



# Department of Planning, Housing, & Community Development

Mayor, Richard C. David  
Director, Dr. Juliet Berling

SUMMARY OF MINUTES CITY OF BINGHAMTON COMMISSION ON ARCHITECTURE & URBAN DESIGN	
<b>MEETING DATE:</b> June 4, 2019	<b>LOCATION:</b> City Council Chambers, City Hall
<b>CALLED TO ORDER:</b> 12:00 PM	<b>RECORDER OF MINUTES:</b> S. McGee

ROLL CALL		
COMMISSIONERS PRESENT:	PRESENT:	ABSENT:
K. Ellsworth (chair)	X	
J. Darrow (vice-chair)	X	
M. E. Mauro		X
M. Atchie		X
M. Lombardini		X
P. Klosky	X	
S. Edwards	X	
STAFF MEMBERS PRESENT:	TITLE & DEPARTMENT:	
S. McGee	Historic Preservation & Neighborhood Planner, Planning Department	

BUSINESS ITEM		
<b>ADDRESS:</b> 31 Lewis Street	<b>CASE NUMBER:</b> CAUD-2019-12	
<b>DESCRIPTION FROM AGENDA:</b> Certificate of Appropriateness		
<b>DISCUSSION POINTS &amp; THOSE SPEAKING:</b>  Staff presented all findings in the staff report.  J. Darrow asked if any of the Commissioners did not like the sign as presented.  None of the Commissioners indicated that they had any issue with the sign as presented.		
<b>PUBLIC COMMENT:</b> ▪ Vince Sartino, Jax Signs, Inc., speaking on behalf of the application.		
VOTING		
<b>MOTION:</b> To approve the application as presented.		
<b>FIRST:</b> J. Darrow	<b>SECOND:</b> S. Edwards	<b>VOTE:</b> (4-0-0)
<b>AYE(S):</b> All	<b>NAY(S):</b> None	<b>ABSTENTION(S):</b> None

BUSINESS ITEM	
<b>ADDRESS:</b> 81 State Street	<b>CASE NUMBER:</b> CAUD-2019-13
<b>DESCRIPTION FROM AGENDA:</b> Certificate of Appropriateness	

**DISCUSSION POINTS & THOSE SPEAKING:**

Staff presented all findings in the staff report.

Staff asked if the applicant would be willing to remove the checkered pattern from the proposed signage.

K. Ellsworth indicated the Commission had no issue with business identification signage but that the Commission had usually not allowed advertisements of what is being sold, particularly graphics. He also spoke about their location and the checkered pattern.

P. Klosky also mentioned that the checkered pattern seemed complicated.

S. Edwards asked if it was part of the logo.

V. Sartino said he could speak to the client about removing it.

J. Darrow said he agreed with K. Ellsworth's comments.

K. Ellsworth said the Commission did not appear to have an issue with the hanging sign.

P. Klosky spoke about the design.

J. Darrow suggested moving forward with the hanging sign.

A motion was made for the hanging sign.

J. Darrow said he did not like the design of the signage on the primary façade. He mentioned the food names did not seem appropriate.

V. Sartino asked about other signage in the area and the name of the business.

R. Murphy asked if this was for a new business.

J. Darrow suggested "Breakfast" and "Lunch" would be more appropriate.

V. Sartino asked if "Pizza" was appropriate.

J. Darrow said that that was a menu item.

S. Edwards asked if the name could be used with the primary sign/logo.

The Commission discussed putting the menu inside the commercial space.

V. Sartino asked if the generic words were ok.

The Commission said it was.

A motion was made for the primary façade.

Staff asked the applicant to submit an updated rendering illustrating the modifications to the design.

R. Murphy asked if a flashing sign “open” sign was proposed.

V. Sartino said he was not aware if the owner was planning to or not.

S. Edwards suggested that the business name should be included on the display windows.

V. Sartino asked if that would be acceptable.

J. Darrow amended his previous motion.

The Commission discussed the signage on the rear of the building.

P. Klosky recommended that the wording used reflect “lunch” and not “coffee.”

J. Darrow asked if the checkered pattern was being kept.

K. Ellsworth said no.

A motion was made for the rear façade signage.

K. Ellsworth said that if an open sign is used inside the business, it should not flash.

**PUBLIC COMMENT:**

- Vince Sartino, Jax Signs, Inc., speaking on behalf of the application.

**VOTING**

**MOTION: To approve the hanging sign as presented.**

<b>FIRST: J. Darrow</b>	<b>SECOND: P. Klosky</b>	<b>VOTE: (4-0-0)</b>
<b>AYE(S): All</b>	<b>NAY(S): None</b>	<b>ABSTENTION(S): None</b>

**VOTING**

**MOTION: To approve the signage on the primary façade with the following conditions:**

- The signage lettering will state “Breakfast” and “Lunch” in the lower half of the windows utilizing the presented wave style font;
- The restaurant logo may be featured above the “Breakfast” and “Lunch” lettering.

