

Minutes of a regular meeting of
the Johnson City Planning Board
Special Meeting held on April 8, 2020
at 7:00pm via Zoom Video Conference

Present: Gerald Putman, Chairman
Mary Jacyna, Vice Chairman
Greg Matyas
Matthew Cunningham
Marcia Ward

Also Present: Keegan Coughlin, Attorney for the Village
Kim Cunningham, Planning Board Clerk
Marina Lane, Town of Union Senior Planner
Trustee Martin Meaney
Trustee John Walker

Absent: None

A brief work session was held at 7:00pm.

Mr. Matyas confirmed he will be recusing himself on the decisions regarding the UHS project.

Attorney Campbell confirmed the project is on schedule and are looking to finalize in 2025.

Chairman Putman took roll call and all Planning Board members acknowledged their presence.

Chairman Putman read the Recommended Procedure and Executive Order regarding virtual meetings.

The board discussed the agenda and reviewed the applications.

Chairman Putman called the meeting to order at 7:30pm.

Chairman Putman welcomed Mayor Deemie and Trustees Meaney and Walker.

Chairman Putman welcomed Marina Lane, Town of Union Planner.

Sarah Campbell with Hinman, Howard & Kattell was present and introduced the following UHS representatives who virtually attended:

Karen McElwee, UHS Director of Construction & Safety Management

Michelle Karedes, Senior Director of Facility Planning

Bill Gorham of Chianis & Anderson Architects

Greg Chianis of Chianis & Anderson Architects

Gordon Stansbury, Traffic Engineer of GTS Consulting

Jim Polumbo and Michelle Borton, Civil Engineers for Klepper, Hahn & Hyatt

PRIVILEGE OF THE FLOOR

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



UNFINISHED BUSINESS – None

NEW BUSINESS

33-57 Harrison Street - UHS

Public hearing for special permit to expand a Hospital Use, Decision at Planning Board's discretion

Public hearing for an aquifer permit, Decision at Planning Board's discretion

Pending approval of Special Permits, Site Plan Review

Chairman Putman stated UHS needs a special permit to expand hospital use. Chairman Putman opened the public hearing for a special permit.

Attorney Campbell described the area is neighborhood commercial district and hospital use is determined by special permit. The neighborhood is dominated by the hospital and hospital services. They chose to expand vertically as to preserve greenspace.

Chairman Putman explained the variances required and requested regarding the height, footprint, coverage, front setback and addition of bus shelter. The variances were approved by the Zoning Board which allows us to go forward with the public hearing for a special permit with the ultimate decision on whether the Planning Board is inclined to provide an affirmative vote.

Chairman Putman questioned if anyone present has a conflict of interest and asked they declare it at the present time. Gregory Matyas of the Planning Board confirmed he will be recusing himself from any discussion and voting on the project.

Chairman Putman closed the public hearing.

Chairman Putman read the Special Permit Request and Staff Recommendations.

Special Permit Request:

United Health Services submitted plans for the construction of a 159,275 square-foot, 6-story addition to the existing hospital at 33 Harrison Street. The property is zoned Neighborhood Commercial (NC), and expansion of the hospital use in a Neighborhood Commercial zoning district requires a Special Permit. The proposed addition is primarily for the conversion of double patient rooms into private rooms, each with private restroom facilities. In addition, a new Emergency Department (E.D.) shall be constructed in the addition with better access to Main Street and convenient parking for emergency situations. The Emergency Department rooms will offer greater privacy than the current emergency care facility.

At this date, there are two stories of the addition which will be completed as shell floors. It is anticipated that eventually, as need increases, these two stories shall be infilled as additional private patient rooms. Parking has been determined to be sufficient for those additional rooms.

