

Present: Gerald Putman, Chairman  
Andrew Holbert, Vice Chairman  
Greg Matyas  
Mary Jacyna  
Matthew Cunningham

Also Present: Nathan VanWhy, Attorney for the Village  
Marina Lane, Town of Union Senior Planner  
Trustee Martin Meaney  
Trustee John Walker

Absent: Kim Cunningham, Planning Board Clerk

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 and place on file the minutes of the November 25, 2019 regular meeting was made by Mr. Holbert and seconded by Mr. Cunningham. The motion carried with all those present voting in the affirmative.

### **PRIVILEGE OF THE FLOOR**

Chairman Putman opened the privilege of the floor. There being no one wishing to speak, Chairman Putman closed the privilege of the floor.

Chairman Putman explained that Andrew Holbert's term on the Planning Board has expired. He publicly thanked Andrew Holbert for everything he has done, for being the Vice Chairman of the Planning Board and covering for him when he couldn't attend, and invites Trustee John Walker to the front for a presentation.

Trustee John Walker, on behalf of the Village of Johnson City and the Mayor, presented Andrew Holbert with a Certificate of Recognition in appreciation for his dedication and service as a member of the Planning Board of the Village of Johnson City. Thank you so much, Andrew.

Chairman Putman welcomed Trustee Meaney and Trustee Walker.



## **NEW BUSINESS**

### **60, 64, 66-68, 72, & 76 Hudson St.; 37 & 41 Park Pl. - United Health Services**

Declare Lead Agency, Unlisted Action, Determination under SEQRA; Public Hearing (to be held open through January 28, 2020)

A motion to declare the Planning Board lead agency was made by Mr. Holbert and seconded by Mr. Matyas.

*Motion Carried - Vote:*

**Yes – 5 (Matyas, Jacyna, Holbert, Cunningham, Putman) No – 0 Absent – 0**

Chairman Putman asked if everyone reviewed the EAF under SEQRA and if anyone has any questions.

Chairman Putman read Part 3 of the EAF for the record:

United Health Services submitted a proposal to construct a parking lot on formerly residential parcels that are now vacant and covered with millings. The parcels are zoned Neighborhood Commercial, and parking lots as a principal use are permitted by special permit from the Planning Board. The parking lot is intended to support a parking need at the hospital center across the street.

The proposed parking lot does not conflict with or impair the quality of adjacent residential and medical office uses, and will not change the intensity of use or traffic patterns as the same number of employees and patients will continue to use the medical center. Parking on St. Charles Street be alleviated.

There will not be any significant impact to the land or any Critical Environmental Area. There will be no impact on historic resources. Although in an archeologically sensitive area, the land had been previously developed.

The proposed project will not adversely impact the use of energy, water or wastewater utilities, natural resources, wildlife nor create a hazard to environmental resources or human health. There will be no increase in flooding, erosion, nor impacts on wetlands. Stormwater remediation is required.

After review, it was determined that the proposed parking lot would not have any significant adverse impacts on the environment.

A motion to declare the project as an unlisted action and make a negative declaration under SEQRA was made by Mr. Holbert and seconded by Mr. Matyas.

*Motion Carried - Vote:*

**Yes – 5 (Matyas, Jacyna, Holbert, Cunningham, Putman) No – 0 Absent – 0**

Chairman Putman opened the public hearing for comments about the proposed parking lot as a principal use in a Neighborhood Commercial zoning district.



Trustee Walker stated that when this was presented to the Zoning Board it was said they were going to combine the existing parking lot parcels. The rendition in the photo does not look like they have combined the parcels.

Chairman Putman stated we have not done site plan yet. This is illustrating the parcels that are going to be involved. When it comes to site plan, there will be a requirement that they combine the parcels.

Mr. Keehle of United Health Services confirmed it will be one contiguous lot.

The public hearing will stay open until January 28, 2020.

