

Present: Edward Mazanek, Chairman
Leonard Sas, Vice Chairman
Dr. Steve Holowinski
Vernon Rowlands

Absent: Charles Snedaker, Secretary

Also Present: Diane Busko, Clerk to the Planning & Zoning Boards
Jeff Jacobs, Attorney for the Village
Daria Golazeski, Town of Union DCPW/C&O

A brief work session was held at 7:00pm. During the work session the board reviewed the applications on the agenda.

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

MINUTES

A motion to approve the minutes of the September 12, 2016 regular meeting was made by Mr. Snedaker and seconded by Dr. Holowinski. The motion carried with all those present voting in the affirmative.

PRIVILEGE OF THE FLOOR - None

COMMUNICATIONS - None

CONTINGENCIES - None

OLD BUSINESS – None

NEW BUSINESS - None

Jeffrey Feinberg – 185 Main Street **SEQR & Public Hearing – Area Variance for signage**

Jeffrey Feinberg has submitted an application to install three 12-foot by 6-foot real estate signs on the building at 185 Main Street. One of the proposed signs would replace a 16 square-foot real estate sign that is currently located on the front of the building, and which does meet Code requirements. The other two proposed real estate signs would be placed on the east and west side walls of the building. The property is zoned General Commercial and only one sixteen square-foot real estate sign per parcel is permitted. Therefore, Mr. Feinberg is requesting two area variances as follows:

- 1) Area variance to increase the size of a real estate wall sign from 16 square-feet to 72 square-feet; and
- 2) Area variance to approve two additional real estate signs.

The applicant, Mr. Feinberg, was present.



Chairman Mazanek opened the public hearing.

Mr. Feinberg explained that the building used to house a Family Dollar but has now been vacant for almost 2 years. Due to the location of the building, there is no good visibility until you are right in front of the building. It is the same with the east and west elevations due to the sightlines. The building does have a parking lot. He stated that he has reached out to the local brokers and feels that the signage will not destroy the look of downtown. He will remove the signs as soon as they get a tenant.

Mr. Rowlands asked about their marketing efforts. Mr. Feinberg explained that they are trying to get a replacement dollar store. There were some people who wanted to put in a pizza shop but they wanted a smaller space. They made a substantial investment to knock down a building for their parking lot. He feels that the larger signage will be helpful.

Mr. Sas asked how long a time period was Mr. Feinberg looking for? 6 months, 9 months, a year? Mr. Feinberg stated that he honestly doesn't know.

Mr. Rowlands asked if they would be willing to reduce the size. Mr. Feinberg stated yes.

Attorney Jacobs explained that since Broome County Planning had recommended denial of the variance the board would need a supermajority vote and since one board member is absent this would mean a unanimous vote tonight.

Chairman Mazanek closed the public hearing.

SEQR

Attorney Jacobs explained that a SEQR Full Environmental Assessment Form has been prepared and reviewed.

The board, having reviewed Part I, Part II and Part III of the SEQR Full Environmental Assessment Form has determined that there will not be any significant adverse environmental impacts with respect to the project, therefore a motion was made by Mr. Sas and seconded by Mr. Rowlands declaring the Zoning Board as Lead Agency, declaring the action an unlisted Type 1 action and finding that the proposed action will not have a significant adverse environmental impact and authorizing the Chairman to sign the Negative Declaration.

Motion Carried – Vote:

Yes – 4 (*Holowinski, Sas, Rowlands, Mazanek*) **No** – 0 **Absent** – 1 (*Snedaker*)

Chairman Mazanek read the department head comments.

Department Head Comments:

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|----------------------------------|--|
| Police: | No compelling interest. |
| Fire: | No compelling interest. |
| Code Enforcement: | Proposed sign is larger than the Code permits. |
| Public Works & Water: | No compelling interest. |
| NYS DOT: | No comments. |



Broome County Planning:

Recommends denial of the requested area variances because they would run contrary to the Village of Johnson City efforts to improve the local signage and to the purpose of the sign regulations to reduce visual clutter through the prevention of excessive sign displays.

Planning Staff:

The Planning Department staff recommends that the Planning Board recommend to the ZBA: 1) Denial of a variance for a real estate sign that is 4.5 times larger than permitted, for a 72 square-foot temporary real estate sign; and 2.) Denial of a variance for two additional real estate signs.

The request for a sign that is four and half times larger than permitted seems excessive. Planning staff recommend that one additional real estate sign be permitted, for a total of two, on separate walls.

JC Planning Board:

Recommend approval for 3 signs 2½ times larger than the permitted size.

A motion to approve an area variance to increase the size of a real estate wall sign from 16 square-feet to 40 square-feet and an area variance to approve two additional real estate signs, contingent upon the signs being allowed to remain up for 12 months unless a tenant is secured at which point the signs must be removed and the variances must be replied for should the tenant leave and including the department head comments was made by Mr. Rowlands and seconded by Mr. Sas.

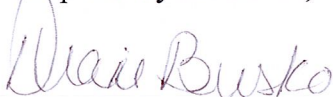
Motion Carried – Vote:

Yes – 4 (*Holowinski, Sas, Rowlands, Mazanek*) **No** – 0 **Absent** – 1 (*Snedaker*)

ADJOURNMENT

A motion to adjourn the meeting at 7:47pm was made by Mr. Sas and seconded by Chairman Mazanek.

Respectfully submitted,



Diane Busko
Zoning Board Clerk

