



City of Binghamton Planning Department

SUMMARY OF MINUTES CITY OF BINGHAMTON PLANNING COMMISSION	
MEETING DATE: June 13, 2022	LOCATION: City Council Chambers, City Hall
CALLED TO ORDER: 5:15PM	RECORDER OF MINUTES: Shalin Patel

ROLL CALL		
COMMISSIONERS PRESENT:	PRESENT:	ABSENT:
Nicholas Corcoran (chair)	X	
Joseph De Angelo (vice-chair)	X	
Christopher Dzedzic	X	
Mario DiFulvio		X
Paul O'Brien	X	
Kelly Weiss	X	
Emmanuel Priest	X	
STAFF MEMBERS PRESENT:	TITLE & DEPARTMENT:	
Dr. Juliet Berling	Director, Planning Department	
Tito Martinez	Assistant Director, Planning Department	
Sean McGee	Historic Planner, Planning Department	
Greg Buell	Zoning Officer, Planning Department	
Brian Seachrist	Corporation Counsel	

PUBLIC HEARINGS & FINAL DELIBERATIONS		
ADDRESS: 195 State St (formerly 246 Washington St)	CASE NUMBER: PC-2022-195	
DESCRIPTION FROM AGENDA: Site Plan Review for the conversion of an existing building into an Indoor Recreation facility (barcade) in the C-2 Downtown Business District		
APPLICANT: S2 Properties LLC REPRESENTATIVE(S): Daniel Sharp		
DISCUSSION POINTS: <ul style="list-style-type: none"> No changes have happened to the plan as it was presented previously 		
PUBLIC COMMENT: <ul style="list-style-type: none"> No one spoke in favor or in opposition of the applicant No letters received. 		
MOTION that the requirements for Site Plan Review and Special Use Permit have been met and therefore the application has been met and approved, subject to the following:		
FIRST: Corcoran	SECOND: O'Brien	VOTE: Carried (6-0-1)
AYE(S): O'Brien, Corcoran, Weiss, De Angelo, Dzedzic, Priest	NAY(S):	ABSTENTION(S): DiFulvio

PUBLIC HEARINGS & FINAL DELIBERATIONS	
ADDRESS: 350 Main St	CASE NUMBER: PC-2022-003

DESCRIPTION FROM AGENDA: Site Plan Review and special use permit to establish a Convenience Store in an existing commercial space in the C-1 Service Commercial District		
APPLICANT: Berthony Permission REPRESENTATIVE(S): Kyle Weeks representing Chianis and Anderson Architects DISCUSSION POINTS:		
<ul style="list-style-type: none"> ▪ Looking to add bicycle parking and a landscaping area ▪ Indicated the location of a dumpster on neighboring property on site plan as previously mentioned/asked upon ▪ Broome County commented that the parking spaces in front of the building do not meet the current Binghamton code 		
PUBLIC COMMENT:		
<ul style="list-style-type: none"> ▪ Received 239 comments previously, a lot of them about the parking in front of the building ▪ Several calls came in favor of the proposal – Alex Pine, Mamadou Toure, Julius Time, Silas Gabriel, Brutus Charles (general comments stated: the type of cuisine and groceries were not offered elsewhere in the region) ▪ One email was received in favor of the proposal 		
APPLICATION RESPONSE TO PUBLIC COMMENT(S):		
<ul style="list-style-type: none"> ▪ Site is fully existing, it was inherited and has stood there for a long time ▪ Berthony is just a tenant and not the owner of the property, he is just looking to operate their 2 businesses there ▪ Convenience store – special use permit has no zoning code parking requirements 		
MOTION that the requirements for Site Plan Review and Special Use Permit have been met and therefore the application has been met and approved, subject to the following:		
<ul style="list-style-type: none"> - A revised site plan being implemented that shows an installation of a barrier preferably a planter(s) across the front of the buildings, so that parking is discouraged, and there is no access to empty spaces in front of the building and formal parking spaces on the project are shown on the property that's west of the subject property - 2nd condition is that a letter of approval from the property owner for using that site for parking is submitted to the planning department 		
FIRST: Corcoran	SECOND: Weiss	VOTE: Carried (6-0-1)
AYE(S): O'Brien, Corcoran, Weiss, De Angelo, Dziedzic, Priest	NAY(S):	ABSTENTION(S): DiFulvio