A motion to continue the public hearing to January 28, 2020 was made by Mr. Cunningham and seconded by Mr. Holbert.

*Motion Carried - Vote:*

*Yes – 5 (Matyas, Jacyna, Holbert, Cunningham, Putman) No – 0 Absent – 0*

**601 & 629 Harry L Drive – Matthews Auto Display**

Type II Action (under 4,000 s.f.), Site Plan Review

Kathy Breno, marketing director of Matthews Auto Group, appeared on behalf of the project. Ms. Breno stated they are requesting an increase in number of vehicles to be displayed in the front of the mall. They are trying to find ways to keep business flowing into the Oakdale Mall. They have a long-standing relationship with them. Their business continues to grow on the Vestal side of the river and they are always trying to find ways to give back to the community and put more vehicles in high traffic areas.

They have seen less of a value displaying cars inside the mall and more of a value to display cars outside the mall due to the high traffic intersection. They originally had permission to display six vehicles and would like to increase this to twelve vehicles. They would also like to rent space on the Reynolds Road side across from Dunkin Donuts. She indicated the strip past the bank, where there is a no chain link fence. If someone is sitting at the intersection or traveling up Reynolds Road, they will be able to see the cars from almost any direction.

They think it would be a good thing for Johnson City. They have people going over and cleaning them daily, making sure the signage is maintained. They work with the Oakdale Mall to keep it looking professional. They will display the vehicles there when the weather is more appropriate.

Chairman Putman questioned the map showing an “L,” and asked whether the vehicles are going to be parked both ways or against Reynolds Road.

Ms. Breno responded the vehicles will be parked along Reynolds Road as to not infringe up the bank’s right-of-way or their parking spots, and the same with the cars in front of Macy’s. They rent it monthly. They would like to reserve that right. They provide insurance documentation for inside and outside the mall.

Chairman Putman stated this is a Type II action and no further environmental assessment is needed.



A motion to declare this a Type II action with no further environmental review necessary was made by Mr. Holbert and seconded by Mr. Cunningham.

*Motion Carried - Vote:*

*Yes – 5 (Matyas, Jacyna, Holbert, Cunningham, Putman) No – 0 Absent – 0*

Chairman Putman read the Department Head Comments and Planning Staff Recommendations.

**Environmental Review and Department Head Comments:**

The applicant's proposal is a Type II Action as the area of vehicle display is less than 4,000 square-feet, and requires no further action under the SEQRA. The project was subject to a 239-Review as it is within 500 feet of State Route 201. The following comments are from Department Heads and the 239-Review.

- **Code Enforcement:** All signage shall be displayed on the vehicles only. Signs that blink, rotate, or move are not permitted. All signage shall conform to Code.
- **Fire Dept.:** No compelling interest.
- **Police Dept.:** No compelling interest.
- **Public Works & Water:** No compelling interest.
- **B. C. Planning:** found no significant county-wide or inter-community impacts associated with the project. The department did recommend the Planning Board should remind the applicant of the hazards of development in the floodplain. (*Finch Hollow Creek runs through the western portion of 601 Harry L Drive, a significant distance from the proposed locations.*)

**Staff Recommendation and Review:**

The Planning Department recommends approval of the site plan with the following stipulations:

1. No greater than twelve (12) vehicles shall be on display at each parcel at any one time.
2. No vehicles shall be displayed on adjacent parcels, particularly not at 605 Harry L Drive.
3. There shall be no storage of any vehicle that is not for sale.
4. The display area shall not block automotive traffic, fire lanes, or other travel lanes.
5. The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the display of the twenty-four vehicles. The applicant shall agree to follow stipulations of approval in strict accordance with the site plan approved by the Planning Board. Changes to the site plan following approval may require a minor site plan review or resubmittal to the Planning Board, depending on the degree of change per Section 300-63.2. Applicability.

Ms. Lane confirmed she will send a letter to them for their approval and signature.



