Endicott Ave – parking variance. The Board needs to do SEQR.
 - Parking for events, parents coming for counseling.
- 33-57 Baldwin St – sign area variance for window signs that have been there since the summer.
 - Removal of logo to classify art installation rather than a sign
 - Website is small enough so that would be fine and the pictures of the patients could stay.
 - The issue is the top photos with the UHS and the side with the UHS logo.
 - Art installation can't have branding.
- 10 University Blvd, 73 Miriam Street, 14 Willow Street
 - Public Hearings can be set in one motion

Chairman Mazanek called the meeting to order at 6:30pm. He advised where the fire exits are located.

PRIVILEGE OF THE FLOOR

Chairman Mazanek opened the privilege of the floor. There were no attendees at the meeting who wished to speak, therefore, Chairman Mazanek closed the privilege of the floor.

MINUTES

A motion to approve the minutes of the August 20, 2025 special meeting and the September 29, 2025 special meeting was made by Mr. Sas and seconded by Mr. Brown. The motion carried with all present voting in the affirmative.

COMMUNICATIONS – None



OLD BUSINESS

75 N. Baldwin Street – Abdul Karim

Area Variance – Increase from one to two units
Public Hearing, SEQR, Review

No one appeared on behalf of the application.

Chairman Mazanek opened the public hearing. It is being left open to give the applicant time to appear since he is traveling from out of town.

5 Endicott Avenue – Meadowsweet Montessori, Inc.

Parking Area Variance
Public Hearing, SEQR, Review

Chairman Mazanek opened the public hearing.

Heather Frost appeared on behalf of the application. Ms. Frost explained the project.

- Two teachers who are also the administrators.
- They talked to Olums and the owner of 5-6 Main Street Terrace about utilizing some of their parking spaces. They both agreed to allow the teachers to use specific parking spots.
 - Olums and The First Presbyterian church also agreed to allow them to use their parking lots when they schedule events and teacher meetings.
 - They have written confirmation regarding the parking agreements.
- Implementing a car line in which the parents will pull up and they will drop the kids off in front of the building.
 - They will assign parents a time to drop off.
 - The teacher will take the child from the car to the building.
- One classroom with a maximum of 21 total students of the ages of three to six.
 - The space is big enough to have a second classroom but there is not room for a third classroom.
- They have about ten students that are ready to go as soon as they get approval.
- Setting up a time schedule for the kids to be dropped off and picked up.

There were no further questions from the Board or the public.

Chairman Mazanek closed the public hearing.

The Variance Requests were added to the record.

Variance Requests:

The applicant is seeking to open a portion of 5 Endicott Avenue for the operation of an OCFS licensed Child Day Care Center from this space post renovation. The application requires a full parking variance from ten (10) spaces to (0) zero. The organization has provided a clear parking plan with details regarding student pick-up and drop-off.

Chairman Mazanek read the Environmental Summary and Department Head Comments.

Environmental Summary and Department Head Comments

The applicant's proposal is an unlisted action under SEQRA, and the ZBA has claimed lead agency with



Parts II and III to be completed at this time.

The 239-m review and department head comments are as follows:

- **Broome County Planning Department** – The Department did not identify any significant countywide or inter-community impacts associated with the proposed project contingent upon compliance with the BMTS comments. In addition, they offered the following comment:
 - The SEQR EAF and site plan should show compliance with the BMTS and BCHD comments.
- **NYSDOT** – No comments.
- **BMTS** – BMTS has reviewed the applicant’s Parking and Traffic Plan and believe that it will be difficult to adhere to and does not adequately address safety. The proposed school does not have a dedicated off-street drop-off and pick-up or parking area. In recent years, BMTS has heard many concerns from public and private schools that utilize the street for drop-off and pick-up.

The Village of Johnson City should consider if utilizing the street for drop-off and pick-up would be safe for students. Concerns include students crossing streets unsafely, vehicles blocking the street and neighbor’s driveways, driver inattention and speeding in schools’ zones.

