

Present: Gerald Putman, Chairman
Andrew Holbert, Vice Chairman
Donald Slota
Greg Matyas

Absent: Mary Jacyna

Also Present: Kim Cunningham, Clerk to the Planning & Zoning Boards
Nate VanWhy, Attorney for the Village
Paul Nelson, Town of Union Director of Planning

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

Chairman Putman called the meeting to order at 7:30pm and noted the emergency exits.

MINUTES

A motion to approve the minutes from the May 22, 2018 meeting was made by Mr. Matyas and seconded by Mr. Holbert. The motion passed with all those present voting in the affirmative.

PRIVILEGE OF THE FLOOR - None

COMMUNICATIONS - None

CONTINGENCIES - None

OLD BUSINESS - None

NEW BUSINESS

A&E Auto – 176 Main Street

Type 1 Action, SEQRA Determination, Public Hearing for Special Permit to Increase Number of Vehicles parked on site

Chairman Putman reviewed Parts I, II and III of the short Environmental Assessment Form (E.A.F.).

A motion to declare a negative declaration under SEQRA for the property at 176 Main Street was made by Mr. Matyas and seconded by Mr. Holbert.

Motion Carried - Vote:

Yes – 4 (Matyas, Holbert, Slota, Putman) No – 0 Absent – 1 (Jacyna)

Chairman Putman opened the public hearing.

Pakizah Mizrap was present on behalf of the application. He needs space for customers and employees



vehicles and will make sure the fire trucks have access behind the building. Taxes went up and he now has three employees. He needs to create more jobs and make more money to pay his bills.

Chairman Putman states because Mr. Mizrap's attorney could not be at the meeting, the hearing will be held open until the next meeting.

A motion to hold the hearing open until the July 24, 2018 Planning Board Meeting was made by Mr. Holbert and seconded by Mr. Matyas.

Motion Carried - Vote:

Yes – 4 (Matyas, Holbert, Slota, Putman) No – 0 Absent – 1 (Jacyna)

Robbins Sign Co. (UHS) – 35 Hudson Street

Advisory Opinion to ZBA re: Sign Variance for 100% coverage & 2nd Sign

Kelly-Jo Hunink was present on behalf of Robbins Sign Company. They are requesting a variance for the full coverage of the canopy. She has been working to inform UHS regarding sign permits to make sure they understand the rules.

Chairman Putman read the Department Head Comments.

239-Review and Department Head Comments:

Broome County Planning: 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.

NYS DOT: The Region 9 Site Plan Review Committee has no comments on this proposal at this time.

Public Works & Water: No compelling interest.

Police: No compelling interest.

Fire Department: No compelling interest.

Code Enforcement: No issues with the sign.

Planning Staff Recommendation: The Planning Department staff recommends that the Planning Board recommend approval of the area variance for the sign, pending a submitted proposal from the property owner with steps describing how future signage will not be installed prior to the issuance of a sign permit.

A motion to recommend approval to the Zoning Board for a sign variance for 35 Hudson Street was made by Mr. Slota and seconded by Mr. Holbert.

Motion Carried - Vote:

Yes – 4 (Matyas, Holbert, Slota, Putman) No – 0 Absent – 1 (Jacyna)

Robbins Sign Co. (UHS) – 30 Harrison Street

Advisory Opinion to ZBA re: Sign Variance for 2nd Sign



Kelly-Jo Hunink was present on behalf of Robbins Sign Company for the sign at the UHS Cancer Center. They are looking for a variance for the second wall sign. The two Cyberknife signs have been there since 2006. Only one was allowed per Village Code.

Chairman Putman read the Department Head Comments.

239-Review and Department Head Comments:

Broome County Planning: 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.

NYS DOT: No comments.

Public Works & Water: No compelling interest.

Police: No compelling interest.

Fire Department: No compelling interest.

Code Enforcement: Wall sign would have been legal under code prior to 2011.

Planning Staff Recommendation: The Planning Department staff recommends that the Planning Board recommend approval of the area variance for a second wall sign. The property has frontage on two streets, and the two wall signs face different streets.

A motion to recommend approval to the Zoning Board for an area variance for a second wall sign at 30 Harrison Street was made by Mr. Matyas and seconded by Mr. Holbert.

Motion Carried - Vote:

Yes – 4 (Matyas, Holbert, Slota, Putman) No – 0 Absent – 1 (Jacyna)

Two Rivers Church - 1 Chrisfield Avenue

Advisory Opinion to ZBA re: Sign Use and Area Variances

Connor Foran of TJ Sign Solutions and Pastor John Snyder appeared on behalf of Two Rivers Church. Per Pastor Snyder, TJ Signs was brought on to build sign before the church's grand opening. They stopped installation once informed there was a problem. There was an existing shrine with a statue and they built a cabinet to fill the opening from the shrine. As a monument sign, it is larger than permitted. The church would like to add two additional signs facing the main flow of traffic. The primary one would be covering the existing brass cross and emblems mounted onto the building.

