



City of Binghamton Planning Department

SUMMARY OF MINUTES CITY OF BINGHAMTON PLANNING COMMISSION	
MEETING DATE: July 11, 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 Dziedzic		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	

APPROVAL OF MINUTES		
MOTION to approve the July 11, 2022 meeting minutes as written		
FIRST: De Angelo	SECOND: Priest	VOTE: Carried (5-0-2)
AYE(S): Corcoran, De Angelo, DiFulvio, O'Brien, Priest	NAY(S):	ABSTENTION(S): Dziedzic, Weiss

SEQR DETERMINATIONS	
ADDRESS: 49 Court Street	CASE NUMBER: PC-2022-49
DESCRIPTION FROM AGENDA: Site Plan Review to add 9 additional parking spaces to an existing 231 space surface parking lot in the C-2 Downtown Business District	
APPLICANT: Marchuska Brothers Construction, LLC	
REPRESENTATIVE(S): Justin Marchuska and James Caramore	
DISCUSSION POINTS:	
<ul style="list-style-type: none"> ▪ Board member (Corcoran) commented saying clients need to be present in front of Zoning Board for a variance to proceed further with their plan to add 9 surface parking spaces ▪ Clients are looking to replace non-permeable concrete surface with like material for parking spaces ▪ Clients commented about taking away adjacent sidewalk space to provide for landscaping if need be ▪ Clients mentioned multitude of reasons for removal of trees on property: old age, appearance of garbage hanging from the trees and drugs/needles being found/seen underneath the trees 	

<ul style="list-style-type: none"> ▪ Staff member (Martinez) talked about replanting some of the trees as it was laid out in the original plan that was approved for the parking lot. The Planning Department is willing to compromise on not having to plant all of the trees, limited amount (15) of trees would be aesthetically pleasing for the area ▪ Board member and staff member(s) commented about the clients potentially violating the original site plan by removing trees 		
VOTING		
MOTION that the Planning Commission intends to act as Lead Agency in SEQR review and that the action is Unlisted under SEQR.		
FIRST: Corcoran	SECOND: Priest	VOTE: Carried /Failed (5-0-2)
AYE(S): Corcoran, Priest, DiFulvio, O'Brien, De Angelo	NAY(S):	ABSTENTION(S): Dziedzic, Weiss
MOTION to schedule a public hearing at the August regular meeting for 5:20 pm		
FIRST: Corcoran	SECOND: DiFulvio	VOTE: Carried / failed (5-0-2)
AYE(S): Corcoran, DiFulvio, O'Brien, Priest, De Angelo	NAY(S):	ABSTENTION(S): Dziedzic, Weiss

PUBLIC HEARINGS & FINAL DELIBERATIONS	
ADDRESS: 100 Richard Ave	CASE NUMBER: PC-2022-
DESCRIPTION FROM AGENDA: Site Plan Review and special use permit to construct a new Single-unit dwelling with four bedrooms in the R-1 Single Unit Dwelling District	
APPLICANT: Danielle Yurka	
REPRESENTATIVE(S): Danielle Yurka and a builder named Chris from Eagle Construction	
DISCUSSION POINTS:	
<ul style="list-style-type: none"> ▪ No intention of finishing the basement, no plans for adding bathrooms in the basement or in the attic 	
PUBLIC COMMENT:	
<ul style="list-style-type: none"> ▪ A neighbor named Garry Loichle spoke via zoom call. He said there is no emergency vehicle access to this property from Richard Ave, it is land locked. Only way to access this building is through Upper Vine Street. There is supposedly existing water and sewer lines, was there ever approved by the city or its officials? That work was done by previous property owners. Fire hydrant has an out of service label on it. Questioning about the validity of the water/sewer lines. ▪ No letters received or calls were received 	
APPLICANT RESPONSE TO PUBLIC COMMENT:	
<ul style="list-style-type: none"> • Owner agrees with the public comment. She is in an agreement to change the address to Upper Vine Street address as well. She is also working with the company (Jim Torto) that installed the water/sewer lines previously to the original property – currently working together to tie it to the new property on Upper Vine Street 	
VOTING	
MOTION that the proposal is a type II action under SEQR and no other environmental review is required. 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: the address of the property gets changed to Vine Street, so it is clear for emergency crew to recognize the property and have a clear way to access it	
FIRST: Corcoran	SECOND: DiFulvio
AYE(S): Corcoran, DiFulvio, O'Brien, Priest, De Angelo	NAY(S):
VOTE: Carried (5-0-2)	
ABSTENTION(S): Weiss, Dziedzic	

