

Present: Gerald Putman, Chair  
Marcia Ward, Vice Chair  
David Michalak, Secretary  
Michael Sheredy  
Jen Reinhart

Also Present: Attorney, Coughlin and Gerhart  
Stephanie Yezzi, Planning and Zoning Clerk  
Randy Shear, Code Enforcement Officer

Absent: None

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

The board discussed the agenda and reviewed the applications.

- 26 Main Street
- 601 Harry L Drive
- 96 Harry L Drive

Chair Putman called the Planning Board meeting to order at 7:30pm and noted the fire exits.

### **PRIVILEGE OF THE FLOOR**

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

### **MINUTES**

A motion for approval of the January 27, 2026 meeting minutes was made by Mr. Sheredy and seconded by Ms. Ward. The motion carried with all those present voting in the affirmative except Mr. Putman who abstained.

### **REORGANIZATION OF OFFICERS**

A motion to nominate Gerald Putman as Chairman was made by Ms. Ward and seconded by Mr. Sheredy

A motion to nominate Marcia Ward as Vice Chairman was made by Mr. Putman and seconded by Mr. Michalak.

A motion to nominate David Michalak as Secretary was made by Mr. Sheredy and seconded by Ms. Ward.

Chairman Putman asked for a motion that the nominations be closed and a motion for those individuals as officers.



A motion that the nominations be closed and a motion for the election of Gerald Putman as Chairman was made by Ms. Ward and seconded by Mr. Michalak. The motion carried with all those present voting in the affirmative.

A motion for the election of Marcia Ward as Vice Chairman was made by Mr. Michalak and seconded by Mr. Sheredy. The motion carried with all those present voting in the affirmative.

A motion for the election of David Michalak as Secretary was made by Mr. Sheredy and seconded by Ms. Ward. The motion carried with all those present voting in the affirmative.

## **OLD BUSINESS**

### **26 Main Street – Edib Ibrahim & Pakiza Mizrap**

SEQR Unlisted Action, Special Use Permit, Site Plan Review

Edib Ibrahim spoke on behalf of the project and showed the Planning Board the site plan. Clarification of the parking spaces, and ingress and egress on Beverly Place was provided by S. Yezzi. Chair Putman continued the public hearing. No public comments were made.

The Planning Board asked about towing vehicles to the property and about utilities in the office building. D. Michalak asked about the median between the entrance and exit. Mr. Ibrahim clarified that will be concrete. M. Ward asked about landscaping. Mr. Ibrahim provided clarification of the site plan design in regards to landscaping and pointed to the locations landscaping will be placed.

G. Putman asked about signage and the applicant clarified that the existing signage will remain and will be in accordance with Code. Chair Putman closed the public hearing.

Chair Putman read the Special Use Permit and Site Plan Review request.

### **Site Plan Review:**

The applicant is seeking to open a used vehicle sales shop at the property located at 26 Main Street. The use is an allowed use with a Special Use Permit within the General Commercial Zoning District in which the property is located. The business proposes to operate out of an existing commercial building.

The proposal includes four (4) parking spaces for customers and employees while the remainder of the proposed spaces are for vehicles. Site plans state that although there are no repairs on site (all repairs occurring at a different location), the applicant has a spill prevention plan onsite for any potential leaks, etc.

The applicant has incorporated the 10' landscaped buffer required onsite as well.

The SEQR Review for the project is an unlisted action, the Planning Board shall claim lead agency and complete Parts II and III of SEQR at this time.

A motion to claim lead agency for an Unlisted Action under SEQRA was made by Ms. Ward and seconded by Mr. Sheredy. Chair Putman asked if anyone had any questions on Part II of the SEQR. With no additional questions, Mr. Putman read Part III of SEQR. A motion to make a negative declaration of environmental significance with respect to SEQR was made by Mr. Michalak and seconded by Mr. Sheredy. The motion carried with all those present voting in the affirmative.

*Motion Carried - Vote:*



Chair Putman asked if there were any questions before they move onto the Special Use Permit and Site Plan Review. None were presented. Mr. Putman read the 239 and department head comments.

**Department Head Comments:**

The application was routed to the department heads and Broome County Planning Department for 239 Review and comment. The following has been received.

