



City of Binghamton Planning Department

SUMMARY OF MINUTES CITY OF BINGHAMTON ZONING BOARD OF APPEALS	
MEETING DATE: January 3, 2022	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	
Mario Lisi	X	
John Matzo		X
Ernest Landers	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	
Brian Seachrist	Assistant Corporation Counsel	

APPROVAL OF MINUTES		
MOTION to approve the submitted meeting minutes with the attendance/date changes.		
FIRST: Donovan	SECOND: Resciniti	VOTE: Carried (4-0-0)

PUBLIC HEARINGS & FINAL DELIBERATIONS	
ADDRESS: 78 Chestnut St	CASE NUMBER: ZBA-2021-03
APPLICATION FOR: Area Variance to allow a 0' side setback where 10' is the minimum required in association with the construction of a carport in the R-3 Multi-Unit Dwelling District	
REPRESENTATIVE(S): Christine Wrighter, Mark Pousseur	
DISCUSSION POINTS:	
<ul style="list-style-type: none"> ▪ Old carport suffering from mold, mildew and rot ▪ Allows for use of the 2nd bay of the garage ▪ Increases on street parking 	
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	VOTE: Carried (4-0-0)
DELIBERATION:	
<i>-FOR AREA VARIANCES-</i>	
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 will mimic the previous structure and improve the property value.	

2. The Zoning Board of Appeals concluded that under applicable zoning regulations, there is not a reasonable alternative. The old carport was not built for the function of modern cars and the proposed carport is the minimum needed for viability.
3. The Zoning Board of Appeals determined that the requested variance was not substantial based on the existing structure was only three feet smaller.
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 live there.

MOTION to approve the requested variance

FIRST: Donovan

SECOND: Lisi

VOTE: Carried (4-0-0)

ADJOURNMENT

MOTION to adjourn

TIME: 5:45 PM

FIRST: Donovan

SECOND: Resciniti

VOTE: Carried (4-0-0)