

Minutes of a regular meeting of the  
Johnson City Planning Board held on  
March 24, 2015 at 7:30pm at  
243 Main St., Johnson City, NY

Present: John Walker, Vice Chairman  
Joanne Drimak  
Andrew Holbert

Absent: Gerald Putman, Chairman  
Lee Briggs, Secretary

Also Present: Diane Salva, Clerk to the Planning & Zoning Boards  
Jeffrey Jacobs, Attorney for the Village  
Paul Nelson, Town of Union Planning Director  
Marina Lane, Town of Union Senior Planner

A brief work session was held at 7:00pm. The board discussed the agenda and reviewed the applications.

Vice Chairman Walker called the meeting to order at 7:30pm & noted the emergency exits.

**MINUTES** – The minutes from the February meeting were held over to the next meeting.

**PRIVILEGE OF THE FLOOR** - None

**COMMUNICATIONS** – None

**CONTINGENCIES** - None

**OLD BUSINESS** - None

**NEW BUSINESS**

***Oakdale Valley Associates, LLC – 801 Valley Plaza***

Oakdale Valley Associates, LLC, has submitted an application to convert a former daycare facility into a multi-family facility located at 801 Valley Plaza (#143. 37-1-47). The property is zoned General Commercial (GC), and the multi-family is a permitted use by right.

The developer intends to gear the four five-bedroom suites towards graduate students, as the location is near the bus route and within walking distance to shopping. The property will be managed by the developer, and will provide various amenities such as internet access and washer and dryer.

The building has existing utilities, but an additional fire water line will be added, extending through the neighboring property which is already owned by the same developer. As there will be no increase in impervious area, there is no post-renovation stormwater remediation required. The only soil that will be disturbed is during installation of the fire line, and that will be extended through existing pavement and will be replaced as is.



The existing chain link fence will be modified to continue to enclose the grassy front yard, and no additional landscaping is proposed. The existing sign base will be used for a future sign. The developer plans to have the renovations complete for the upcoming fall 2015 college semester.

Mr. Mark Lane and Mr. George Haus were present on behalf of the applicant.

### ***Lead Agency***

A motion to declare the Planning Board as Lead Agency for the purposes of SEQR was made by Mrs. Drimak and seconded by Mr. Holbert.

*Motion Carried – Vote:*

**Yes** – 3 (*Drimak, Holbert, Walker*)    **No** – 0    **Absent** – 2 (*Briggs, Putman*)

### ***SEQR***

Vice Chairman Walker explained that a SEQR Short Environmental Assessment Form has been prepared. Attorney Jacobs reviewed the form.

The board, having reviewed Part I and Part II of the SEQR Short Environmental Assessment Form (“Short EAF”) has determined that there will not be any significant adverse environmental impacts with respect to the project, therefore a motion was made by Mrs. Drimak and seconded by Mr. Holbert finding that the proposed action will not have a significant adverse environmental impact and authorizing the Vice Chairman to sign the Negative Declaration.

*Motion Carried – Vote:*

**Yes** – 3 (*Drimak, Holbert, Walker*)    **No** – 0    **Absent** – 2 (*Briggs, Putman*)

Mr. Holbert asked if the property is in the proposed 100 year flood plain. Senior Planner Lane stated that yes it is. It is not in the current flood plain and they are not changing the base flood elevation.

Planning Director Nelson asked how much water was in the building during the 2011 flood. Mr. Lane explained that 6 ½ - 7ft of water. Flood remediation was completed.

### ***Site Plan Review***

Vice Chairman Walker read the staff report, department head comments and planning staff recommendations.

### **Department Head & 239-Review Comments**

The project was subject to a 239-Review as it is within 500 feet of state road 17C. The applicant’s proposal is considered an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA), and the Planning Department recommends a Negative Declaration. The following comments are from the internal and 239-Review:

**Code Enforcement:** appears 26 parking spaces on site, 12 required but at least 1 per bedroom should be required. Any new striping of any parking lot will have to conform to the Property Maintenance code of NYS and include the new accessibility symbol.

**Fire Dept:** No comments.

**Police Dept:** No comments.



**Public Works & Water:**

A copy of the utility easement for the fire service shall be supplied to the Village prior to the issuance of the Certificate of Compliance.

A minimum five (5) feet horizontal separation between the proposed fire service line and the gas and/or electric line is required.

The existing sewer line shall be added to the site plan prior to the issuance of the building permit.

The following sections of the Village Code for a fire service shall be met.

Chapter 270. WATER  
Part 1. General Provisions  
Article VI. Fire Services

§ 270-26. Installation of lines and connections.

The Department shall not be required to install any service lines or service connections between November 15 and April 15 except by special arrangement, in which case the customer shall pay for any excess over normal costs.

§ 270-33. Service on applicant’s property.

A. Piping installation and maintenance from curb box shutoff to premises; expenses; performance of work. At his or her own expense, the applicant shall install the service pipe from the curb box shutoff to the premises and a valve to be located preferably just inside the building wall, permitting control of the water supply by the customer. At the expense of the customer, this property shall be maintained and when necessary replaced. For this installation and maintenance thereof, the customer shall see to it that all work is performed in a manner satisfactory to the Department.

B. Size of piping; material; construction, etc. The minimum size, materials, depth of cover and method of construction shall be the same as specified in this Article for a service pipe installed by the Department.

C. Defects in workmanship or materials. If any defects in workmanship or materials are found or if the customer’s service pipe has not been installed in accordance with such specifications or with the Department’s requirements, water service either will not be turned on or will be discontinued if such defects are not remedied.

§ 270-47. Deposit required for fire protection service connections.