Staff Recommendation:

The proposed addition is an enlargement of the UHS Wilson Medical Center campus, designed to better meet the needs of the community, and will overall provide a significant improvement to medical services in the area. The need for sufficient and protected healthcare is of utmost importance in these times. The



Planning staff recommendation is to approve the special permit for the expansion of a hospital use, with the following stipulations:

1. A minor site plan review and approval shall be required, including an assessment of parking needs coordinated with the Code Enforcement Official, prior to any new use in the top three shell floors, other than for storage.
2. Confirmation of the FAA's approval to relocate the helipad shall be submitted to Code Enforcement and the Planning Department prior to the issuance of a building permit.
3. The applicant shall be required to acknowledge all of the above stipulations, in writing, no later than April 30, 2020. The applicant shall agree to follow stipulations of approval of the Special Use Permit for a hospital use in strict accordance with the approval by the Planning Board. Changes to the hospital use shall require resubmittal to the Planning Board.

A motion to approve a special permit for the expansion of the hospital use together with the amendment and stipulations was made by Mrs. Jacyna and seconded by Ms. Ward.

Motion Carried - Vote:

Yes – 4 (Jacyna, Cunningham, Ward, Putman) No – 0 Recuse – 1 (Matyas) Absent – 0

Chairman Putman stated, the aquifer permit is to allow United Health Services to put a diesel storage tank in and make sure it corresponds to all of the requirements.

Chairman Putman read the Aquifer Permit Request

Aquifer Permit Request:

United Health Services submitted plans for the construction of a 159,275 square-foot, 6-story addition to the existing hospital at 33 Harrison Street. The application includes a request for an Aquifer permit for the onsite storage of 15,000 gallons diesel fuel on the adjacent parcel, 55 Baldwin Street. Per § 272-5, any use of property or change in use of property in the Aquifer District which uses, distributes or stores petroleum products, toxic materials or hazardous materials when such distribution, storage or use exceeds 25 gallons per month or 220 pounds, whichever is less, shall be allowed only upon obtaining a special permit from the Village of Johnson City Planning Board. This property is located in Zone 1 and II of the Aquifer District.

United Health Services anticipates using the 1,500 gallons of the diesel fuel per month. The diesel fuel will be stored in a 15,000 gallon, double-wall fire-protected tank. The secondary containment tank can hold approximately 17,450 gallons or 115% of the 15,000 gal. tank volume. The tank will be held in a brick enclosure over a heavy-duty concrete slab at the north end of the new Gateway Building. The enclosure will also hold three diesel generators for electrical backup for the Wilson Campus. The tank will be monitored with an alarm system that is tested every week and month.

The tank will be filled from a remote fill station with a secondary containment Remote Fill box and leak detection sensor. The Primary Containment for the diesel fuel is the secondary containment tank which has alarms to alert Hospital facilities staff to any leak within the tank before any spill. The slab, being open to the weather, pitches slightly to the 18" drainage strip about the perimeter of the enclosure. This



ties into a perimeter drain about the inside of the enclosure and the to a 6” drain line that penetrates the enclosure foundation and ties into a storm structure. The line has both a backflow preventer from the storm system as well as a shut off valve. The shut-off valve is for UHS facilities to utilize in the case of an alarm or spill to cut off any potential contamination of the storm system until they are able to address the concern.

In the event of a small spill, the general spill kit has nitrile gloves, goggles or face shield, apron, disposal bags, absorbent pillows, pads, and socks (booms), and kitty litter. The amount of each would be completely dependent on where it is being used and the total potential amount of the spill.

The storage of the diesel fuel requires a petroleum bulk storage certificate (PBS) from the NY DEC. United Health Services maintains two other fuel tanks on the Wilson Campus that are similarly monitored and have petroleum bulk storage certificates, which subjects them to regular inspections by the NYS DEC. This certificate is required for the above-ground storage of 1,100 or more gallons of petroleum-based fuels in New York State. Newly adopted regulations in 2015 reflect the requirements of the federal 2005 Energy Policy Act including requirements for ensuring that facility operators have been trained, includes authority to prohibit the delivery of petroleum and hazardous substances to tanks that are leaking, may be leaking, or are being operated in significant non-compliance, and includes requirements for piping and dispenser secondary containment.

The Wellhead Advisory Committee made recommendations for the safe storage of the diesel fuel. In addition to weekly and monthly testing, NYS DEC permitting, spill kits should be on site, particularly in the event that a spill occurs during refueling activities.

Chairman Putman opened the public hearing.

Marina Lane thanked Bill Gorham for the information.