<b>FIRST: J. Darrow</b>	<b>SECOND: P. Klosky</b>	<b>VOTE: (4-0-0)</b>
<b>AYE(S): All</b>	<b>NAY(S): None</b>	<b>ABSTENTION(S): None</b>

**VOTING**

**MOTION: To approve the signage on the western (rear) façade of the building with the following conditions:**

- The signage lettering will state “Topsy Toppings Breakfast” and “Topsy Toppings Lunch”;
- No checkered pattern will be utilized.

<b>FIRST: J. Darrow</b>	<b>SECOND: S. Edwards</b>	<b>VOTE: (4-0-0)</b>
<b>AYE(S): All</b>	<b>NAY(S): None</b>	<b>ABSTENTION(S): None</b>

**BUSINESS ITEM**

**ADDRESS: 49 Court St.**

**CASE NUMBER: CAUD-2019-14**

**DESCRIPTION FROM AGENDA:**

**Certificate of Appropriateness**

**DISCUSSION POINTS & THOSE SPEAKING:**

Staff presented all findings in the staff report and provided details concerning the Planning Commission's recommendation and the County's Section 239 comments concerning the application.

R. Murphy said the City could utilize the digital LED display.

Staff asked how the City's use of the sign would be guaranteed.

T. Fitzgerald said that the goal of the sign was to promote business and attract more people downtown.

S. Edwards asked if the advertisements would be local.

K. Ellsworth asked if Marchuska Brothers owned the sign and the building.

T. Fitzgerald said yes.

K. Ellsworth asked if advertisements could be sold to anyone.

T. Fitzgerald said yes and that the sign allowed for live feeds.

K. Ellsworth asked R. Murphy what control the City had over the sign.

T. Fitzgerald added the sign could display amber alerts.

R. Murphy explained his conversation with J. Marchuska. He mentioned that general messages could be conveyed to the general public. He then spoke about new technology signage in Binghamton.

P. Klosky stated that the advertising seemed like a slippery slope considering the intent was to sell the advertising space. He spoke about Times Square and the appropriateness of the signage in the Historic District and remaining consistent.

R. Murphy spoke about the banners.

P. Klosky said those were temporary.

R. Murphy stated they were up for a week at a time.

R. Murphy and P. Klosky discussed signage in Times Square.

T. Fitzgerald mentioned electronic signage in downtown Saratoga Springs.

S. Edwards asked if advertising for the Metrocenter occupants would be present.

P. Klosky said he wanted to avoid double-standards.

Staff cautioned the Commission from using Times Square as a comparable example and setting precedent. Staff detailed the Commission's decisions on similar cases.

S. Edwards said she liked this as opposed to banners but was concerned with setting precedent.

R. Murphy said that conversation could be had with City Council.

J. Darrow said that the Commission had said no to this type of application twice before.

J. Holland clarified that the images on this sign would not move.

T. Fitzgerald provided further detail.

J. Darrow asked for the County's comments to be pulled up on the screen.

K. Ellsworth clarified City Council's role in this decision.

J. Darrow said he would be more comfortable with saying no because of the risk of setting precedent.

R. Murphy asked if the Commission could just provide Council with their concerns rather than a recommendation of support or lack thereof.

Staff said if the Commission issues a recommendation to Council it should either be in the affirmative or negative.

J. Darrow said he was in the negative and was concerned with setting precedent.

K. Ellsworth said the Commission was charged with the Historic Guidelines and that Council could determine if the Guidelines needed to be amended.

The Commission discussed tabling the application.

T. Fitzgerald asked for the application to be tabled.

**PUBLIC COMMENT:**

- **Joe Holland, Matzo Signs, and Tanner Fitzgerald, Marchuska Brothers Construction, LLC, speaking on behalf of the application.**

**VOTING**

**MOTION: To table the application until the next meeting.**

**FIRST: K. Ellsworth**

**SECOND: S. Edwards**

**VOTE: (4-0-0)**

**AYE(S): All**

**NAY(S): None**

**ABSTENTION(S): None**

**BUSINESS ITEM**

**ADDRESS: 168 Water Street**

**CASE NUMBER: CAUD-2019-15**

**DESCRIPTION FROM AGENDA:  
Certificate of Appropriateness**

**DISCUSSION POINTS & THOSE SPEAKING:**

Staff presented all findings in the staff report. Staff reviewed all changes to the application.

Staff asked the applicant about the dimensions on the site plan.

S. Button said that site plan was correct.

S. Button explained how the raised area of the café would be utilized.

P. Klosky clarified that Water Street Brewing did not have a wait staff.

J. Darrow asked about the sectional fencing.

Staff clarified.

