



Department of Planning, Zoning, & Historic Preservation

SUMMARY OF MINUTES THE CITY OF BINGHAMTON THE COMMISSION ON ARCHITECTURE & URBAN DESIGN	
MEETING DATE: June 4, 2024	LOCATION: City Hall; 38 Hawley St, Binghamton, NY. 13901
CALLED TO ORDER: 12:15 p.m.	RECORDER OF MINUTES: Dylan Pelton

ROLL CALL		
COMMISSIONERS PRESENT:	PRESENT:	ABSENT:
J. Darrow (chair)	X	
M.E. Mauro	X	
D. Nead	X	
J. Weissberg	X	
D. Whalen	X	
B. Haas	X	
STAFF MEMBERS PRESENT:	TITLE & DEPARTMENT:	
J. Berling	Director, Planning Department	
S. Patel	City Planner, Planning Department	
D. Pelton	Historic Preservation Planner, Planning Department	
R. Heary	Corporate Council	
R. Kavanaugh	City Council, Ex-Officio	

APPROVAL OF MINUTES		
MOTION: To approve the minutes as recorded for the May 7, 2024 CAUD meeting		
FIRST: J. Darrow	SECOND: D. Nead	VOTE: (6-0-0)
AYE(S): J. Darrow, B. Hass, J. Weissberg, D. Nead, D. Whalen, M. E. Mauro	NAY(S): None	ABSTENTION(S): None

- Announcement of public meeting

BUSINESS ITEM	
ADDRESS: 183 Water Street	CASE NUMBER: CAUD-2024-18
DESCRIPTION FROM AGENDA: The applicant, the City of Binghamton, would like to install exterior lights and exterior panels on the new Parking Garage.	
Certificate of Appropriateness	
DISCUSSION POINTS & THOSE SPEAKING:	
<ul style="list-style-type: none"> • Representative proposing to clad garage with metal paneling and LED lighting along the Water and Henry Street sides. • Staff reiterates that this is the garage at Henry and Water Street. • Commissioner states that the lights on the garage could change color to whatever the operator wants. • Representative states that the lights have that ability to change color to whatever the owner chooses them to be. 	

- Staff mentions that this is not around any residential structures which is the only zoning stipulation for exterior lighting.
- Ex-Officio finds the exterior design to be a little bit shallow and is concerned with the aesthetic of the metal paneling. The other garage had brick panels installed for contrast, is there a possibility for more contrast? Could awnings be installed at the street level?
- Staff asks Ex-Officio if they are planning on lining the street with awnings.
- Ex-Officio states that something like that to add a little character to the exterior. Some contrast with the grates and the concrete structure.
- Commissioner asks if we have an option for a future presentation.

VOTING		
MOTION: To approve of lighting on the parking garage at 183 Water Street with the provision that we would revisit a review of options for the characteristics of the physical lighting to be brought back to the board.		
FIRST: J. Darrow	SECOND: D. Nead	VOTE: (6-0-0)
AYE(S): J. Darrow, J. Weissberg, D. Nead, D. Whalen, M. E. Mauro, B. Haas	NAY(S): None	ABSTENTION(S): None

- Ex-Officio states that Boscov’s is planning to redo its façade and is wondering if the garage could be incorporated into the design of the garage.
- Commissioner states that a green wall was supposed to be installed on the Hawley Street ramp, but by the time it came before the commission it was already decided.
- Commissioner asks if there are still apartments in the top of the garage.
- Staff states that the idea was stopped by the school board and the residential construction was cut.
- Staff states that the garage was built to make that possible, but it is not going through now.
- Commissioner asks if we must acknowledge the building without housing?