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 and an ancillary parking area in the R-3 Residential Multi Unit Dwelling District

APPLICANT: Fairview Recovery Services

REPRESENTATIVE(S): Sarah Campbell, Ken Gay from Keystone Associates, Patrick Haley

DISCUSSION POINTS:

- Site revisions: the building was moved 15 feet more in from the road (Clapham Street) and 25 feet to the west and is now 60 feet west of the existing driveway on Clapham Street.
- Clients plan to add a 20 foot tall mature tree buffer between Clapham Street and proposed building/parking lot area to block the view of the residential properties into their land parcel
- Removal of parking and other developmental problems would have been an issue if it was placed in a corner lot as it was mentioned previously by the public
- John Burns (licensed Real Estate broker) commented via a letter saying the Fairview campus already existed for a long time before many of the residential properties were built, that adding another building is not going to diminish the property values.
 - Properties around East Street and location of this campus have been sold in the range of \$98,000 – \$109,000 up until 2016, so values have not diminished drastically based on what is already present

PUBLIC COMMENT:

- **Anthony Mazza called in the Zoom call. He made an exception to talk about the people that will be occupying in the building on Fairview campus. He refers to Sarah Campbell saying the property values mentioned by John Burns are insignificant as one of the buildings was vacant and had damage on the inside and another was a small resident. He said, “if you want to quote me, I live across the street there, and if you want to put your name on the dotted line that value of my property will not decrease, I gladly see it.”**
- **Mr. Mazza made a comment about the trees and difficulty about acquiring them. In the winter you will be able to see right through them. It will have significant impact on properties around this campus.**
- **Mr. Mazza made a comment about lights that are present on the campus and that shine across the streets**
- **Dan Gracie (lives on Fairview Ave) made a comment about this proposal being ludicrous and why it is being taken seriously. He said they are masking this campus as a social services center, when in reality it is a crisis center for drug abusing individuals. You cannot put a center of this kind in the middle of quiet, residential neighborhood. They have a lot of options for this type of building proposal in other parts of Binghamton. There is already not enough parking on site, there is a lot of parking on the surrounding streets, adding another building will increase extra parking on the streets.**
- **Kathy Gross (corner of Merrick and East streets) called in opposition of the proposal, bought home at \$38,000 but is currently valued at \$98,000 (just a reference to Mr. Burns). Lights from Fairview Ave are disruptive, they come in on 2nd floor, and living room. The better location for this property would be on Court Street, where it is near fire station and hospitals where it would be best suited.**
- **5 letters were received, all in opposition from Mazza, Gracie, Gross, Ewing, and Hutchings**

APPLICANT RESPONSE TO PUBLIC COMMENT:

- **Sarah Campbell did not want to make a comment about potential other locations to construct this proposed center. With regards to lighting, it is something that can be controlled and if the neighbors have problems with it, they should report it to Fairview so that it could be modified to avoid disruption to residents surrounding the campus. Increased parking area will exceed the need for parking and it will alleviate the issue of parking on the streets.**
- **Patrick Haley commented about the assumed sirens and emergency vehicles coming in/out day and night saying it would not happen. No one would be coming unannounced, they would either be going to hospital(s) or other healthcare facilities with 24 hour medical care. He would love to chat with residents to address the lighting issues and solve them at the best of his abilities.**

VOTING		
MOTION to issue a negative declaration under SEQR		
FIRST: Corcoran	SECOND: O'Brien	VOTE: Carried (5-0-2)
AYE(S): Corcoran, DiFulvio, O'Brien, Priest, De Angelo	NAY(S):	ABSTENTION(S): Weiss, Dzedzic
MOTION to approve the proposed site plan		
FIRST: Priest	SECOND: De Angelo	VOTE: Failed (2-3-2)
AYE(S): Priest, De Angelo	NAY(S): Corcoran, DiFulvio, O'Brien	ABSTENTION(S): Weiss, Dzedzic
MOTION to Table this proposal until next meeting on August 15th		
FIRST: Corcoran	SECOND: O'Brien	VOTE: Carried (5-0-2)
AYE(S): Corcoran, DiFulvio, O'Brien, Priest, De Angelo	NAY(S):	ABSTENTION(S): Weiss, Dzedzic

ADJOURNMENT		
MOTION to adjourn		TIME:
FIRST: O'Brien	SECOND: Corcoran	VOTE: Carried (4-0-3)
AYE(S): O'Brien, Corcoran, DiFulvio, Priest	NAY(S):	ABSTENTION(S): Weiss, Dzedzic, De Angelo