

Minutes of a regular meeting of the
Johnson City Zoning Board of Appeals
held on December 9, 2019 at 7:30pm at 243
Main St., Johnson City, NY

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

Also Present: Daria Golazeski, Town of Union
Tom Cortese, Attorney for the Village
Trustee Marty Meaney
Matthew Cunningham, Planning Board

Absent: Nathan VanWhy, Attorney for the Village

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 November 18, 2019 regular meeting was made by Mr. Sas and seconded by Dr. Holowinski. The motion carried with all those present voting in the affirmative.

PRIVILEGE OF THE FLOOR – None

COMMUNICATIONS

Correspondence from Thomas Poliziano, Arch St dated 11-27-19.

Mr. Mazanek read correspondence from Mr. Poliziano regarding the neighborhood and the effect the project will have on the area.

CONTINGENCIES - None

OLD BUSINESS - None

NEW BUSINESS

19 Arch Street – Winding Brook Corporation

Public Hearing

Area Variances to increase the building height allowed, reduce the number of off-street parking spaces and to have parking backing out on to the street at 19 Arch Street.



Mr. Mazanek opened the Public Hearing.

Attorney Sarah Campbell, Armand Cucciniello, Developer, his assistant Mary Beth Lewis and Laura Lee Intscher, Architect appeared on behalf of 19 Arch Street.

Attorney Campbell stated that the goal of the project is to convert an existing one-story brick building with a basement to residential use. The proposal is to add three stories for a total of four with the basement. The yield on that would be 20 apartments, 4 two-bedrooms and 16 studios and one-bedroom apartments.

Attorney Campbell explained that there is no room for parking on site and they modified the site plan to show there would be no onsite parking. No matter what use is going into this building, a 100% parking variance is needed. There are a number of parking opportunities in the area available, such as municipal lots where parking tags can be purchased and the developer is offering to purchase those as part of the rental and on street parking. They are aware there are issues with overnight parking.

Attorney Campbell indicated that there will be an increased need for high quality units in the Village. This is an opportunity to cater to the hospital, pharmacy, nursing school and to regular people living in the area looking for new construction.

Attorney Campbell represented that this is an experienced developer who has a track record in the Village and he is confident the type of person that would be looking at living in this building would not have an issue with walking a little to park.

Attorney Campbell also represented that this is a big investment and in order to realize the benefit of that investment over a period of time, they have calculated the need for space to be at that number of 20 apartments.

Ms. Intscher explained that the front of the building is designed to mirror the front of the façade. Siding for the addition is a hearty plank which looks like wood siding. The addition is set back and does not come out to the front of the building. Where they took the parking out, they will add some green space to soften and also looking to add some green space in front such as potable plants.

Attorney Campbell and Ms. Intscher stated that the character of this neighborhood is a clear transition from single family residential properties to non-residential or business type occupancy. This is not a location that residential use will continue forever.

Zoning Board Members, Attorney Campbell, Ms. Intscher and Mr. Cucciniello discussed parking for building, parking lots, parking tags and public transportation options.

Attorney Campbell stated permitted uses for this property are office and retail. It will bring mix and diversity to the neighborhood. The plus is it will be residential, not retail or a bar.

Ms. Intscher reviewed the heights of the buildings in the area. The character is changing and they want to have a project that fits into the plan of what's happening in Johnson City.

Mr. Sas questioned how long Main & Broad Associates has been the owner of the property.



Mr. Cucciniello confirmed they have not bought the property yet. They purchased 258 Main Street about a year ago and they are finishing that up. Main & Broad Associates have been under contract with this property for one year. They have apartments in Vestal and 192 units in New Jersey and have a portfolio of about 1,000. It is a family business and they have been developing for the past 60 years. He understands it was a church prior to him purchasing the property and it was the Moose Club. The owner tried to put batting cages in and it was rejected by the Board.

Ms. Golazeski stated the use the owner proposed was not a permitted use. They gave him options how to follow through with that and he never followed through.