Chairman Putman closed the public hearing.

Chairman Putman read the Wellhead Advisory Committee and Planning Staff Recommendations.

Wellhead Advisory Committee and Planning Staff Recommendations:

The Wellhead Advisory Committee and the Planning Department recommend approval of the Aquifer permit for the use and storage of 15,000 gallons of diesel fuel with the following stipulations to prevent contamination of the Primary Aquifer and ground:

- 1) No chemicals or materials subject to the Aquifer Permit shall be stored on site until proper storage has been approved by the Building Official.
- 2) The facility operator in charge of compliance shall notify the Code Enforcement Official of their responsibility, as shall any future responsible operator.
- 3) Chemical containers which have been opened and only partially used shall be stored in approved secondary containment, and stored in the indicated chemical storage rooms.
- 4) Liquid chemical vessels that are truck mounted and enter the property shall have secondary containment of at least 100% of the volume of the vessel.



- 5) When transferring liquid chemicals into and out of all trucks, a trained employee of the company shall monitor the transfer of the liquid chemicals.
- 6) First aid, storage, clean-up and disposal measures for the diesel fuel shall be clearly posted adjacent to the chemical. The Spill Prevention and Emergency Response Plan shall be reviewed with employees routinely and posted in a highly visible location.
- 7) The discharge or disposal of any toxic or hazardous materials, and/or petroleum products on or below the surface of the ground is prohibited.
- 8) United Health Services shall arrange for annual safety tours by the Johnson City Fire Department. Contact the Johnson City Fire Marshal's Office at 607-729-0428.
- 9) § 272-9 Change in use or ownership. The applicant is responsible for amending an existing permit if petroleum products, hazardous or toxic materials not listed in the original permit are subsequently used or stored at the site or if there is a change in ownership. Any proposed changes to the chemicals used or stored on site must be reported to the Code Enforcement Office and Planning Department at least 30 days before in order to evaluate for safety precautions
- 10) The applicant shall stay compliant with the NYS DEC Petroleum Bulk Storage permit.
- 11) § 272-16. The owner of any development found not in compliance with the provisions of this section or any other person who commits or permits acts in violation of any of the provisions of this section or any other person who commits or permits acts in violation of any of the provisions of this section shall be deemed to have committed an offense and shall be liable for any such violation and the penalty therefore
- 12) The Special Permit shall expire should the property or business be sold to another entity, per § 300-66.11. Transferability, except upon approval by resolution of the issuing board.
- 13) This special permit authorizes the storage of diesel fuel in the enclosure at the north end of the Gateway building only and shall expire if the use ceases for three months for any reason. The distribution, storage or use of any additional new petroleum products, toxic materials or hazardous materials when such distribution, storage or use exceeds 25 gallons per month or 220 pounds, shall be subject to a new special permit.
- 14) The applicant shall be required to acknowledge all of the above stipulations, in writing, prior to the issuance of a building permit. The applicant agrees to maintain the site in strict accordance with the Aquifer Permit approved by the Planning Board.

A motion to approve the aquifer permit was made by Mr. Cunningham and seconded by Mrs. Jacyna.

Motion Carried - Vote:

Yes – 4 (Jacyna, Cunningham, Ward, Putman) No – 0 Recuse – 1 (Matyas) Absent – 0

United Health Services presented the building and site plan on Zoom for review by virtual attendees. Attorney Campbell stated nothing has changed since the last meeting when they presented.

Ms. Ward questioned the traffic flow on Harrison and Baldwin Street. Ms. Lane responded that will be determined by the Village Board. Attorney Campbell added the Village Board will discuss traffic and on street parking.



Chairman Putman summarized the Site Plan Review and asked the full Site Plan Review be added to the record.

Site Plan Review

United Health Services submitted plans for the construction of a 159,275 square-foot, 6-story addition to the existing hospital at 33 Harrison Street. The proposed addition is primarily for the conversion of double patient rooms into private rooms, each with private restroom facilities. In addition, a new Emergency Department (E.D.) shall be constructed in the addition with better access to Main Street and convenient parking for emergency situations. The Emergency Department rooms will offer greater privacy than the current emergency care facility.

