

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number: None

Date: September 9, 2020

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Binghamton City Council as lead agency has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: A portion of 124 Washington Street

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The City of Binghamton is transferring a portion of the 124 Washington Street, Binghamton, New York, Tax Parcel No. 160.49.1-1.11 to Hawley Street Hospitality, Inc.

Location: A portion of 124 Washington Street adjacent to 15 Hawley Street, Binghamton, NY, Tax Parcel No. 160.49-1.7, which is owned by Hawley Street Hospitality, Inc.

Reasons Supporting This Determination:

This is part of a vacant lot commonly known as Parlor City, which is adjacent to a number of commercial businesses, including restaurants. In order to expand outdoor seating capacity to the adjacent restaurant, the City is conveying a portion of the lot, approximately __ sq. feet. The City made the same accommodation to another adjacent restaurant in 2010. If the use is abandoned, title will revert to the City.

The lead agency has determined that the action will not have a significant adverse impact on the environment for the following reasons:

The transfer is *de minimis*, it was approved by the Planning Commission and the area in question was not used by the public.

The action will not produce a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems.

The action will not involve the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant or the habitat of such a species; or other significant adverse impacts to natural resources.

The action will not cause the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR 617.14 (g).

The action will not create a material conflict with a community's current plans or goals as officially approved or adopted.

The action will not impair the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character.

The action will not cause a major change in the use of either the quantity or type of energy.

The action will not create a hazard to human health.

The action will not cause a substantial change in the use or intensity of use of land including agriculture, open space or recreation resources, or in its capacity to support existing uses.

The action will not change two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together results in a substantial adverse impact on the environment.

Impacts from the action may combine with impacts of other, possible independent actions in the vicinity. The lead agency finds that when considered cumulatively such combination will not create a significant adverse impact on the environment.

For Further Information

Contact Person: Thomas Scanlon, President
City of Binghamton City Council

Address: City Hall
38 Hawley Street
Binghamton, NY 13901

Telephone Number: 607-772-7005 (City Clerk's Office)



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: September 9, 2020

Sponsored by Council Members: Scaringi, Resciniti, Riley, Friedman, Burns, Scanlon

Introduced by Committee: Planning

ORDINANCE

entitled

AN ORDINANCE AUTHORIZING SALE OF A
PORTION OF 124 WASHINGTON STREET TO
HAWLEY STREET HOSPITALITY, INC. FOR
\$1,000

WHEREAS, the City of Binghamton is the owner of certain real property located at 124 Washington Street, Binghamton, New York, Tax Parcel No. 160.49.1-1.11 (the "Premises"); and

WHEREAS, Hawley Street Hospitality, Inc. (the "Applicant") is the owner of adjacent real property located at 15 Hawley Street., Binghamton , New York, Tax Parcel No. 160.49-1.7; and

WHEREAS, the Applicant received site plan approval from the City of Binghamton Planning Commission for development of the adjacent real property, which included a request to purchase a portion of the Premises for additional outdoor deck seating, subject to an easement for the City to access an existing light pole on the property to be conveyed; and

WHEREAS, the Applicant made an offer to purchase a portion of the Premises for \$1,000; and

WHEREAS, the Assessor of the City of Binghamton has determined the sale price to be fair and equitable; and

WHEREAS, the Board of Estimate and Apportionment approved and recommended sale of the Premises on August 12, 2020.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain by at least a three-fourths vote as follows:

Section 1. That the Mayor of the City of Binghamton is hereby authorized to enter into a contract for sale and to execute all necessary and appropriate documentation, approved as to form and content by the Office of Corporation Counsel, to transfer a portion of the Premises to Hawley Street Hospitality, Inc. by quit claim deed for \$1,000 to be paid by wire transfer, certified, or local bank check.

Section 2. This transfer is subject to the following conditions (i) the portion of the Premises to be conveyed may only be used for accessory outdoor deck seating for the restaurant located at 15 Hawley Street; (ii) if this use is abandoned, then title to the property will revert to the City and Applicant must restore the property to its preexisting condition; (iii) Applicant will

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provide a metes and bounds description of the portion of the Premises to be conveyed; (iv) the City will retain an easement for ingress and egress to the existing light pole for maintenance or replacement, and the City will not be liable for the costs to replace or repair the deck if removal of a part of the deck is necessary to repair or replace the light pole; and (iv) the portion of the Premises to be conveyed must be merged with the Applicant's adjacent property located at 15 Hawley Street, Tax Parcel No. 160.49-1.7.

Section 3. That this Ordinance shall take effect immediately.

Introductory No. 020-81

Permanent No. 020-80

Sponsored by City Council Members:
Scaringi, Resciniti, Riley, Friedman, Burns, Scanlon

AN ORDINANCE AUTHORIZING SALE OF A
PORTION OF 124 WASHINGTON STREET TO
HAWLEY STREET HOSPITALITY, INC. FOR
\$1,000

The within Ordinance was adopted by the Council of
the City of Binghamton.

Date 9/19/2020

City Clerk Christina E. Ferguson

Date Presented to Mayor

Date Approved 9/23/2020

Mayor William D. Dineo

	Ayes	Nays	Abstain	Absent
Councilman Scaringi	✓			
Councilwoman Resciniti	✓			
Councilwoman Riley	✓			
Councilwoman Friedman	✓			
Councilman Burns	✓			
Councilman Strawn	✓			
Councilman Scanlon	✓			
Total	7	0	0	0

Code of the City of Binghamton

Adopted Defeated

7 Ayes 0 Nays 0 Abstain 0 Absent

I hereby certify the above to be a true
copy of the legislation adopted by the
Council of the City of Binghamton at a
meeting held on 9/19/2020. Approved
by the Mayor on 9/16/2020.