Chairman Putman confirmed the church needs an area variance for the monument sign because its 29 square feet larger than what is permitted, an area variance for an internally illuminated monument sign because code doesn't allow that, an area variance for the height of the monument sign because its 4 feet higher than permitted, an area variance for the number of signs from 2 to 3, an area variance of a wall sign that is 50 square feet greater than permitted, and a use variance to allow a roof sign of 50.7 square feet.

Mr. Foran stated that the building and wall are massive and the signs on the church are a pin prick compared to the church. The signs will be blue and white as on the monument.



Chairman Putman read the Department Head Comments:

239-Review and Department Head Comments:

Broome County Planning: The Planning Department has reviewed the above-cited case. They recommend denial of the proposed project because it runs contrary to the Village of Johnson City efforts to improve the local signage and to the purpose of the new sign regulations to reduce visual clutter through the prevention of excessive sign displays.

NYS DOT: The Region 9 Site Plan Review Committee has no comments on this proposal, as the signs do not encroach on the State right-of-way, are considered “on-premise” signs, and are not visible from a controlled route or Interstate. Therefore, all decisions on further controls relating to size and number of signs are under the Village’s jurisdiction..

Public Works & Water: No compelling interest.

Police: No compelling interest.

Fire Department: No compelling interest.

Code Enforcement: There is no justification the use variance for a roof sign.

Planning Staff Recommendation: The Planning Department staff recommends that the Planning Board recommend:

- 1) approval of an area variance for a monument sign 29.14 square feet greater than permitted;
- 2) approval of an area variance for an internally illuminated monument sign;
- 3) approval of an area variance for the height of a monument sign 4.3 feet greater than permitted;
- 4) denial of an area variance for an increase in the number of signs from 2 to 3;
- 5) denial of an area variance for a wall sign 50.13 square feet greater than permitted; and
- 6) denial of a use variance to allow a roof sign of 50.7 square feet.

The monument sign, improperly erected, is large enough that the proposed wall sign exceeding the area regulations by 50.13 square feet seems excessive.

The proposed roof sign does not enhance the purpose of signage, and cannot meet the self-created hardship test for a use variance.

Chairman Putman explains there would have to be a hardship and there does not appear to be a hardship.

A motion to make a recommendation to the Zoning Board of Appeals for approval of the area variance for the monument sign, the internally illuminated monument sign, the height of the monument sign of 4.3 feet greater than permitted, denial of an area variance for an increase in the number of signs from 2 to 3, denial of an area variance for a wall sign 50.13 sq. ft. greater than permitted and denial of a use variance to allow a roof sign if 50.7 sq. ft. for the 1 Chrisfield Avenue was made by Mr. Slota and seconded by Mr. Matyas.

Motion Carried - Vote:

Yes – 4 (Matyas, Holbert, Slota, Putman) No – 0 Absent – 1 (Jacyna)

Raja Tariq – 1 Adams Avenue

Declare Lead Agency, Unlisted Action; Call for Public Hearing for a Special Permit for a Two-Family Use in an Urban Single-Family Zoning District

Chairman Putman explains the project at 1 Adams Avenue and requirements of Planning Board.



A motion to declare Village of Johnson City Planning Board as lead agency for 1 Adams Avenue was made by Mr. Holbert and seconded by Mr. Slota.

Motion Carried - Vote:

Yes – 4 (*Matyas, Holbert, Slota, Putman*) **No** – 0 **Absent** – 1 (*Jacyna*)

A motion to call for a public hearing for 1 Adams Avenue was made by Mr. Holbert and seconded by Mr. Slota.

Motion Carried - Vote:

Yes – 4 (*Matyas, Holbert, Slota, Putman*) **No** – 0 **Absent** – 1 (*Jacyna*)

Walmart – 2 Gannett Drive

Advisory Opinion to ZBA re: Sign Number and Area Variances

Their sign person is in Arkansas and she was willing to be here, but the travel requirement seemed excessive. She will be at the Zoning Board meeting.

A motion to recommend approval to the Zoning Board for an area variance for an increase in the number of wall signs from 1 to 2 and approval of a wall sign 219.4 sq. ft. greater than permitted at 2 Gannett Avenue was made by Mr. Matyas and seconded by Mr. Holbert.

Motion Carried - Vote:

Yes – 4 (*Matyas, Holbert, Slota, Putman*) **No** – 0 **Absent** – 1 (*Jacyna*)

A motion to recommend approval to the Zoning Board for an area variance to allow a wall sign 14.9 sq. ft. greater than permitted at 2 Gannett Avenue was made by Mr. Slota and seconded by Mr. Matyas.

Motion Carried - Vote:

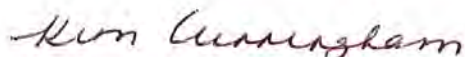
Yes – 4 (*Matyas, Holbert, Slota, Putman*) **No** – 0 **Absent** – 1 (*Jacyna*)

Mr. Putman, in other business, shared that Naima Kradjian has requested that the Planning Board visit the Good Will Theatre, which would be construed as a public meeting, so instead she has asked to attend the next meeting to make a presentation about its \$52 million project. She would like to invite members to the theater one or two at a time to see how the project is coming along.

ADJOURNMENT

The meeting was adjourned at 8:27pm.

Respectfully submitted,



Kim Cunningham
Planning Board Clerk