The application includes a request for height and setback area variances, which the Zoning Board of Appeals granted on April 6, 2020. At this date, there are two stories of the addition which will be completed as shell floors. It is anticipated that eventually, as need increases, these two stories shall be infilled as additional private patient rooms. Parking has been determined to be sufficient for those additional rooms.

The application includes an application for an aquifer permit for the storage of 15,000 gallons diesel fuel on the adjacent parcel, 55 Baldwin Street. The diesel fuel will be held in a double-walled, fire-protected storage tank, which will be remotely filled. Safety measures include 115% secondary storage, regular monitoring, and emergency measures such as spill kits will be provided.

The site plan incorporates several changes to driving lanes and on-street parking spaces, and the application includes a traffic impact study by GTS Consulting. The main objective of the traffic impact study was not to address any increase in patient-related parking, but to propose reconfigurations based on the new parking lot and drive-through locations, shifting patient/visitor traffic from the existing parking lots between Harrison and Baldwin streets to the new parking lot between Baldwin and Arch streets. The existing parking lot at 33 Harrison Street will be excavated for the new E.D. and a revised below-grade E.D. parking lot accessed from the east via Baldwin Street. Per the traffic impact study, the addition will be accessed via a one-way patient drop-off lane that extends from Harrison Street to Baldwin Street.

The one-way driveway from Harrison Street east to Baldwin Street servicing the E.D. is three lanes wide to easily accommodate patient drop-off and through-traffic. The through-traffic entering Baldwin Street can turn either north or south, and more conveniently can drive straight eastward through 55 Baldwin Street to access the northbound lane of Arch Street, at which point there is a signalized traffic light. Traffic wishing to access Main Street may also loop around the facility by driving south on Baldwin Street, east on Park Place and northward to Harrison and Main Street, another signalized intersection.

The study recommends converting the northern portion of Harrison Street to create a 70-foot northbound left-hand turn lane onto Main Street, and a 70-foot southbound left-hand turn lane into the entrance of the new E.D, which would require the elimination of existing parking spaces. Similarly, the study recommends the elimination of on-street parking on one side of Arch Street to provide wider travel lanes in each direction.

Finally, the study recommends converting Corliss Avenue back to a two-way street to provide a second cross-over street to patients and visitors between Arch and Baldwin streets.

Chairman Putman read the Environmental Review.



Environmental Review:

The revitalization project was subject to a 239-Review because the involved properties are within 500 feet of NYS Route 17C and the state-owned pharmacy school. The applicant's proposal is a Type 1 Action under the N.Y.S. Environmental Quality Review Act (SEQRA), and the Planning Board made a Negative Declaration on March 31, 2020. A SWPPP is required as the disturbance is greater than one-acre. When completed, there will be approximately 0.2-acres more greenspace than existing conditions.

Department Head and 239-Comments:

- **B. C. Planning:** has not identified any significant countywide or inter-community impacts. Recommendations include encouraging applicant to provide an attractive bus stop design for the community, and public art in the green space fronting Main Street. They also suggest the project comply with new Downtown Johnson City Design Guidelines.
- **NYS DOT:** Attached with GTS Consulting Response, dated March 27, 2020.
- **BMTS:** Attached with GTS Consulting Response, dated March 27, 2020.
- **Police:** Our interest in this project is mainly focused on traffic and available parking. Parking availability is a critical concern around UHS already. Please see the following concerns/comments:
 - 1) RE: Elimination of on-street parking, west side of Harrison to accommodate turn lane for visitor drop off/pick up driveway:
 - a. If I am interpreting the drawings correctly, this would eliminate 3 or 4 on-street parking spots. The benefits of having the turn lane to ease traffic flow would likely outweigh the value of those parking spaces so we are agreeable to this change.
 - 2) The plan says there is an increase of a total 10 parking spaces. That may be true however the current parking lot on the site (between Harrison and Baldwin) is being eliminated and would be replaced with a 50-spot short-term ER visitor lot. The current lot being eliminated has approximately 128 visitor spaces and 59 physician spaces. The new parking lot recently opened between Baldwin and Arch St is restricted to employee parking only. This would create a reduction of 78 visitor parking spaces, greatly contributing to the parking shortage and increasing the value of on-street parking in the area.
 - 3) A conversion of the one-way portion of Corliss Avenue (between Arch St and Baldwin St) would eliminate the 15 angle parking spaces and reduce it to approximately 8 parallel spots. We would recommend not making any changes to this at this time, and evaluate any traffic redistribution after the project is completed to determine if any changes are needed.
 - 4) RE: Recommendation of eliminating on-street parking on Arch St (either one side or both): This would also contribute significantly to the parking shortage. Considering that the plan indicated no expected increase in traffic, I would not recommend elimination of Arch St parking. This can also be evaluated after the project is completed. A partial reduction of on-street parking on the Main St end of Arch St could be considered to allow for a turn lane addition, but keeping the remaining on-street parking in place.
 - a. There are 22 on-street spaces on the east side.
 - b. There are 25 on-street spaces on the west side.