A motion to approve the site plan as presented including the Department Head Comments and Recommendations was made by Mr. Cunningham and seconded by Mr. Matyas.

*Motion Carried - Vote:*

*Yes – 5 (Matyas, Jacyna, Holbert, Cunningham, Putman) No – 0 Absent – 0*

**180, 184 & 188 Harry L Drive – Melinda Rupp**

Revised Site Plan: Medical Office

Chairman Putman reminded the Board that at the last meeting some recommendations were made, and there were some questions regarding municipal garbage use, dumpster placement and arrows in the drive area for ingress and egress. We have the site plan with those items so noted.

Chairman Putman read the Department Head Comments and Planning Staff Recommendations.

**Department Head Comments:**

- **Code Enforcement:** The applicants shall use plumbing and electrical contractors licensed by the Village, and apply for appropriate building permits. Handicapped parking must comply with the Building Code of NYS. Combine all lots.
- **Fire Department:** Contact the Fire Marshal shall inspect the building prior to the issuance of a Certificate of Occupancy from the Building Permits Office. Call the fire Department to arrange the inspection at (607) 729-0428.
- **Public Works & Water:** Since this is a commercial property, the water service requires a backflow prevention device. The NY State Health Department requires the backflow prevention device be tested annually by a certified backflow device tester, and a report submitted to the Water Department (607-797-2523). The device at this property shall be tested prior to the issuance of a Certificate of Compliance.
- **Planning Board**
  1. The three properties shall be combined into 180 Harry L Drive as soon as possible, and no later than February 28, 2020.
  2. The parking lot shall be striped prior to the issuance of a final Certificate of Compliance according to the approved site plan and Village Code Chapter 300, Article 51, Off-Street Parking, Loading and Stacking Regulations. The required handicapped-accessible parking space shall conform to the Property Maintenance Code of NYS, and shall be posted with signage displaying the international symbol of accessibility.
  2. If the parking lot cannot be striped before the building is ready for the issuance of a Certificate of Compliance, a temporary Certificate of Compliance may be issued for a maximum of six months.



4. For any proposed signage, a sign permit application shall be submitted to the Building Permits office prior to installation. All temporary signs shall be reviewed and approved by the Code Enforcement Office prior to being placed on the property. Signs that flash, blink, rotate, or move are not permitted.
5. Prior to the installation of any new outdoor lighting, cut sheets for outdoor lighting fixtures shall be submitted to the Code Enforcement Office for review and approval.
6. Garbage cans shall weigh no more than 50 pounds, be no larger than 35 gallons, and shall not have hinged lids. All cans intended for recycling shall be cleaned and dry before being put out for recycling. Contact the Department of Public Services at (607) 797-3031 for additional requirements including placement of cans. Trash cans shall not cause a nuisance to adjacent property owners.
7. Site plan approval shall be valid for one year, unless substantial improvements have been made pursuant to the approved site plan.
8. The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of a Certificate of Occupancy. The applicant shall agree to follow stipulations of approval in strict accordance with the site plan approved by the Planning Board. Changes to the site plan following approval may require a minor site plan review or resubmittal to the Planning Board, depending on the degree of change per Section 300-63.2. Applicability.

Chairman Putman stated this will be provided to the applicant for their signature prior to the final approvals.

A motion to approve the amended site plan as presented with the Department Head Comments and Recommendations was made by Mrs. Jacyna and seconded by Mr. Cunningham.

*Motion Carried - Vote:*

*Yes – 5 (Matyas, Jacyna, Holbert, Cunningham, Putman) No – 0 Absent – 0*

## **ADJOURNMENT**

A motion to adjourn the Planning Board Meeting was made by Mr. Matyas and seconded by Mr. Cunningham. The motion passed with all those present voting in the affirmative.

The meeting was adjourned at 7:55pm.

Respectfully submitted,

Kim Cunningham  
Planning Board Clerk