- **BCHD** –
 - Regarding SEAF question 20, BCHD has no records of environmental contamination at this or an adjoining site.
 - Applicant should check with the NYS Office of Children and Family Services to determine if food service plans for students will require a Food permit with the Broome County Health Department. If a Food permit is required, applicant may contact the Food Program Manager, Ben Holden, at 607-778-3923 for more information.
- **Fire Department** –
 - Will need to submit life safety and evacuation plans to the Fire Marshal prior to the issuance of a Certificate of Occupancy.
 - 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.
- **Code Enforcement Office** –
 - All work requires licensed contractors, plumbers, and electricians
 - Garbage is to be disposed of in accordance with Section 236 of the Village Law.
 - Tenant must obtain a Certificate of Occupancy from the Code Enforcement Office and any other applicable agency prior to occupancy.
 - Any Signage proposed by the applicant will require permits from the Code Enforcement Office.
- **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

The Board had no questions regarding Part 1 of SEQR.

Attorney Coughlin reviewed Part 2 of SEQR with the Board.

Attorney Coughlin advised they can make it a small impact if they recommended condition for the planning board, on any special permit that is approved, that the special permit be temporary in nature for one year with the need to be renewed in the event the traffic or drop-off plan is not working or is causing



those negative impacts and that the applicant would willingly propose a different plan. It needs to be worked out with police, code and the fire marshal.

Chairman Mazanek read Part 3 of the Environmental Assessment Form.

The application for a Montessori childcare center at 5 Endicott Avenue was reviewed for potential negative impacts to the environment, including potential impacts to the surrounding neighborhood. The property is 0.27 acres (89 x 133 feet) with a 10,192 square foot existing building to be used for a child care center with outdoor play space. The application requires a special use permit and a full area variance for the parking requirements (10 spaces) outlined in Section 300-51.3 of the Zoning Law.

A 239-m review was required, and all comments shall be addressed through stipulations set forth in any site plan approval. Parking agreements for the staff parking spaces shall be provided to the Village of Johnson City. The drop-off and pick-up plan for the site mitigates the traffic impacts of the full parking area variance requested.

Water and sanitary sewer are available at the site, and if a separate water line is required for the fire suppression system, the applicant shall contact the Water Department to meet all Village Code requirements.

The nearby historic district is not impacted, along with any aesthetic or archaeological resources. Energy, noise and odors are not anticipated from the proposed business.

The review of the project found no significant negative impacts to the environment that shall not be mitigated with adherence to Water Department, Fire Department, Code Enforcement Office and Broome County Health Department comments.

Chairman Mazanek asked for a motion.

Motion to issue a negative declaration for the purposes of SEQRA for 5 Endicott Avenue was made by Mr. Mr. Sas and seconded by Mr. Brown.

Motion Carried— Vote:

Yes – 5 (Brown, Slota, Holowinski, Sas, Mazanek) No – 0 Absent – 0

Chairman Mazanek read the Staff Recommendations.

Staff Recommendations

The Planning Department staff recommends the ZBA approve the requested parking area variance with all comments detailed herein. Granting the requested variance will not have negative impacts on the surrounding uses or neighborhood character if the proposed drop-off and pick-up plan is implemented. The applicant should be instructed to provide all parking agreements for staff and families to the Village for our records.

Chairman Mazanek reviewed the five-point criteria for an area variance.

- Whether or not there is an undesirable change in the character of the neighborhood or a detriment to nearby properties by the granting of this variance.



Chairman Mazanek said counsel said this is already next to an existing school so he would say small or negligible. The Board agreed.

- Whether the benefit sought by the applicant can be achieved by some method which would be feasible for the applicant to pursue but would not require a variance.

Attorney Coughlin stated as we have learned from prior applications with this property, without substantial construction, there is no means for parking on site. There is not another way to achieve by some other method. The Board agreed.

- Whether the area variance is substantial.

Chairman Mazanek said yes, but they have parking and drop off plan to mitigate the problems that could occur. The Board agreed.

- Whether the proposed variance will have an adverse effect on the physical or environmental characteristics in the neighborhood.

Attorney Coughlin stated same as the previous answers with the drop off plan and the parking with the potential condition to the special permit would mitigate that. The Board agreed.