- **Fire:** No issues at this time.
- **Code Enforcement:** Response to police concerns: A new parking lot of approximately 60 new spaces is planned. Condition for bus shelter: no posters/signs in bus shelter except information for bus-schedules and a hospital directory.
- **Public Works & Water:**
 1. Baldwin Street Duct Bank, we will need to see a detail including size (width/depth, number of conduit), we had a similar situation at the BU School of Pharmacy, where their proposed duct bank would have limited our ability to address water main issues. It was agreed that the maximum width would be 5 feet and 18” vertical separation. There should not be any conflicts with the sanitary sewer, but there will potentially be conflicts with the water and the storm. *(Note to Planning Board: Detailed plans have been provided, and minor revisions to those plans are required prior to the issuance of an excavation permit.)*
 2. Harrison Street turn lanes - before approval there should be assurances from NYSDOT that they will be willing to make the required changes to the Main Street signal and assurances that UHS will be willing to pay for those changes.
 3. Corliss One Way – I was against making this a one-way street when it was proposed, the Village Board chose to have it changed into a one-way. From a parking stand point JC did gain approximately 7 spaces. In my opinion traffic flow should take precedence over on-street parking spaces. I assume that it would be a Board decision to keep it one-way or convert it into two-way.
 4. Baldwin St/ Corliss St traffic signal; there was a signal at this location. The signal was removed due to it not meeting the warrants to justify it being there. I agree that the small increase in traffic would most likely not warrant a signal be placed at this intersection.

The Planning Department recommends approval of the Site Plan with the following stipulations:

1. Detailed plans for the Baldwin Street Duct Bank shall be revised and submitted to the Director of Public Services prior to the issuance of an excavation permit.
2. The SWPPP shall be submitted to the Director of Public Services in hard copy and a digital copy shall be submitted to the Code Enforcement Office and Planning Department. The SWPPP shall be reviewed and approved prior to the issuance of an excavation permit.
3. United Health Services shall work with the Village of Johnson City Board of Trustees to coordinate any changes traffic patterns. Before approval of any changes to the Harrison Street turn lanes, there should be assurances from NYSDOT that they will be willing to make the required changes to the Main St signal and assurances that UHS will be willing to pay for those changes.
4. All necessary parking lots shall be constructed prior to the issuance of a Certificate of Occupancy.
5. There shall be no posters or signs on the bus shelter except information for bus-schedules and a hospital directory.
6. This project shall be completed no later than December 31, 2025 and shall commence as soon as practical.
7. The applicant shall be required to acknowledge all of the above conditions, in writing,



no later than April 30, 2020. 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.

A motion to recommend approval of the site plan including the department head comments and recommendations and with planning department stipulations was made by Ms. Ward and seconded by Mr. Cunningham.

Motion Carried - Vote:

Yes – 4 (Jacyna, Cunningham, Ward, Putman) No – 0 Recuse – 1 (Matyas) Absent – 0

The next proposed Planning Board meeting will be held by Zoom Video Conference on April 28, 2020.

ADJOURNMENT

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

The meeting was adjourned at 8:15pm.

Respectfully submitted,

Kim Cunningham
Planning Board Clerk

