



City of Binghamton Planning Department

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

| SUMMARY OF MINUTES CITY OF BINGHAMTON ZONING BOARD OF APPEALS | |
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| MEETING DATE: March 2, 2020 | LOCATION: City Council Chambers, City Hall |
| CALLED TO ORDER: 5:15PM | RECORDER OF MINUTES: Obed Varughese |

| ROLL CALL | | |
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| ZONING BOARD OF APPEALS MEMBERS: | PRESENT | ABSENT |
| J. Kelly Donovan (chair) | X | |
| David Cahill (vice-chair) | X | |
| John Matzo | X | |
| Dorollo Nixon | X | |
| Marina Resciniti | X | |
| STAFF MEMBERS PRESENT: | TITLE & DEPARTMENT: | |
| Dr. Juliet Berling | Director, Planning Department | |
| Tito Martinez | Assistant Director, Planning Department | |
| Obed Varughese | Planner, Planning Department | |

| PUBLIC HEARINGS & FINAL DELIBERATIONS | |
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| ADDRESS: 157 Susquehanna St | CASE NUMBER: ZBA-2020-01 |
| APPLICATION FOR: Area Variance to allow a 12' side setback, and a 28' rear setback, where 30' is the minimum setback required. In addition, to allow three off-street parking spaces, where 6 off-street spaces are required, in association with the construction of a Community Center in the R-3 Multi-Unit Dwelling District. | |
| REPRESENTATIVE(S): Amelia LoDolce, Heather Cornell, Patrick Madden | |
| DISCUSSION POINTS: <ul style="list-style-type: none"> ▪ Community Center on Susquehanna Street ▪ Invested in the neighborhood since 2007 ▪ Hoping to turn Vacant land into a gateway for Susquehanna St ▪ Need building so services can be accessible for clients ▪ Hours of operation will be 9-5, some exceptions ▪ Working on parking lease agreement with neighbor | |
| PUBLIC COMMENT: <ul style="list-style-type: none"> ▪ No one spoke in favor of the application. ▪ No one spoke in opposition to the application. ▪ No letters received. | |
| VOTING | |
| MOTION that the ZBA is lead agency in SEQR review and that the action is Type II | |
| FIRST: Donovan | SECOND: Cahill VOTE: Carried (5-0-0) |
| MOTION that the ZBA is lead agency in SEQR review to issue a negative declaration under SEQR | |
| FIRST: Donovan | SECOND: Cahill VOTE: Carried (5-0-0) |

DELIBERATION:*-FOR AREA VARIANCES- Setbacks*

1. The Zoning Board of Appeals determined that the granting of the variance would not result in an undesirable change in the neighborhood because no because it is an improvement of the property.
2. The Zoning Board of Appeals concluded that under applicable zoning regulations, there is not a reasonable alternative. The lot is too small for an alternative that meets the applicant's purposes.
3. The Zoning Board of Appeals determined that the requested variance was not substantial based on thirty to twenty eight is not substantial, thirty to twelve is not substantial in these circumstances.
4. The Zoning Board of Appeals determined that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. The Zoning Board of Appeals determined that the alleged hardship was self-created because the applicant chose the property.

-FOR AREA VARIANCES- Parking

1. The Zoning Board of Appeals determined that the granting of the variance would not result in an undesirable change in the neighborhood because it is not busy area and there is ample off street parking.
2. The Zoning Board of Appeals concluded that under applicable zoning regulations, there is not a reasonable alternative. The lot size is restrictive.
3. The Zoning Board of Appeals determined that the requested variance was not substantial based on the variance is requesting from six to three.
4. The Zoning Board of Appeals determined that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. The Zoning Board of Appeals determined that the alleged hardship was self-created because the zoning existed when the applicant chose the property.

MOTION to approve the requested variances**FIRST:** Cahill**SECOND:** Matzo**VOTE:** Carried (5-0-0)**OTHER BUSINESS****DESCRIPTION:**

- Training for board members.
- Kelly Donovan is nominated as chair. Motioned by Matzo, Seconded by Nixon, Carried (5-0-0)
- David Cahill is nominated as vice-chair. Motioned by Matzo, Seconded by Nixon, Carried (5-0-0)

ADJOURNMENT**MOTION** to adjourn**TIME:** 5:45**FIRST:** Donovan**SECOND:** Nixon**VOTE:** Carried (5-0-0)