J. Darrow asked if the café barriers would be metal.

S. Button and Staff responded that they would be metal.

K. Ellsworth mentioned that the proposed fencing would be black in color.

J. Darrow asked if the barriers would be removed at night.

S. Button said they would not be.

K. Ellsworth said the barriers should not be permanently attached to the public right-of-way.

S. Button answered that they would not be.

J. Darrow mentioned that he like the proposed fencing more than the proposed stanchions.

**PUBLIC COMMENT:**

- **Steven Button, speaking on behalf of the application.**

**VOTING**

**MOTION: To approve the outdoor café as presented at 168 Water Street.**

<b>FIRST: J. Darrow</b>	<b>SECOND: P. Klosky</b>	<b>VOTE: (4-0-0)</b>
<b>AYE(S): All</b>	<b>NAY(S): None</b>	<b>ABSTENTION(S): None</b>

**BUSINESS ITEM**

**ADDRESS: 7 Hawley St.**      **CASE NUMBER: CAUD-2019-16**

**DESCRIPTION FROM AGENDA:**  
**Certificate of Appropriateness**

**DISCUSSION POINTS & THOSE SPEAKING:**

The Commission discussed the application while Staff retrieved the project information from a flash drive.

M. Gestwick provided information about the application. He distinguished this application from the former garage application. He spoke about the materials of the Hawley St. façade. He stated there were no tenants for the retail space as of yet, but they anticipated one or two. He detailed the circulation route around the building.

P. Klosky asked about the square footage of the commercial space.

M. Gestwick specified. He stated the attempt to incorporate Staff's comments and the Historic Design Guidelines while still keeping the design contemporary. He mentioned a block perimeter along the building to prevent damage from plows. He mentioned a band for future signage on the building.

Staff presented all findings in the staff report.

K. Ellsworth asked if the proposed building was located in the Historic District.

Staff clarified it was located within the local historic district.

K. Ellsworth asked about brick along the primary elevation.

M. Gestwick clarified that brick would be used on the primary façade and that split faced block would be found along the other elevations.

K. Ellsworth asked about the materials on the other elevations.

M. Gestwick said they would be cementitious panels. He mentioned the comments received by one of the other commissioners and stated that their area of concern was actually adjacent to the property.

K. Ellsworth stated his involvement with the project but that Corporation Council did not think it was a conflict and neither did the applicant.

M. Gestwick said he did not believe there was a conflict.

Staff provided a review of the comments that were sent to the applicant.

P. Klosky asked about the adjacent parking lot in relation to screening this property from the proposed development.

R. Murphy said there had been conversations with CVS real estate people. He then added that there were conversations with artists about using the north elevation as a canvas.

P. Klosky mentioned that façade was highly visible.

K. Ellsworth asked about the Commission's review authority.

Staff clarified.

K. Ellsworth asked if the Commission had had the opportunity to review the staff report.

Staff provided a detailed review of the comments in the staff report.

J. Darrow asked if rehabilitation constitutes new construction as defined in the Guidelines.

Staff said no.

Staff asked if there was only one entrance to commercial space.

M. Gestwick said it depended on the occupancy.

K. Ellsworth asked if there were different designs proposed.

M. Gestwick said the project was being driven by the budget and the awarded grant funding.

J. Darrow asked if the exterior board came in different textures.

M. Gestwick said they came in different colors, but not different patterns.

P. Klosky said he would have like to have seen more brick as well and spoke about the project appearing “modern.”

K. Ellsworth asked about issuing a Certificate of Appropriateness.

Staff clarified.

P. Klosky and S. Edwards said they didn’t have an issue with approving the application.

The Commission discussed amongst themselves.

K. Ellsworth mentioned that this was new construction and very much driven by the constraints of the budget.

S. Edwards said she was fine with the application but that the colors selected should be appropriate.

K. Ellsworth asked about the window size.

M. Gestwick said the window size corresponded to the internal layout.

K. Ellsworth asked about the size of the double windows.

M. Gestwick clarified.

S. Edwards said she liked the double window.

J. Darrow stated his dissatisfaction with the design of the building.

K. Ellsworth asked about the timeframe for both the mixed-use building and the garage.

M. Gestwick clarified. He informed the Commission that not having an approval on this building would hold up the garage.

P. Klosky spoke about the north elevation and liked the idea of placing a mural on it.

R. Murphy restated that artists had expressed interest about the north elevation.

K. Ellsworth asked if the Commission wanted to have a more detailed conversation.

P. Klosky said the application was not great but that it didn't seem to make sense to delay the project further.

S. Edwards thought moving forward made sense.

R. Murphy indicated that the budget had been pushed to its limits.

**PUBLIC COMMENT:**

- **Michael Gestwick, Pike Development, speaking on behalf of the application.**

**VOTING**

**MOTION: To approve the application as presented.**

<b>FIRST: J. Darrow</b>	<b>SECOND: S. Edwards</b>	<b>VOTE: (4-0-0)</b>
<b>AYE(S): All</b>	<b>NAY(S): None</b>	<b>ABSTENTION(S): None</b>

**ADJOURNMENT**

<b>Motion to adjourn.</b>	<b>TIME: 1:32pm</b>	
<b>FIRST: K. Ellsworth</b>	<b>SECOND: S. Edwards</b>	<b>VOTE: (4-0-0)</b>
<b>AYE(S): All</b>	<b>NAY(S): None</b>	<b>ABSTENTION(S): None</b>