Ms. Golazeski stated three of the houses were purchased by UHS three years ago and finally torn down. They have not submitted any plans for those uses. The one on the corner of Corliss and Arch and that whole block between Corliss and Broad was bought by the University and they do not know what they are planning to do as they are exempt from local zoning depending on the owner of the property.

Mr. Slota asked if Attorney Campbell made a presentation to the County.

Attorney Campbell confirmed the County does not allow presentations to come before them. She stated the Village of Johnson City Planning Board recommended denial 3 to 1.

Mr. Mazanek and Attorney Campbell discussed A0-1 and getting rid of black top to make it so people will not pull into building. They will keep a drive so they can go in to get the dumpster. They are not going to allow parking and will sign it "No Parking".

Mr. Rowlands questioned the plan on A1-2. Ms. Intscher explained the A1 series is the existing building as it is right now and A2 series is the proposed use.

Attorney VanWhy explained closing the public hearing would force a decision and keeping the public hearing open would give other members of the public the chance to speak.

Mr. Sas questioned how they came to the conclusion that it has to be 20 units to be viable.

Attorney Campbell responded looking at the costs of the project and Mr. Cucciniello responded the purchase price and remediation of the asbestos in the building. The 20-unit complex would be within the character of the neighborhood and would be more profitable.

Attorney VanWhy asked if they prepared any financial calculations based on different heights.

Attorney Campbell and Mr. Cucciniello stated no.

Attorney VanWhy asked if consideration was given to demolishing and building entirely new 3 stories instead of remediating and mitigating asbestos and resize the building with some parking.

Mr. Cucciniello responded the cost of remediation is approximately \$60,000 and what is there now is a brick building. The cost of brick is about \$20/sq ft to install and estimated it would exceed the cost to remediate the current building. Mr. Cucciniello compared a building they are currently remediating on 88,000 brick and costing \$150,000 for labor only. This project it makes more sense to leave the existing structure intact.



Ms. Intscher stated it is a substantially built building, the foundations are secure, the walls are very thick and the beams are gigantic. It is in fantastic shape structurally.

A motion to adjourn the public hearing to January 13, 2020 was made by Mr. Rowlands and seconded by Mr. Sas.

Motion Carried – Vote:

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

Mr. Slota asked if they could submit a list of projects that have been done by Mr. Cuciniello. Mr. Cuciniello stated they will furnish any information the Board needs. They could drive by their 192 unit apartment on Burris Road in Vestal. There are presently 35 units under construction going on Burris Road. They have a website and that will show what they are all about.

Dr. Holowinski would like more specifics on the parking regarding the tags. How big are the lots on Main Street? How many spaces are there?

Ms. Golazeski responded the Isabel Lot is not as big as you think. The back part of the lot is privately owned. The spaces are not marked, but there are 12-15 spaces that are not public.

Ms. Intscher stated she did an informal count of the lots.

Arch St – 50 Avenue D – 60
Avenue C – 29 Broad St – 50
Arch -on street – 47 Broad- on street – 19
Corliss on street – 15 Main Street- on street – 22
Total of 292 in lots and on street.

Ms. Golazeski stated there are not 50 on Arch.

Mr. Sas stated what would be on the rental agreement regarding the tags?

Attorney VanWhy confirmed the Board is asking the Village to provide parking and tag information.

Attorney Campbell will do a FOIL request.

A motion to request information from the Village Clerk regarding how many spaces are available and how many tags are committed was made by Mr. Sas and seconded by Dr. Holowinski.

Motion Carried – Vote:

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

The Planning Board asked Ms. Intscher for the height of the buildings in the area. She stated she did not use a tape measure to every building, she estimated the heights based on photography, size of siding, size of brick, as close as she could get. She does not have exact numbers.



The Planning Board and Daria Golazeski discussed height on the buildings in the area. Ms. Golazeski stated she has the height of the smoke stack and HCA.

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 8:25 pm

Respectfully submitted,

Kim Cunningham
Zoning Board Clerk

