



City of Binghamton Planning Department

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

SUMMARY OF MINUTES CITY OF BINGHAMTON PLANNING COMMISSION	
MEETING DATE: January 14, 2019	LOCATION: City Council Chambers, City Hall
CALLED TO ORDER: 5:21PM	RECORDER OF MINUTES: Tim Konetchy

ROLL CALL		
COMMISSIONERS PRESENT:	PRESENT:	ABSENT:
Nicholas Corcoran (chair)	X	
Joseph De Angelo (vice-chair)	X	
Maura Cahill	X	
Jack Chanecka	X	
Mario DiFulvio	X	
Paul O'Brien	X	
Arthur Ospelt	X	
STAFF MEMBERS PRESENT:	TITLE & DEPARTMENT:	
Dr. Juliet Berling	Director of PHCD	
Tito Martinez	Assistant Director of PHCD	
Tim Konetchy	Planner, PHCD	
Sean McGee	Historic Preservation Planner	
Brian Seachrist	First Assistant Corporation Counsel	

APPROVAL OF MINUTES		
MOTION to approve the December 10, 2018 meeting minutes as written		
FIRST: Ospelt	SECOND: Chanecka	VOTE: Carried unanimously (7-0-0)

SEQR DETERMINATIONS	
ADDRESS: 10 Jackson St	CASE NUMBER: PC-2018-37
DESCRIPTION FROM AGENDA: Site plan review and special use permit for a Heavy Construction Contractors Yard in the I-2 Light/Medium Industrial District	
APPLICANT: LaFonte Paving Co. REPRESENTATIVE(S): Ed Gent (project Engineer)	
DISCUSSION POINTS: <ul style="list-style-type: none"> ▪ The representative stated that an existing building is proposed for demolition, and then lot will be paved over and fenced in. ▪ Brian Seachrist, First Assistant Corporation Counsel, stated that the applicant was denied permission to demolish the building. Prior to moving forward, the applicant must have a "hardship" application approved by CAUD. 	
VOTING	
MOTION that the Planning Commission intends to act as Lead Agency in SEQR review and that the action is Unlisted under SEQR	
FIRST: Corcoran	SECOND: Chanecka
VOTE: Carried unanimously (7-0-0)	

MOTION to schedule a public hearing at the February regular meeting		
FIRST: Corcoran	SECOND: Chanecka	VOTE: Carried unanimously (7-0-0)
ADDRESS: 279 Court St	CASE NUMBER: PC-2018-49	
DESCRIPTION FROM AGENDA: Site plan review for the construction of a 560 square foot Essential Services Building in the I-3 Heavy Industrial District.		
REPRESENTATIVE(S): <i>none present</i>		
VOTING		
MOTION to table the project to the end of the agenda		
FIRST: Corcoran	SECOND: Chanecka	VOTE: Carried unanimously (7-0-0)

PUBLIC HEARINGS & FINAL DELIBERATIONS		
ADDRESS: 53 Main St	CASE NUMBER: PC-2018-32.1	
DESCRIPTION FROM AGENDA: Site plan modification review to an approved two-unit dwelling resulting in one 8 bedroom unit and one 4 bedroom unit in the C-1 Service Commercial District.		
APPLICANT: Dean Consolidated, LLC		
REPRESENTATIVE(S): Sarah Campbell, Esq. (Hinman, Howard, and Kattell)		
DISCUSSION POINTS:		
<ul style="list-style-type: none"> ▪ The representative noted the approval in October of 2018, and stated the modification will include the addition of two bedrooms on the third floor of the building ▪ Brian Seachrist, First Assistant Corporation Counsel, indicated that a sprinkler system on the third floor may be required. 		
VOTING		
MOTION to declare the action Type II under SEQR, and, as such, requires no further environmental review		
FIRST: Corcoran	SECOND: Chanecka	VOTE: Carried unanimously (7-0-0)
PUBLIC COMMENT:		
<ul style="list-style-type: none"> ▪ No one speaking in favor of the application. ▪ No one speaking in opposition to the application. ▪ No letters received. 		
MOTION that the requirements for Site Plan Modification Review have been met and approved		
FIRST: Corcoran	SECOND: Chanecka	VOTE: Carried unanimously (7-0-0)
ADDRESS: 295-297 Front St	CASE NUMBER: PC-2018-24	
DESCRIPTION FROM AGENDA: Site plan review for the establishment of a Minor Used Motor Vehicles Sales business including the construction of an 8 space parking lot in the C-1 Service Commercial District.		
REPRESENTATIVE(S): Alexander Smith (applicant)		
DISCUSSION POINTS:		
<ul style="list-style-type: none"> ▪ The applicant went over the history and need for the project, which began with an application for sale of 2 vehicles on-site. Throughout this process the applicant was notified that approval was required to construct the parking area and expand the business. ▪ The chairman went through staff comments regarding proposed conditions, which were all agreeable other than the installation of wheel stops. 		
VOTING		
MOTION that the Planning Commission intends to act as Lead Agency in SEQR review and that the action is Unlisted under SEQR		
FIRST: Corcoran	SECOND: Chanecka	VOTE: Carried unanimously (7-0-0)
PUBLIC COMMENT:		
<ul style="list-style-type: none"> ▪ No one speaking in favor of the application. 		