VOTING		
MOTION: To approve of the modified design for the parking ramp as presented with the understanding that the housing project has been removed with the contention that they may reapply for the housing construction in the future.		
FIRST: J. Darrow	SECOND: B. Haas	VOTE: (6-0-0)
AYE(S): J. Darrow, J. Weissberg, D. Nead, D. Whalen, M. E. Mauro, B. Haas	NAY(S): None	ABSTENTION(S): None

BUSINESS ITEM	
ADDRESS: 108 Liberty Street	CASE NUMBER: CAUD-2024-19
DESCRIPTION FROM AGENDA: The applicant, Jacob Rotary, would like to paint a mural on the North facing wall of the Lee Barta Community Center.	
Certificate of Appropriateness	
DISCUSSION POINTS & THOSE SPEAKING:	

- Representative states that he is the programs and administrative faculty coordinator for the Lee Barta Center. This is a part of our project to increase our community outreach program. We partnered with the Department of Public Art and the Broome County Arts Council and reached out to the United Way of Broome County for the matching funds for the project.
- Commissioner states that the image of Lee Barta is going in the pediment above the door to the center.
- Representative states that it is and that a picture of Lee Barta was printed up to make the mural as accurate as possible. Barta's son was also contacted for his approval.
- Commissioner asks if there is a maintenance plan in place if there is ever a need to repair it.
- Representative states that at this time there is not a maintenance plan for the mural.

VOTING		
MOTION: To approve of the mural as presented pending a maintenance agreement and the modifications to the mural as presented.		
FIRST: D. Whalen	SECOND: J. Darrow	VOTE: (6-0-0)
AYE(S): J. Darrow, J. Weissberg, D. Nead, D. Whalen, M. E. Mauro, B. Haas	NAY(S): None	ABSTENTION(S): None

BUSINESS ITEM	
ADDRESS: 9 Riverside Drive	CASE NUMBER: CAUD-2024-20
DESCRIPTION FROM AGENDA: The applicant, Alycia Harris, would like to install a sign in front of the property at 9 Riverside Drive.	
Certificate of Appropriateness	
DISCUSSION POINTS & THOSE SPEAKING:	
<ul style="list-style-type: none"> • The Chairperson of the CAUD Commission recuses himself due to his involvement in the mansion. 	

VOTING		
MOTION: I motion to recuse myself and appoint Dan Nead as interim chairperson of the commission.		
FIRST: J. Darrow	SECOND: M. E. Mauro	VOTE: (6-0-0)
AYE(S): J. Darrow, J. Weissberg, D. Nead, D. Whalen, M. E. Mauro, B. Haas	NAY(S): None	ABSTENTION(S): None

- Commissioner asks if there is a presenter for the signage.
- Commissioner states that since the sign is from the National Registry, there shouldn't be any issues with appropriateness.
- Staff states that the sign in question is from the National Registry, which when you get nationally registered, asks you if you would like a sign. The sign has a brief description of the residence and a short narrative of the Kilmer included. The Kilmer Mansion would like to display their National Register sign on the front lawn.

VOTING		
MOTION: To approve of the sign as presented for the Kilmer Mansion at 9 Riverside Drive.		
FIRST: D. Nead	SECOND: D. Whalen	VOTE: (5-0-1)

AYE(S): J. Weissberg, D. Nead, D. Whalen, M. E. Mauro, B. Haas	NAY(S): None	ABSTENTION(S): J. Darrow
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VOTING		
MOTION: For the interim chairperson to step down and return John Darrow as chairperson of the CAUD Commission.		
FIRST: D. Nead	SECOND: M. E. Mauro	VOTE: (5-0-1)
AYE(S): J. Weissberg, D. Nead, D. Whalen, M. E. Mauro, B. Haas	NAY(S): None	ABSTENTION(S): J. Darrow