PUBLIC HEARINGS & FINAL DELIBERATIONS	
ADDRESS: 15 Seminary Ave	CASE NUMBER: PC-2022-002
DESCRIPTION FROM AGENDA: Site Plan Review and special use permit to construct a new 2-story dwelling with two 5-bedroom units in the R-2 One and Two-Unit Dwelling District	
APPLICANT: Amicus NY LLC REPRESENTATIVE(S): Kyle Weeks representing Chianis and Anderson Architects and Paul Mingrino DISCUSSION POINTS:	
<ul style="list-style-type: none"> ▪ Amicus LLC are not renting each room individually, rather all of 5 bedrooms will be under one lease ▪ Current zoning codes allow a group of individuals to live in this type(s) of housing as long as they are an actual family or they are the functional equivalent of a family 	
PUBLIC COMMENT:	
<ul style="list-style-type: none"> ▪ 1 letter was received from Marlene Lawson – an opposition to the proposal (it was received right before the meeting, so the applicant(s) have not had a chance to view it). Following are key complaints from the letter: 	

<p>(1) Are there other rooms in the plans that are not listed as bedrooms that could be used as such? Looking at 31 Seminary Ave building, you permitted special use permit to someone who flagrantly flouted the city's laws and codes</p> <p>(2) Will the city enforce garbage laws or will the trash and food items continue to be left out wherever and whenever it is convenient for the students or caretakers? This issue raises a number of health hazards and concerns.</p> <p>(3) Fight for on the street parking spaces due to addition of more potential housing to students</p> <p>(4) More students means more parties and more noise and more litter – this area was not made for dense population and dormitories</p>		
<p>APPLICATION RESPONSE TO PUBLIC COMMENT(S):</p> <p>(1) All of the rooms are labeled as such and will be used accordingly. There are no rooms that are labeled as something else but used as bedrooms</p> <p>(2) Property owner has hired a crew to go to all of his properties to collect trash because the blue bag and yellow box system does not work well – have boxes and/or dumpster from Taylor garbage at bigger properties</p> <p>(3) Owner lets one kid park his trailer on his property while it is not being occupied for the time being</p>		
<p>MOTION that the requirements for Site Plan Review and Special Use Permit have been met and therefore the application has been met and approved.</p>		
FIRST: Corcoran	SECOND: Weiss	VOTE: Carried (4-2-1)
AYE(S): O'Brien, Corcoran, Weiss, De Angelo	NAY(S): Dzedzic, Priest	ABSTENTION(S): DiFulvio

PUBLIC HEARINGS & FINAL DELIBERATIONS		
ADDRESS: 197 Main St	CASE NUMBER: PC-2022-197	
DESCRIPTION FROM AGENDA: Site Plan Review and special use permit for a 6 sleeping unit Congregate Living Facility on the ground floor of an existing building in the C-1 Service Commercial District		
APPLICANT: Deokie Teekasingh		
REPRESENTATIVE(S): Deokie and Rohini Teekasingh		
DISCUSSION POINTS:		
<ul style="list-style-type: none"> ▪ Requested a zoning letter and wants a retroactive approval for how the building is already structured ▪ Building does not have approval for congregate living in records (it shows this property as two family home) – zoning officer has to legalize congregate living on first floor ▪ 6 bedrooms, 3 bathrooms, and 1 kitchen on first floor, owner lives on 2nd floor with 2 bedrooms 		
PUBLIC COMMENT:		
<ul style="list-style-type: none"> ▪ Received 1 email from Dianne Russenitti (neither in favor nor in opposition of the project) 		
<p>MOTION that the proposal involves the reuse of existing residential building, which is a type II action under SEQR and that no further environmental review is required. And that the requirements for Site Plan Review and Special Use Permit have been met and therefore the application has been met and approved, subject to the following condition(s):</p> <ul style="list-style-type: none"> - Revised site plan being submitted that eliminates the non-conforming parking space seven on the site plan that was submitted 		
FIRST: Corcoran	SECOND: Dzedzic	VOTE: Carried (6-0-1)
AYE(S): O'Brien, Corcoran, Weiss, De Angelo, Corcoran, Dzedzic	NAY(S):	ABSTENTION(S): DiFulvio