<ul style="list-style-type: none"> ▪ No one speaking in opposition to the application. ▪ No letters received. 		
VOTING		
MOTION to issue a negative declaration under SEQR		
FIRST: Corcoran	SECOND: Chanecka	VOTE: Carried unanimously (7-0-0)
MOTION that the requirements for Site Plan Review have been met and conditionally approved, subject to the following: <ul style="list-style-type: none"> • A landscape plan be submitted featuring a minimum of 5 trees; one small/medium tree at the western property line (at Front St), two small/ medium trees along the southern (side) property line, and two large trees along the western (rear) property line. • Arrows indicating the entrance/ exit shall be installed at both parcels. • An Urban Runoff Reduction Plan (URRP) must be reviewed and approved by the City Engineer • A maximum of four (4) sale vehicles may be located between the two lots. 		
FIRST: Corcoran	SECOND: Chanecka	VOTE: Carried unanimously (7-0-0)
ADDRESS: 31 Front St	CASE NUMBER: PC-2018-45	
DESCRIPTION FROM AGENDA:		
Site plan review and special use permit to convert an existing office building into a multi-unit dwelling with four residential units (three 6 bedroom units, and one 16 bedroom unit) with a total 34 bedrooms in the C-5 Neighborhood Office District		
APPLICANT:		
REPRESENTATIVE(S): Josh Bishop (applicant) and Michael Haas, LSA (Delta Engineers)		
DISCUSSION POINTS:		
<ul style="list-style-type: none"> ▪ Michael Haas presented the newly submitted landscaping plan 		
PUBLIC COMMENT:		
<ul style="list-style-type: none"> ▪ Charlie Ackerman, Zane Johnson (Rainbow Pride Union- potential renter), and Gus Gooly, speaking in favor of the application. ▪ Speaking in opposition to the application: Tom Kane (on behalf of himself and St Patrick’s Church), Mike Mee, Dani Cronce, Roger Luther (on behalf of PAST), PJ Daley, Barry Koffman, Ruth Levy, Jack Sperling, Karen Eiche, Mary Webster, Michelle Iacovelli, Stephan Whitman, Jim Brighton, Janna Rudler, Stacey Merola-Zuhone, Robert Murphy (as a private citizen and Economic Development Director for the City), Heather Delorme, and Mark Whelan. ▪ Letters in opposition: PJ Daley, Dani Cronce, Barbara Ruchames, Amy Shapiro, Ekstrom Covenant LLC (Kevin Ekstrom, Ronald Williamson, & Nicholas Millard), Jack Sperling, Denise Helmes, Janet Chandler, Karen Crisafulli, Karen Barzman, Marsha Pivarnik, Judy McMahon, and the Preservation Association of the Southern Tier (PAST). ▪ Other letters received: 6 City Council members (Tom Scanlon, Dani Cronce, Giovanni Scaringi, Conrad Taylor, Chris Papastrat, and John Matzo), and the City’s Commission on Architecture and Urban Design (CAUD) 		
APPLICANT RESPONSE:		
<ul style="list-style-type: none"> • The applicant offered to amend the application to have 6 bedrooms within the mansion, rather than 16 • The applicant stated they want to retain the integrity of the mansion • The applicant asked the Planning Commission if four six-bedroom units was agreeable, Art Ospelt replied: four six-bedroom units is not aligned with the comprehensive plan and is not “market-rate” or “affordable” for a family. Chairman Corcoran agreed with this comment. • The Chairman stated that although the applicant may indeed maintain their properties, but if the applicant ever sold the property the next owner may not do so. 		
VOTING		
MOTION to table review of the projects for revisions and resubmissions of revised plans		
FIRST: Corcoran	SECOND: Chanecka	VOTE: Carried unanimously (7-0-0)