- Whether the alleged difficulty is self-created.

Chairman Mazanek stated yes. The Board agreed.

Chairman Mazanek asked for a motion.

Motion to approve the area variance from ten to zero spaces for 5 Endicott Avenue including the Department Head Comments and stipulations and the recommendation to the planning board that the special permit be temporary for one year with the need for renewal was made by Mr. Slota and seconded by Mr. Sas.

Motion Carried— Vote:

Yes – 5 (Brown, Slota, Holowinski, Sas, Mazanek) No – 0 Absent – 0

Attorney Coughlin asked that she bring the parking agreements or email the agreements to Kim.

75 N. Baldwin Street – Abdul Karim

Area Variance – Increase from one to two units

Public Hearing, SEQR, Review

Attorney Coughlin asked Mr. Karim to give an overview of the project.

Abdul Karim appeared on behalf of the application. Mr. Karim said they are trying to make one unit into two. The realtor told them it was a two unit. The code inspector told them it was a one unit. There is separate gas, separate electric and two spots for cars in the driveway. Room for parking. Code gave him a second-floor certificate, just waiting on a first-floor certificate. The second floor is occupied; the first floor is empty.



The Variance Requests were added to the record.

Variance Requests:

It is understood, upon inspection of the residential structure at 75 N. Baldwin Street, the Code Enforcement Officer observed a second unit on the property. In order for the second unit to function in compliance with the Zoning Law, the property owner is seeking an area variance to the lot size requirements in Table 300-20.3, requiring 3,000 square feet per dwelling unit. The lot size is 4,800 square feet.

In addition, a two-dwelling unit on the property requires a Special Use Permit. The ZBA has set their public hearing for the regular October 20 meeting. If approved, the project will come back to the Planning Board for Special Use Permit and Site Plan Review on October 28.

Chairman Mazanek read the Environmental Summary and Department Head Comments

Environmental Summary and Department Head Comments

The applicant's proposal is an unlisted action under SEQRA, and the ZBA has claimed lead agency with Parts II and III to be completed at the October 20 regular ZBA meeting.

The project does not require a 239 review; and department head comments are as follows:

- **Police Department** – No compelling interest.
- **Fire Department** – Property address numbers must be clearly marked in accordance with Property Maintenance Code of NYS. Housing inspection and rental registration for owners not residing in Broome County is required by Chapter 166 of the Village of Johnson City Code.
- **Code Enforcement** –
 - The building lacks adequate parking for the number of bedrooms. All violations of the Property Maintenance Code of NYS must be remedied.
 - If approved, the property is subject to bi-annual housing inspections in accordance with Section 166 of the local law.

Staff Recommendations

The Planning Department staff advises that the ZBA approve the requested lot size area variance; however, the applicant would need a waiver for required parking from NYS Division of Codes in order for any site plan review to be approved by the Planning Board.

Attorney Coughlin explained what that is getting is the first floor there is the one legal bedroom and the other doesn't have natural light. He advised they will have to work with the code office to see if it meets NYS Building Code if they want to make it a two-bedroom unit on the first floor. They would need a parking variance from NYS Building Codes which is difficult to get, but they would deal with Syracuse on that, not local Code. What this Board can do tonight is consider the area variance to allow it to be two units so the ground floor and the second floor, but the ground floor can only be approved as a one unit. They would have to put a window in. If that is the case, the Board can remove the requirement that there be a waiver from NYS Division of Codes.

The Board will consider the area variance to allow it to be two units one on first floor and one on second floor.

Attorney Coughlin advised the Board doesn't have to do SEQR because it is a residential area variance, Type 2 so no SEQR is needed.



Chairman Mazanek closed the public hearing.

Chairman Mazanek reviewed the five-point criteria for an area variance.

- Whether or not there is an undesirable change in the character of the neighborhood or a detriment to nearby properties by the granting of this variance.

Chairman Mazanek said this house was being used as a two-family without any complaints from the neighbors. Attorney Coughlin added and there are some other in the neighboring streets. Chairman Mazanek stated it does not pose an undesirable change in the neighborhood. The Board agreed.