PUBLIC HEARINGS & FINAL DELIBERATIONS		
ADDRESS: 110 Fairview Ave, 14-18 Clapham St	CASE NUMBER: PC-2022-110	
DESCRIPTION FROM AGENDA: Site Plan Review for the construction of a 20-bed Social Services building on an existing Social Services campus in the R-3 Residential Multi Unit Dwelling District		
APPLICANT: Fairview Recovery Services		

REPRESENTATIVE(S): Sarah Campbell and Ken Gay from Keystone Associates, and Patrick Haley, Executive Director of Fairview Recovery Services

DISCUSSION POINTS:

- Modification to original plan(s) include inclusion of landscaping and fencing, general labeling in the plan, and lighting component – need guidance to type and length of fence to be implemented on Clapham street
- Acknowledges 239 comments and the representatives will look towards meeting and addressing those ideas or critiques, and will correct any errors perceived by the County
- Commissioner (Corcoran) commented on total build out of this project – 4 individual buildings on a residential property with one master plan
- Commissioner (Corcoran) also commented about the proposed location of parking – corner where Merrick and Fairview intersect would be an ideal space for a parking lot which will have less pushback from the neighborhood
- Commissioner member asked to indicate a dedicated smoking area on the plan once it is finalized
- Staff member (Tito) commented that there was an approved site plan for an administrative building in the corner of Fairview and Merrick in 2017, but nothing was built on it

PUBLIC COMMENT:

- **Mr. Mazza (lives across from the proposed location of this project) called in to vote in opposition of the project along with his wife – heavy residential area and this project will have an impact on the people living in the area, especially himself and compromise the value of his property. He agreed with Commissioner Corcoran partially and to locate the building in the corner of Merrick and Fairview**
- **Marlene Gelmo (lives at senior facility on Clapham) was present in the zoom call, she is concerned about the type of population who will occupy the building – women and children or all male population or co-ed. How long are they staying at this facility? Ms. Gelmo commented that crime rate went up 222% at inclusion of the first building of this applicant and also agreeing with Mr. Mazza about property devaluation**
- **Councilman Scanlan called in to ask the Planning Commission to hold this meeting over and sign up for a public hearing at a later date**
- **Kathy Gross called in (lives on 15 Merrick), mentions diminishing properties values, traffic, the proximity of the driveway/parking and the overhead electric wires to her property**
- **Sue Hutchings (lives on 64 E Street), these services are needed definitely, but they are moving very close to her property, needs it to stay closer to Fairview or at other vacant properties up above on Fairview**
- **Letters were sent by Mr. Mazza, Rebecca Ewing, and Gracie in opposition of this project**

APPLICATION RESPONSE TO PUBLIC COMMENT(S):

- **People that are walking around the neighborhood are accompanied by staff members, they are not allowed to leave the facility by themselves**
- **Introducing a new building will change the landscape of the neighborhood for sure, but this is a short term care facility (45 days), then residents are moved to another facility or level of care if needed**
- **There will be no families present here, but only adults 18 and older**
- **Applicants plan to bring electric utilities into the property, the wires will come into the building off of Clapham street**
- **No visitation is allowed, so there would not be a huge increase in traffic coming up to the facility, it would just be the staff that works on Court Street that would come to this facility**

MOTION to table the project. The Planning Commission would like to see what happens with applicant’s zoning request and to see if anything from the public hearing will be affecting that. The public hearing will stay open and be carried over to the next meeting so people can respond if changes to the site plan are made

FIRST: Corcoran	SECOND: O'Brien	VOTE: Carried (5-0-2)
AYE(S): O'Brien, Corcoran, Weiss, De Angelo, Priest	NAY(S):	ABSTENTION(S): DiFulvio, Dzedzic (recused)

ADJOURNMENT

MOTION to adjourn		TIME: TBD
FIRST: O'Brien	SECOND: Dziecic	VOTE: Carried (6-0-1)
AYE(S): Corcoran, O'Brien, Dziecic, Weiss, De Angelo, Priest	NAY(S):	ABSTENTION(S): DiFulvio