- **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. However, we have the following comments:
  - The SEQR EAF should address and show compliance with the NYSDOT, DPW and BCHD comments include the area of disturbance in the acreage response, adjacent residential in the land use response, and the substantially contiguous National Register Historic Arch in the historic response, and complete other unanswered questions.
  - The site plan should address and show compliance with the NYSDOT, DPW, and BCHD comments and include any signage and dumpster/enclosure.
- **Broome County DPW:** The applicant should be aware that the parcel is in the Municipal Separate Storm Sewer Systems Permit Area (MS4 Area) and as such, should adhere strictly to erosion and sedimentation control guidelines set forth by the New York State Department of Environmental Conservation (NYSDEC) and the provided project documents. These measures should remain in place and be maintained until work is complete and/or final stabilization of the disturbed soil achieved; whichever applies to the implemented measure. Pollutant discharges from construction activities should be minimized to the greatest extent possible. Illicit discharges are strictly forbidden per Broome County Local Law PERM 5 of 2020 and are defined in Section 306-2.15 as any direct or indirect regulated non-stormwater discharge to the County-owned MS4. Discharges is defined in Section 306-2.9 as any addition or introduction of any pollutant, stormwater, or any other regulated substance whatsoever into the municipal separate storm sewer system (MS4) or into waters of the United States.
- **Broome County Health Department:**
  - Any hazardous materials/wastes stored on site should utilize primary and secondary containment systems and be registered with the NYS DEC as required.
  - A spill response plan and equipment should be readily available on site for any spills, leaks or other discharges of hazardous materials/wastes. Plan to include notification to NYS Spill Hotline of any “Reportable Spill” as defined by NYS DEC.
- **NYSDOT:**
  - Nothing may be placed within the State right-of-way, including signage or parking, and deliveries to the site may not be conducted within the State right-of-way.
  - Please note that the site has no approvable driveway access to NYS Route 17C, and all vehicular access to the site is to be made using Beverly Place.



- **Police Department:** No compelling interest.
- **Fire Department:** Facility will be required to have a fire inspection prior to opening and annually thereafter.
- **Water Department:** The building will require the applicant to install a testable backflow prevention device onsite. The applicant will need to contact the water department for information on Backflow applications.
- **Code Enforcement:**
  - Only vehicles to be displayed for sale and the four additional employee/customer spaces are all that is permitted to be on the property.
  - Any lighting that is installed on site should not spill over into the adjoining residential neighborhood. Lighting shall be dark sky compliant per Village Code.
  - Garbage and waste generated by the use shall be disposed of in accordance with the Section \_\_\_\_ of Village Code.
  - Any renovations to the building will require the applicant to seek permits from the Code Enforcement Office. All contractors shall be licensed in the Village of Johnson City
  - All signage requires permits from the Code Enforcement Office.
  - The corner lot visibility triangle should be free, clear, and unobstructed at all times.
  - Buffering between the adjacent residential neighborhood one- and two-family homes is required. Applicant shall either install or maintain a buffer between the property and adjoining properties. Please contact the Code Enforcement Officer to discuss.

**Planning Staff Recommendations**

The Planning Department staff recommends the ***approval of the Special Use Permit and Site Plan*** with all comments detailed herein. Planning Department comments for the **Special Use Permit** are as follows:

- The applicant shall construct the project in strict accordance with the subsequent site plan approval, including all comments and stipulations presented herein.
- Per Chapter 300-66.11. Transferability of Special Permits
  1. A special permit is not transferable except upon approval by resolution of the issuing board.
  2. A special permit shall authorize only one special use and shall expire if the special use ceases for more than three months for any reason.
- The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of a Building Permit or Certificate of Compliance, whichever shall come first. The applicant shall agree to follow stipulations of approval in strict accordance with the special use permit approved by the Planning Board. Changes to the use following approval may require a new special permit or site plan review, depending on the change.

Planning Department comments for the **Site Plan Review** are as follows:



- The project shall be constructed in accordance with the submitted parking and landscaping plans. The applicant shall discuss the required barrier for the adjacent residential neighborhood with the Code Enforcement Officer.
- If the applicants decide to add lighting in the future, the lighting plan and cut sheets shall be submitted to the Code Enforcement Officer for approval prior to being installed.
- If the applicants decide to add signage in the future, the sign plan shall be submitted to the Code Enforcement Officer for approval prior to being installed.
- Site plan approval shall be valid for one year, unless substantial improvements have been made pursuant to the approved site plan and a valid building permit.
- The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of a Certificate of Compliance. The applicant agrees to construct the project in strict accordance with the site plan approved by the Planning Board. Should the applicant change the site plan approved by the Planning Board, even if by petition to the Village’s Zoning Board of Appeals, the site plan approval will become null and void and the applicant must resubmit a new site plan to the Village of Johnson City Planning Board.