A deposit is required to cover the estimated connection costs contracted by the Department. (from the main to a location near the property line).

§ 270-56. Charge for private fire line.

[Added 5-18-1991 by L.L. No. 4-1991]

The following charges for private fire lines connected to sprinkler systems shall be payable annually for service in arrears:

| Size (inches) | Charge   |
|---------------|----------|
| 2             | \$100.00 |
| 4             | \$200.00 |
| 6             | \$300.00 |



| Size (inches) | Charge   |
|---------------|----------|
| 8 or larger   | \$400.00 |

§ 270-74. Submission of plans for fire services.

Original installation plans and any later revisions which fully meet fire underwriter's requirements must be submitted to the Department.

§ 270-77. Installation to be at applicant's expense.

The Water Department will install fire service at the applicant's expense.

§ 270-78. Installation of detector check.

In all instances of fire services over two (2) inches in size and of a distance greater than seventy-five (75) feet from the main to the premises, a detector check will be installed. No charge will be made for water used to extinguish accidental fires.

§ 270-80. Control and operation of fire service.

The service shall be controlled by a valve located in a manhole or a valve box as the Department may prescribe and located outside the premises and to be operated only by persons authorized by the Department.

**B. C. Planning:** No significant county-wide or inter-community impacts associated with the project; however the department had the following comments:

1. B.C. Planning recommends that the project include a landscaping plan and a lighting plan.
2. B.C. Planning recommends that the site plan include the bicycle facilities and dumpster location and associated screening.
3. B.C. Planning recommends that the applicant should be made aware of the risks of developing in the Preliminary FEMA 100-year floodplain.

**BMTS:** Recommends that the bike rack shown on the rendering of the building be added to the site plan.

**Broome County Health Department:** No comments

**Planning Staff Recommendations**

The Planning Department recommends approval of the site plan, with the requirements from the Department of Public Works and Water and Code Enforcement, and the following stipulations:

9. As recommended by BMTS, the bicycle racks should be added to the site plan.
2. Any signage shall be submitted to the Code Enforcement Officer prior to installation for review and approval.
3. If any new lighting is proposed, the applicant shall first submit a lighting plan to the Code Enforcement Officer for review and approval.
4. The required recreational area shall be maintained as such for as long as the building is used as a multi-family structure.



5. Details for the dumpster enclosure shall be submitted to the Planning Department for review prior to installation and prior to the issuance of the Certificate of Compliance. Per Code 300-54.6, dumpsters in or adjacent to residential uses shall be screened from view with either a wall, a solid fence or a combination of fencing and evergreens creating a solid visual barrier to a height of at least five feet above grade.
6. A landscaping plan shall be submitted to the Planning Department for review and approval prior to the issuance of the Certificate of Compliance. This plan may include existing landscaping and shall follow the spirit of Article 54, Landscaping, Screening and Buffering Regulations.
7. If any approved site improvements are not complete prior to the request for a Certificate of Compliance, the Building Official may issue a Temporary Certificate of Compliance, and the applicant shall provide a performance bond, or other form of guarantee approved by the Village Attorney for the cost of site improvements not completed. The bond shall be posted to the Village Board of Trustees prior to the issuance of the temporary or permanent Certificate of Compliance. The bond shall cover a period of one (1) year.
8. Site plan approval shall be valid for one year, unless substantial improvements have been made pursuant to the approved site plan and a valid building permit.
9. The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of a Certificate of Compliance. The applicant agrees to construct the project in strict accordance with the site plan approved by the Planning Board. Should the applicant change the site plan approved by the Planning Board, even if by petition to the Village's Zoning Board of Appeals, the site plan approval will become null and void and the applicant must resubmit a new site plan to the Village of Johnson City Planning Board.

Mr. Haus explained that they have the easement for the fire service.

Mrs. Drimak asked about the recreational area. Mr. Lane stated that they will clean that area up where the playground was for the former daycare. It will be used as a patio. They will be removing part of the fencing.

Planning Director Nelson asked if the windows will be replaced. Mr. Lane stated that they will be replacing the entire skin. The windows will be moved. They will use a stone veneer up to the windows and then there will be fiberboard. Planning Director Nelson asked if the windows will be water tight. Mr. Lane stated no.

Mr. Walker asked if there was a landscaping plan. Mr. Lane stated that he can provide that but it will be mostly hardscape. Senior Planner Lane asked if they can put landscaping along the fence line. Mr. Lane stated yes they can.

Mr. Walker asked about the dumpster. Mr. Land stated it will be fenced.

Mrs. Drimak asked about planting any evergreens behind the dumpster. Mr. Lane stated they can do that.



Mrs. Drimak asked about a time frame. Mr. Lane stated that construction is expected to take 3 ½ months.

A motion to approve the site plan including the department head comments and the planning staff recommendations was made by Mrs. Drimak and seconded by Mr. Holbert.

*Motion Carried – Vote:*

*Yes – 3 (Drimak, Holbert, Walker) No – 0 Absent – 2 (Briggs, Putman)*

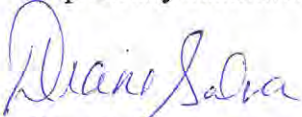
**Fritz Vail – 103 & 111 Riverside Drive**  
**Set Public Hearing – Renewal of Special Permit**

A motion to set a public hearing for a renewal of a special permit for a take-out restaurant at 111 and 103 Riverside Drive at 7:35pm on April 28, 2015 was made by Mr. Walker and seconded by Mrs. Drimak.

**ADJOURNMENT**

Vice Chairman Walker adjourned the meeting at 8:05pm.

Respectfully submitted,



Diane Salva  
Planning Board Clerk