MOTION that to schedule a public hearing for the March 11, 2019 regular meeting.			
FIRST: Corcoran		SECOND: O'Brien	
		VOTE: Carried unanimously (7-0-0)	
ADDRESS: 88 & 91 Front St		CASE NUMBER: PC-2018-46	
DESCRIPTION FROM AGENDA: Site plan review and special use permit to convert a vacant funeral home into a multi-unit dwelling with five residential units (four 5 bedroom units and one 10 bedroom unit) for a total of 30 bedrooms and site plan review for an associated, existing ancillary parking lot in the C-5 Neighborhood Office District			
REPRESENTATIVE(S): Liam Burns and Josh Bishop (applicants)			
DISCUSSION POINTS:			
<ul style="list-style-type: none"> ▪ The applicant indicated that no changes have been made on the plans since the last meeting. 			
PUBLIC COMMENT:			
<ul style="list-style-type: none"> ▪ John Burns speaking in favor of the application. ▪ Dani Cronce and Barry Koffman speaking in opposition to the application. ▪ No letters received. 			
APPLICANT RESPONSE TO PUBLIC COMMENT:			
<ul style="list-style-type: none"> • The applicant stated that the location and circumstances of this project are different from 31 Front St • Furthermore, the applicant stated that the argument that student housing is “saturated” are based on anecdotal evidence and are not based in statistics 			
DELIBERATIONS:			
<ul style="list-style-type: none"> • Art Ospelt felt that this project is different from the 31 Front, in that the neighborhood is different and would not be negatively affected. He also felt that more units at a lower number of bedrooms is preferred. • Joe DeAngelo felt that this project would not change the character of the neighborhood, which Paul O'Brien agreed with 			
VOTING			
MOTION to issue a negative declaration under SEQR			
FIRST: Corcoran		SECOND: Chanecka	
		VOTE: Carried (6-1-0)	
AYES: Corcoran, Chanecka, DeAngelo, DiFulvio, O'Brien, & Ospelt		NAYS: Cahill	
		ABSTENTIONS: none	
MOTION that the requirements for Site Plan Review and special use permit have been met and conditionally approved, subject to the following:			
<ul style="list-style-type: none"> • The applicant must submit paperwork regarding easements for access to the north and south of the building; • The parking areas at 88 and 91 Front St must be resurfaced and restriped; • 91 Front St must have shrubs low plantings installed in the existing landscaping strip along Front St; • The existing signage and lighting, associated with the previous use, at 88 Front St must be removed; • A new, concrete driveway apron must be installed and a new concrete sidewalk must be installed at 88 Front St; • The asphalt in the utility strip in Front of 88 Front St must be removed and a street tree must be requested; • No fraternity or sorority use is permitted without a use variance from the Zoning Board of Appeals; • All refuse must be stored within a building at 88 Front St; • A revised site plan showing location of refuse storage, separation of the units, and reflecting all landscape revisions be submitted to the Planning Department for approval; and • The driveways at 88 Front St must be to one-way traffic and be clearly identified as such. 			
FIRST: Chanecka		SECOND: Chanecka	
		VOTE: Carried (6-1-0)	
AYES: Corcoran, Chanecka, DeAngelo, DiFulvio, O'Brien, & Ospelt		NAYS: Cahill	
		ABSTENTIONS: none	
ADDRESS: 279 Court St		CASE NUMBER: PC-2018-49	
DESCRIPTION FROM AGENDA: Site plan review for the construction of a 560 square foot Essential Services Building in the I-3 Heavy Industrial District.			

REPRESENTATIVE(S): <i>none present</i>		
VOTING		
MOTION that the action is Type II under SEQRA, that no environmental review is required, and to schedule the public hearing for the February meeting		
FIRST: Corcoran	SECOND: Chanecka	VOTE: Carried unanimously (7-0-0)

OTHER BUSINESS		
DESCRIPTION: Off Premise Advertising Sign (billboard) at 249 Court Street		
MOTION: recommend to City Council to approve sign as written Print for Maura and Jack		
FIRST: Chanecka	SECOND: Ospelt	VOTE: Carried (6-1-0)
AYES: Cahill, Chanecka, DeAngelo, DiFulvio, O'Brien, & Ospelt	NAYS: Corcoran	ABSTENTIONS: none
DESCRIPTION: Zoning Ordinance Update		
Discussion: staff will schedule a special meeting to discuss the material in detail		

ADJOURNMENT		
MOTION to adjourn		TIME: 9:00PM
FIRST: O'Brien	SECOND: Corcoran	VOTE: Carried unanimously (7-0-0)