A motion to approve the Special Use Permit and Site Plan with all stipulations was made by Mr. Michalak and seconded by Ms. Reinhart. The motion carried with all those present voting in the affirmative.

*Motion Carried - Vote:*

*Yes – 5 (Michalak, Ward, Putman, Sheredy, Reinhard)      No – 0      Absent – 0*

## **NEW BUSINESS**

### **601 Harry L Drive. 405 Reynolds Road & 501 Reynolds Road – Spark JC, LLC** Advisory Opinion to ZBA (Sign Area Variances)

Daria Golazeski, Planning Consultant for Spark JC, LLC and Spark Broome spoke on behalf of the project and the separate parcels being addressed within the Oakdale Commons. Ms. Golazeski Explained the proposed signage and that Guthrie will identify this as the Oakdale Campus.

Chairman Putman asked about the “additional tenant sign” and Ms. Golazeski explained. Chairman Putman read the department head comments provided. He asked about the temporary banner signs, and Ms. Golazeski explained their removal with the new intersection.

In regards to illumination, Ms. Golazeski stressed that the sign will be on a timer after 11:00 PM. Chairman Putman read the Planning Department memorandum.

### **Variance Requests:**

It is understood, Spark JC LLC is requesting a area variances for their proposed signage. The following require variances from the Zoning Law:

- Section 300-52.4 J3 (a) – Additional tenant sign



- Section 300-52.4 D – Canopy Sign exceeds vertical thickness and outside surface height requirements/
- Section 300-5r2.5 Table 52.6 – Canopy Sign covers more than 25% square feet of canopy area
- Section 300-52.3 I4 – Directional signs located along interior road not at intersection of entrance roads
- Section 300-62.3 H – Light pole banner has commercial messaging and maximum area is greater than 6 square feet

The ZBA has set their public hearing for the regular March 16 meeting.

**Environmental Summary and Department Head Comments**

The applicant’s proposal is a Type II action under SEQRA, requiring no further environmental review.

The project has been routed to Broome County Planning and department heads for comment. No comments have been submitted from the County at this time; however, department head comments are as follows:

- Water, Fire, Police and DPW – No compelling interest.
- Code Enforcement:
  - If approved, the pylon signs shall not be illuminated so as to protect residential area on Arthur Street from light spillage.
  - Maintenance of the signs will be the owner/tenant’s responsibility. Signs shall be maintained in good condition.
  - No objection for the additional Tenant wall Sign
  - No objection to the light pole Banners as well

**Staff Recommendations**

The Planning Department staff advises that the Planning Board recommends the ZBA’s approval of the requested sign area variance with all stipulations detailed herein, including forthcoming 239 comments. Granting the requested variance will not otherwise have negative impacts on the neighborhood character.

A motion that the Johnson City Planning Board recommend approval to the ZBA for the proposed signage at the Oakdale Commons (including all three parcels) with the addition that the temporary banners are permitted up to three years was made by Ms. Ward and seconded by Mr. Michalak. The motion carried with all those present voting in the affirmative.

*Motion Carried - Vote:*

**Yes – 5 (Michalak, Ward, Putman, Sheredy, Reinhard)      No – 0      Absent – 0**

**96 Harry L Drive – Sarah & Ruven Realty, Inc**

Preliminary Site Plan Discussion

Sarah Campbell spoke on behalf of the project. Stated that this is a takeout business only and that the business owner is in attendance. Proposed hours are 12-8 PM daily (7 days) with three employees



maximum, most likely never all at once. There will be no tables or chairs in the building. The new architectural plans show the three parking spaces for the residential units and an additional space for the business as required by the Zoning Law. Ms. Campbell recommends the business owner finalize a lease with the building owner to reserve two spaces, especially if the units are unoccupied.

David Michalak asked about parking for someone picking up food and they restated the portion about the additional space within the lease. Discussion about a variance for backing out into the road. The three existing spaces already do; however, they believed a wider concrete pad would accommodate for this for the new space. Potential to provide an opinion on a variance, if necessary. No opinion was made at this time.

## **ADJOURNMENT**

A motion to adjourn the Planning Board Meeting was made by Mr. Michalak and seconded by Mr. Sheredy. The motion carried with all those present voting in the affirmative.

The meeting was adjourned at 8:15 pm.

Respectfully submitted,

Stephanie Yezzi  
Planning and Zoning Clerk