BUSINESS ITEM	
ADDRESS: 7 Livingston Street	CASE NUMBER: CAUD-2024-17
DESCRIPTION FROM AGENDA: The applicant, Michael Meagher, would like to demolish the structure at 7 Livingston Street.	
Determination of Historical Significance for Demolition	
DISCUSSION POINTS & THOSE SPEAKING:	
<ul style="list-style-type: none"> • Commissioner asks if they would like to expand on the demolition application at all. • Representative states that they have used the building for several things over the years. It was a convent until recently, then it was turned into administrative offices. Recently the Syracuse diocese had it inspected and it was found to no longer be a viable building. • Representative states that the building is about 14' from the school and we can't sell it because it would be on a lot that would have to be subdivided. It can't be sold now with the condition that it is in. There should be a letter in the information I gave you from the diocese stating the building condition. • Staff states that while we review the letter, they have been in the building and it has a few issues stemming from several places. • Staff points to a newspaper article outlining the building of the covenant over another building. The original apartment building was wood clapboard, I have no idea how they attached the original wood to the masonry on the exterior. Furthermore, I have no idea how they designed the masonry to attach to the original building's structural system. If you look at the basement floor, there are dirt trails leading to the drain in the floor. These are little "streams" of water that drain from the walls in the foundation when it rains. Also, if you look in the basement you can see the jack posts that were added later to the basement. Until they were added, there was no support for the width of the structure. The floors throughout the building are uneven and there is no good way to show the condition of the joist system. In the picture it shows the damp walls of the North side of the structure, does it ever fully dry out? • Representative states that it does not. • Commissioner states that they usually ask for an after-site plan, do you have one for the site? • Staff states that some of the larger joist spans in the building do not have any documentation as to what lumber was used to accomplish the spanning. If you look upstairs, some of the rooms have significant stress fractures from the settling of the building. The porch on the rear of the building needs to be removed completely for safety reasons. • Staff states that an engineer would have to conduct rather intrusive destructive testing to assure that the building was at all safe. • Commissioner states that from the report, there is significant settling going on. In order to remediate the settlement, one would have to jack up the entire building to alleviate the problem. This would require a firm to lift the building and restore the foundation. That is extremely expensive and would likely be outside of the church's budget. 	

- Representative states that is correct.
- Commissioner asks if there is any chance this structure will be used as a convent in the future.
- Representative states that there is not. The sisterhood is way down and the last remaining nun is leaving soon.
- Commissioner states that because the building has settled over 100 years, you would have to lift it over an inch and this could cause the building to deflect, leading to more damage.
- Commissioner states that no commercial use for the building would be adequate considering it's proximity to the school.
- Representative states that because the playground is out back and the school is right next to it, there is nowhere to create parking.
- Commissioner states that regardless of what is determined, we would need a post use plan for the parcel. A playground is nice, but a site plan would have to be included.
- Representative states that a playground was never planned for the space, but a greenspace maintained by the parish is all they planned on for the future.
- Commissioner asks if there is a fence between the convent and the next parcel.
- Representative states that there is, but it only runs down about half of the building, it doesn't run all the way to the front.
- Commissioner states that the main problem with the building is that the shell surrounding the building is being destroyed by neglect and lack of maintenance.

VOTING		
MOTION: To table until a post use plan can be established for the parcel after demolition.		
FIRST: B. Haas	SECOND: J. Darrow	VOTE: (6-0-0)
AYE(S): J. Weissberg, D. Nead, D. Whalen, M. E. Mauro, B. Haas, J. Darrow	NAY(S): None	ABSTENTION(S): None

BUSINESS ITEM	
ADDRESS: 188 Court Street	CASE NUMBER: CAUD-2024-4
DESCRIPTION FROM AGENDA: The applicant, Phillip Akel, would like to demolish the residential structure and replace it with a parking lot.	
Determination of Significance	
DISCUSSION POINTS & THOSE SPEAKING:	
<ul style="list-style-type: none"> • Representative produces two additional documents regarding sale and a realtor's opinion is stated. • Representative gives additional information on original structure and an explanation of what would be required to remodel the house to it's original condition. • Commissioner asks if they have photos of samples taken from the South Side. • Commissioner so you found no examples of the original siding on the house except for the south side? • Representative responds "correct." • Commissioner you didn't check any of the pediments to see if the original material was intact did you? • Representative, "no." • Commissioner did you contact the Broome County Health Department about the lead test? • Representative responded no, we consulted with our own department at Delta engineering. • Commissioner states that it is his understanding that lead only needs to be abated when the occupants are under 6 years old, otherwise lead paint can remain. 	

