

The Johnstown Planning Board held a meeting on October 6, 2015 at 4:00p.m., in the Council Chambers, City Hall.

PRESENT:

Fredrick Franko	: Board Member
Terri Easterly	: “ “
George Nicholas	: “ “
Christopher Vose	: City Engineer
Bruce Heberer	: Fire Chief
Cathy A. VanAlstyne	: City Clerk

ABSENT:

Peter K. Smith	: Chairman
Michael Gifford	: Board Member
Brett Preston	: City Attorney

Minutes of the September 1, 2015 meeting were approved with a motion from Mr. Nicholas and seconded by Mrs. Easterly. Motion carried.

PUBLIC HEARING – RED CARPET HOUSING – GLOVE CARS – Mr. Leto is seeking approval to expand the used car lot from 40 to 80 and move the cars from the north side of the property to the south side. Mr. Leto previously appeared before the Planning Board and Zoning Board of Appeals. The Zoning Board listed stipulations to their approval. Mr. Franko opened the public hearing at 4:03p.m.. No one wished to speak so the hearing was closed.

Mr. Leto has not received his permit from DEC for the wetlands. He said he called and was told they lost his application. He is resubmitting it today.

Mr. Franko has voiced his opinion and reluctance to approve the request for expansion for a number of reasons. It is not permitted under the Planning document regulations. The Zoning Board put a number of stipulations on their approval. Approval and receipt of the document from DEC could be added to the stipulations for approval.

Mr. Nicholas would approve with the stipulations and the addition of receiving the approval from DEC.

Mr. Franko reviewed the list of stipulations from the Zoning Board of Appeals.

1. Receive full document from DEC for wetlands
2. No lighting on the lot
3. Contingent with Mr. Leto continuing to own the property
4. No cars displayed on grass area – east side as well as northwest side of lot and entrance
5. Display of cars for sale will begin south of the office building
6. Permit will expire on transfer or sale of property
7. Limit of 80 cars for sale on display lot
8. No visible storage of non-functioning vehicles – must be behind privacy fence
9. Variance revoked if stipulations are violated

10. No more than 10 cars in holding area

11. No repair work on site.

Mr. Nicholas made a motion to proceed with this proposal that includes the above stipulations. Motion seconded by Mr. Vose. Motion carried.

Mr. Leto is to bring the DEC permit approval to the Code Office as soon as he receives it.

PUBLIC HEARING – ROBISON & SMITH – addition to their building at 542 N. Perry St. – Mr. Franko opened the public hearing at 4:15p.m.

Everett Simek residing at 29 Chestnut St., is not against the proposed addition but is disputing the property line. There are two surveys that do not match. Until the property lines are established he wants the Board to hold off on their approval. He owns property adjoining Robison & Smith's property. Chief Heberer said this is a city right of way issue. Mr. Vose has been out to survey the property as well as the Code Office and finds no problem. Mr. Smith from Robison & Smith asked to look at the survey map. Charlie Ackerbauer, who did the survey, was in Mr. Vose office to discuss the map. The line is very close. He agreed with Mr. Vose's findings. Mr. Smith said that one of the issues is the turning ratios for the trucks. Mr. Simek doesn't want trucks parking there. The property line isn't established. Chief Heberer said the survey is correct. The points do agree. Stephen Smith did the other survey. Mr. Franko told Mr. Simek both surveys seem to show the same points in relationship to the Robison & Smith building.

Mr. Franko closed the public hearing at 4:30p.m.

Mr. Vose made the motion to approve the project with the setback and building as proposed by Robison & Smith. Seconded by Mrs. Easterly. Motion carried.

PUBLIC HEARING - RUBY & QUIRI – addition to their building on N. Comrie Ave. – Mr. Franko opened the public hearing at 4:35p.m. No one wished to speak so the hearing was closed.

The project was referred to the Fulton County Planning Board for their input. The Board had no recommendations or comments concerning this application.

Mr. Nicholas made the motion to approve the project. Motion was seconded by Mr. Vose. Motion carried.

PUBLIC HEARING – PLANET FITNESS – addition to the Johnstown Mall – Mr. Franko opened the public hearing at 4:37p.m. No one wished to speak so the hearing was closed.

Mr. Nicholas made the motion to approve the project. Mrs. Easterly seconded the motion. Motion carried.

Motion to adjourn was made by Mrs. Easterly and seconded by Mr. Vose. Motion carried.

Respectfully submitted,

Cathy A. VanAlstyne
City Clerk

