



City of Binghamton Planning Department

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

SUMMARY OF MINUTES CITY OF BINGHAMTON ZONING BOARD OF APPEALS	
MEETING DATE: April 6, 2020	LOCATION: City Council Chambers, City Hall
CALLED TO ORDER: 5:15PM	RECORDER OF MINUTES: Obed Varughese

ROLL CALL		
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	
Greg Buell	Zoning Officer, Planning Department	
Sharon Sorkin	Assistant Corporation Counsel	

APPROVAL OF MINUTES		
MOTION to approve the December 16, 2019 and the March 2, 2020 meeting minutes as written.		
FIRST: Matzo	SECOND: Cahill	VOTE: Carried (4-0-0)

PUBLIC HEARINGS & FINAL DELIBERATIONS	
ADDRESS: 50 Front St	CASE NUMBER: ZBA-2020-02
APPLICATION FOR: Area Variance to allow a 10' 2" sign for an associated existing 5-story mixed-use building where 8' is the maximum allowed in the C-5 Neighborhood Office District	
REPRESENTATIVE(S): Patrick Doyle	
DISCUSSION POINTS:	
<ul style="list-style-type: none"> ▪ Height required for tenant signs to be seen safely by passing cars ▪ Sign should not be illuminated past 11 pm, per zoning chapter 	
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 unlisted	
FIRST: Donovan	SECOND: Cahill VOTE: Carried (4-0-0)
MOTION to issue a negative declaration under SEQR	
FIRST: Donovan	SECOND: Cahill VOTE: Carried (4-0-0)

DELIBERATION:

-FOR AREA VARIANCES-

1. The Zoning Board of Appeals determined that the granting of the variance would not result in an undesirable change in the neighborhood because the increased size of the sign would aid its visibility to the road, making it easier for passing drivers to read.
2. The Zoning Board of Appeals concluded that under applicable zoning regulations, there is not a reasonable alternative. The point was to be identifiable, this was the only viable method for the tenant.
3. The Zoning Board of Appeals determined that the requested variance was not substantial based on the fact the fact it is only a 16% increase..
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 to operate at the parcel or could have kept the existing sign.

MOTION to approve the requested variance subject to:

- The sign will not be illuminated after 11pm

FIRST: Matzo

SECOND: Cahill

VOTE: Carried (4-0-0)

ADJOURNMENT

MOTION to adjourn

TIME: 5:45

FIRST: Cahill

SECOND: Resciniti

VOTE: Carried (4-0-0)