



City of Binghamton Planning Department

SUMMARY OF MINUTES CITY OF BINGHAMTON ZONING BOARD OF APPEALS	
MEETING DATE: September 6, 2022	LOCATION: City Council Chambers, City Hall
CALLED TO ORDER: 5:15PM	RECORDER OF MINUTES: Shalin Patel

ROLL CALL		
ZONING BOARD OF APPEALS MEMBERS:	PRESENT	ABSENT
J. Kelly Donovan (chair)	X	
Susan Bucci	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	
Shalin Patel	Planner, Planning Department	
Brian Seachrist	Corporation Counsel	

APPROVAL OF MINUTES		
MOTION to approve the August 1, 2022 meeting minutes as written.		
FIRST: Matzo	SECOND: Landers	VOTE: Carried (4-0-1)
AYE(S): Donovan, Bucci, Landers, Matzo	NAY(S):	ABSTENTION(S): Resciniti

PUBLIC HEARINGS & FINAL DELIBERATIONS		
ADDRESS: 77 Pine Street	CASE NUMBER: ZBA-2022-	
APPLICATION FOR: Use Variance for the construction of a three-story Multiple Unit Dwelling with 12 units [(9) one bedroom and (3) two bedrooms] in the R-2 One- and Two-Unit Dwelling District.		
REPRESENTATIVE(S): Ken Kearney, Domenic Emilio		
DISCUSSION POINTS:		
<ul style="list-style-type: none"> ▪ The entirety of the project spans from Henry St [3 parcels] to part of Pine St [1 parcel] ▪ Mixed income model with units at all different income points ▪ Retail on the ground floor with apartment units and other spaces (common room, play area, etc.) for remaining floors above ▪ [9] One-bedroom units and [3] Two-bedroom units located on 77 Pine St parcel ▪ Expected rent(s) are pegged at 30% of the AMI for Broome County ranging from \$550 to \$850 ▪ Board member (E. Landers) mentioned about the availability of parking for the housing complex. Applicant(s) replied with the following: 162 Henry St and 229 Court St parcels disconnected from the housing parcels will be used for parking 		
MOTION to open the meeting to public		
FIRST: Donovan	SECOND: Matzo	VOTE: Carried (5-0-0)
AYE(S):	NAY(S):	ABSTENTION(S):

Donovan, Bucci, Landers, Matzo, Resciniti		
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PUBLIC COMMENT:

- **Kathy Staples** from 79 Pine St talked in opposition of the project via Zoom call
 - Wing of a large building put into a narrow lot right next to their residence
 - Most of the houses on the Pine St block are single family or at most two stories tall, while this building on 77 Pine St will be 3 stories big, which is a privacy concern. Because tenants from 2nd and 3rd floor will be able to see right into their bedroom and/or their backyard
 - Does not want the neighborhood to turn into a shopping area/business district, it has driven away low-income families into projects.
- **Eric Leonard** from 81 Pine St talked in opposition of the project via Zoom call
 - Concerns about the height of the building blocking the sun from shining onto their solar panels which are placed on top of their house, which will impact the energy generation drastically according to them
 - Similar privacy concerns as 79 Pine St neighbor regarding there being no privacy in the backyard where people can see right into the yard
 - General parking concerns (the location of it)
- **Anne and James C** from 89 Pine St in opposition of the project via email
 - Concerned about adding 12 units on their block when there will not be 12 parking spaces for inhabitants to park off street
 - Also concerned for families with children having a serious problem of having to find housing in Binghamton. States that only 3 of the 12 units will be suitable for families with low-income prices

VOTING

MOTION that the ZBA is lead agency in SEQR review and that the action is unlisted

FIRST: Donovan	SECOND: Matzo	VOTE: Carried (5-0-0)
AYE(S): Donovan, Matzo, Resciniti, Landers, Bucci	NAY(S):	ABSTENTION(S):

MOTION to table the application for 77 Pine St

FIRST: Donovan	SECOND: Matzo	VOTE: Carried (5-0-0)
AYE(S): Donovan, Matzo, Resciniti, Landers, Bucci	NAY(S):	ABSTENTION(S):

ADJOURNMENT

MOTION to adjourn

TIME:

FIRST: Donovan	SECOND: Matzo	VOTE: Carried (5-0-0)
AYE(S): Donovan, Matzo, Resciniti, Landers, Bucci	NAY(S):	ABSTENTION(S):