- Whether the benefit sought by the applicant can be achieved by some method which would be feasible for the applicant to pursue but would not require a variance.

Chairman Mazanek said due to the fact that the area for the lot is limited to 4800 sq ft, there is not another way this can be achieved. The Board agreed.

- Whether the area variance is substantial.

Chairman Mazanek said no because most properties in the area have the same issue with lot size. The Board agreed.

- Whether the proposed variance will have an adverse effect on the physical or environmental characteristics in the neighborhood.

Attorney Coughlin stated there are two parking spaces and the driveway that helps mitigates any of those impacts. The Board agreed.

- Whether the alleged difficulty is self-created.

Attorney Coughlin stated yes. The Board agreed.

Chairman Mazanek asked for a motion.

Motion to approve the area variance for reduction from 6,000 sq ft for a two-unit property to 4,800 sq ft for 75 N. Baldwin Street including the Department Head Comments and stipulations was made by Mr. Brown and seconded by Mr. Sas.

Motion Carried— Vote:

Yes – 5 (Brown, Slota, Holowinski, Sas, Mazanek) No – 0 Absent – 0

Attorney Coughlin advised Mr. Karim that he needs to talk to Randy regarding permits. The Village of Johnson City has a requirement to use contractors, electricians and plumbers who are licensed in the Village. The Village Board has passed those because there were contractors who would show up and take advantage of mostly elderly folks and leave and they would be taking people's deposits historically.

Attorney Coughlin advised Mr. Karim to reach out to Code for a list of contractors. Kim has a list of licensed electricians and plumbers.



Attorney Coughlin stated the Planning Board next week will contemplate the site plan and special use permit to allow the multi-family dwelling. The variance has been approved and the Planning Board approves the special use permit.

33-57 Harrison Street - UHS

Sign Area Variance

Public Hearing, SEQ, Review

Chairman Mazanek stated the sign area variance application has been withdrawn so a hearing is not necessary.

NEW BUSINESS

A motion to set the public hearings for 10 University Blvd, 73 Miriam Street and 14 Willow Street for November 17, 2025 at 6:30pm was made by Mr. Slota and seconded by Mr. Brown. The motion passed with all those present voting in the affirmative.

10 University Blvd – Binghamton University Foundation

Set Public Hearing for Sign Area Variance

Joe Turdo appeared as a representative of the Binghamton University Foundation. He explained they are looking to put their logo of a “B” of what was the Gannett Building which they are renaming the Johnson City Center akin the Binghamton University Downtown Center.

They are looking to brand the building and put a “B” on it; the same exact “B”, their trademark logo, they just put on the baseball fieldhouse. It is a way for them to identify the building. The sign is 16’ x 17’ illuminated sign and is slightly bigger than the one they have on the fieldhouse, same lighting and everything.

He confirmed the use of the building is library storage facility, a Speech and Language Pathology Clinic, faculty offices and a classroom and it will be home to NYS New Energy NY Battery Prototyping Facility in the warehousing space. Mr. Turdo confirmed they will expand once Speech and Language Pathology moves to 18 Park.

As it stands now there is sufficient room for everybody. New Energy NY plans to expand in the SLP space. Mr. Turdo confirmed they want the sign as a Welcome to Binghamton University.

Attorney Coughlin stated with the size of the building, similar to the mall, the only reason this requires a variance is because the road is closer to the building than the mall one. Because University Blvd, as we call it now, is close to the wall face so they don’t get the distance from the road. If you did it from a more well-trafficked road, like CFJ Blvd, it wouldn’t have even needed a variance. There isn’t the distance from the road.

73 Miriam Street – Joel Hughes

Set Public Hearing for Area Variances (2)

14 Willow Street – Danielle Maxim

Set Public Hearing for Sign Area Variance



ADJOURNMENT

A motion to adjourn the meeting was made by Mr. Sas and seconded by Dr. Holowinski. The motion passed with all those present voting in the affirmative.

The meeting was adjourned at 7:10 pm.

Respectfully submitted,

Kim Cunningham
Zoning Board Clerk