- Commissioner states that a post use plan was discussed last time.
- Representative concluded that the driveway to the back of the structure at 188 Court Street would be too narrow for traffic.
- Commissioner asks how many parking spots are being gained by the footprint of the structure.
- Representative states 7 including 2 that are ADA compliant.
- Commissioner states that there is adequate parking for both buildings.
- Commissioner states that the building is the last on the North side of the street that is residential which makes it historic.
- Commissioner states that the problem for him is the post use of a parking lot and tearing down a building that still has remaining historical elements for 7 parking spots seems unnecessary.
- Commissioner states that the houses presented in the last months that were viewed by the commission were dilapidated and past their useful lifespan, this one is in decent shape.
- Staff produces a comparison of the residence at 188 Court Street and the Phelps mansion for historical similarities.
- Representative states they have asked PAST to come in and remove anything historic.
- Staff states that the interior of the structure as well as the exterior must be taken into consideration for review of historical significance.
- Representative asks if the post plan was reviewed.
- Staff replied that Tito Martinez reviewed the plan and made comments regarding parking requirements.
- Commissioner asks what the plans would be for snow storage as presented.
- Representative replies they do not believe that building has enough on-site parking for that.
- Staff reiterates that it has enough parking currently for both buildings.
- Representative states that it is regulation but not practical.
- Commissioner asks if there is a way to get preliminary approval for the parking lot.
- Staff states that it can't go to the Planning Commission without going through CAUD. It can only be discussed in other business.
- Staff replies that we cannot move this to Planning Commission without a site plan.
- Commissioner states that perhaps a conditional approval or denial would be a preferable way to proceed.
- Commissioner states that they have a problem with the statement, "we would let it rot". It would be a disappointment to let a structurally sound building "rot".
- Staff reviews the historic guidelines.
- Commissioner asks how the representatives would like to proceed at this time.
- Staff asks if the Planning Commission can review the plan without conditional approval at this time.
- Staff replies that conditional approval takes away CAUD's decision of historical significance.
- Staff explains that it requires the conditions of the approval to be met to hold a vote.
- Commissioner states that they are voting on if this demolition will produce 7 parking spots and if necessary 2 ADA compliant spots.
- Motion was given by commissioner to conditionally approve the demolition of the 188 Court Street given the net gain of 7 parking spots.
- Staff replied that is what the applicant is requesting and that is contingent upon Planning Commission approval and Zoning Board approval if necessary.
- Commissioner states that with the addition of the 7 spots there will be a total of 28 spots.
- Staff reiterates to conditionally approve with the understanding that there will be 7 spots gained on the parcel and 28 gained across the three parcels with Planning Commission approval and Zoning Board of Appeals if necessary.
- Motion was given by commissioner to approve of the demolition of 188 Court Street given a net gain of 28 parking spots across 3 parcels pending Planning Commission approval and ZBA approval if necessary.
- Commissioner clarifies that the parcels in question reside at 188 Court Street, 184 Court Street and 20 Jay Street.

VOTING		
MOTION: Motion to conditionally approve the demolition of 188 Court Street as presented for a net gain of 7 parking spots and a total gain of 28 parking spots pending review by the Planning Commission and the Zoning Board of Appeals if applicable.		
FIRST: D. Whalen	SECOND: J. Weissberg	VOTE: (4-2-0)
AYE(S): D. Whalen, M. E. Mauro, B. Haas, J. Weissberg	NAY(S): J. Darrow, D. Nead	ABSTENTION(S): None

- Other Business
 - Staff are considering making the Main Street district State / National eligible and making as many of the structures Landmark properties as possible instead of making it a local historic district.
 - Commissioner asks how far off Main Street is the district.
 - Staff replies mostly right on Main Street.
 - Commissioner states that they should probably, as a board, draft a letter of opinion on the topic.
 - Ex officio states that the commission should probably try to make it a local district.

VOTING		
MOTION: Motion to adjourn.		
FIRST: J. Darrow	SECOND: D. Nead	VOTE: (6-0-0)
AYE(S): D. Whalen, M. E. Mauro, B. Haas, J. Weissberg, J. Darrow, D. Nead	NAY(S): None	ABSTENTION(S): None