



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

Date: February 8, 2023

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

Introduced by Committee: Planning

ORDINANCE

entitled

AN ORDINANCE AUTHORIZING THE SALE OF
180-186 HENRY STREET, 77 PINE STREET,
AND 162 HENRY STREET TO KEARNEY
REALTY & DEVELOPMENT GROUP, INC. FOR
\$1

WHEREAS, the City of Binghamton is the owner of certain real property's located at 180-186 Henry Street, Binghamton, New York, Tax Parcel 160.35-2-1, 160.35-2-2, 160.35-2-3; 77 Pine Street, Binghamton, New York, Tax Parcel 160.35-2-25; and 162 Henry Street, Binghamton, New York, Tax Parcel 160.34-1-41 (the "Premises"); and

WHEREAS, Kearney Realty & Development Group, Inc. plan to build a mixed-use, mixed-income development comprised of approximately 65 residential units and 4 commercial spaces on the Premises; and

WHEREAS, the City has no public use for the Premises; 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 January 11, 2023.

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 of sale and to execute all necessary and appropriate documentation, approved as to form and content by the Office of Corporation Counsel, to transfer the Premises to Kearney Realty & Development Group, Inc. by Quitclaim Deed for \$1 to be paid by cash, certified, or local bank check.

Section 2. This transfer is subject to the following conditions (i) the Premises may only be used for the purposes of the Stadium Lofts Project as reviewed and approved by the City of Binghamton Planning Commission in their decision letter dated November 21, 2022, and (ii) the Premises may not be used for any other purpose unless approved by the Mayor, City Council, and the City of Binghamton Planning Commission.

Section 3. That this Ordinance shall take effect immediately.

Introductory No. 023-28

Permanent No. 023-33

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

AN ORDINANCE AUTHORIZING THE SALE OF
180-186 HENRY STREET, 77 PINE STREET, AND
162 HENRY STREET TO KEARNEY REALTY &
DEVELOPMENT GROUP, INC. FOR \$1

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

3/1/23

Date 3/1/23
City Clerk Christina G. Rogers

Date Presented to Mayor

3/2/23

Date Approved 3/2/23
Mayor JM KL

	Ayes	Nays	Abstain	Absent
Councilwoman Resciniti	✓			
Councilwoman Riley	✓			
Councilwoman Friedman		✓		
Councilman Burns	✓			
Councilman Strawn	✓			
Councilman Scanlon	✓			
Councilman Scaringi	✓			
Total	6	1	0	0

Code of the City of Binghamton

Adopted Defeated

6 Ayes 1 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 3/1/23. Approved
by the Mayor on 3/2/23.

[Signature]

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

Project Number: None

Date: February 8, 2023

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: Sale of 180-186 Henry St., 77 Pine St., & 162 Henry St., Binghamton, New York.

SEQRA Status: Type 1 Unlisted

Conditioned Negative Declaration: Yes No

Description of Action: The City of Binghamton is transferring 180-186 Henry St., 77 Pine St., & 162 Henry St., Binghamton, New York, Tax Parcel Nos. 160.35-2-1, 160.35-2-2, 160.35-2-3, 160.35-2-25, 160.34-1-41, to Kearney Realty Development Group Inc.

Location: 180-186 Henry St., 77 Pine St., & 162 Henry St., Binghamton, New York

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

This is the sale of City property for the construction of a mixed-use building with 65 dwelling units and 4,300 square feet of commercial space and one ancillary parking area. The Purchaser is a private New York State developer that intends to create affordable housing units. All parcels in the subject site are currently vacant, and the proposed site plan, land use, and associated variances have been approved by the City Planning Commission and Zoning Board of Appeals.

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 proposal conforms to the Stadium District Master Plan and is supported by the City's Comprehensive Plan.

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 proposed development has been approved by both the City's Planning Commission and Zoning Board of Appeals, both of which conducted uncoordinated SEQRA review on the project.

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: Giovanni Scaringi, Ph.D., President
City of Binghamton City Council
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Binghamton, New York 13901
(607)-772-7005 (City Clerk's Office)