



# City of Binghamton Planning Department

SUMMARY OF MINUTES CITY OF BINGHAMTON PLANNING COMMISSION	
<b>MEETING DATE:</b> September 12, 2022	<b>LOCATION:</b> City Council Chambers, City Hall
<b>CALLED TO ORDER:</b> 5:15PM	<b>RECORDER OF MINUTES:</b> 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	
Shalin Patel	Planner, Planning Department	
Greg Buell	Zoning Officer, Planning Department	
Brian Seachrist	Corporation Counsel	

APPROVAL OF MINUTES		
<b>MOTION</b> to approve the July 11, 2022 meeting minutes as written		
<b>FIRST:</b> Dziedzic	<b>SECOND:</b> Priest	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Dziedzic, Priest, Weiss, Corcoran, DiFulvio, O'Brien	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> De Angelo

SEQR DETERMINATIONS	
<b>ADDRESS:</b> 221 Washington Street	<b>CASE NUMBER:</b> PC-2022-
<b>DESCRIPTION FROM AGENDA:</b> Site Plan Modification to add basement social/assembly space to multi-unit dwelling with 12 existing units and 45 total bedrooms in the C-2 Downtown Business District	
<b>APPLICANT:</b> Stonebridge Campus Living	
<b>REPRESENTATIVE(S):</b> Alyssa Post, Billie Peterson, A Zakai	
<b>DISCUSSION POINTS:</b>	
<ul style="list-style-type: none"> <li>▪ Obtain an occupancy level for the basement area to be an area of assembly as a right of owning the building. It will be an amenity/social gathering space</li> <li>▪ Have security camera along with sprinklers, etc., as safety measures</li> <li>▪ Applicant wants students to be able to gather and do leisure activities such as watching sports games, playing pool, use the gym, etc.</li> <li>▪ Occupancy limit in the basement now is 5-10 people, new limit will be determined by the fire marshal for the area of assembly</li> </ul>	

<ul style="list-style-type: none"> <li>▪ Applicant is willing to add rules + regulations on the leases of residents</li> <li>▪ Entire building consists of 45 rooms, which are all under 1 lease and is contracted to a fraternity which is not recognized by the Binghamton University</li> </ul>		
<b>VOTING</b>		
<b>MOTION</b> that the Planning Commission intends to act as Lead Agency in SEQR review and that the action is Type II action under SEQR		
<b>FIRST:</b> Corcoran	<b>SECOND:</b> Weiss	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Dzedzic, Priest, Weiss, Corcoran, DiFulvio, O'Brien	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> De Angelo
<b>MOTION</b> to schedule a public hearing at the October regular meeting		
<b>FIRST:</b> Corcoran	<b>SECOND:</b> O'Brien	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Dzedzic, Priest, Weiss, Corcoran, DiFulvio, O'Brien	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> De Angelo

<b>SEQR DETERMINATIONS</b>	
<b>ADDRESS:</b> 25 Doubleday Street	<b>CASE NUMBER:</b> PC-2022-
<b>DESCRIPTION FROM AGENDA:</b> Site Plan Review and special use permit to convert an existing building into 10 one-bedroom apartments in the R3 Multi-Unit Dwelling District	
<b>APPLICANT:</b> Family Enrichment Network	
<b>REPRESENTATIVE(S):</b> April Ramsey, Kenneth Gay	
<b>DISCUSSION POINTS:</b>	
<ul style="list-style-type: none"> <li>▪ Applicant is looking to convert former convent into [10] one-bedroom apartments, permanent supportive housing for individuals ages 18-25 years experiencing homelessness</li> <li>▪ Family Enrichment Network is purchasing area with the proposed parking spots and the convent building from St. Paul's Church for \$95,000</li> <li>▪ Applicant is getting rid of the red exterior staircase, which is part of their design plan(s)</li> <li>▪ Adding a small accessible ramp on the side, which comes out to the parking lot</li> <li>▪ Shared parking with the church due to easement</li> <li>▪ Applicants are not planning to add a barrier to the parking lot (for snow removal purposes) – Commissioner Dzedzic commented saying maybe they could use signage saying these spots are reserved for Family Enrichment Network</li> </ul>	
<b>VOTING</b>	
<b>MOTION</b> that the Planning Commission intends to act as Lead Agency in SEQR review and that the action is Type II action under SEQR	
<b>FIRST:</b> Corcoran	<b>SECOND:</b> Weiss
<b>AYE(S):</b> Dzedzic, Priest, Weiss, Corcoran, DiFulvio, O'Brien	<b>NAY(S):</b>
<b>VOTE:</b> Carried (6-0-1)	
<b>ABSTENTION(S):</b> De Angelo	
<b>MOTION</b> to schedule a public hearing at the October regular meeting	
<b>FIRST:</b> Corcoran	<b>SECOND:</b> O'Brien
<b>AYE(S):</b> Dzedzic, Priest, Weiss, Corcoran, DiFulvio, O'Brien	<b>NAY(S):</b>
<b>VOTE:</b> Carried (6-0-1)	
<b>ABSTENTION(S):</b> De Angelo	

<b>PUBLIC HEARINGS &amp; FINAL DELIBERATIONS</b>	
<b>ADDRESS:</b> 49 Court Street	<b>CASE NUMBER:</b> PC-2022-

<b>DESCRIPTION FROM AGENDA:</b> Site Plan Review to add 9 additional parking spaces to an existing 231 space surface parking lot in the C-2 Downtown Business District		
<b>APPLICANT:</b> Marchuska Brothers Construction, LLC		
<b>REPRESENTATIVE(S):</b> Justin Marchuska, James Caramore		
<b>DISCUSSION POINTS:</b>		
<ul style="list-style-type: none"> <li>▪ No changes have occurred on the side of the applicants</li> <li>▪ 239 comments: County recommended denial of proposal as it was laid out</li> <li>▪ Applicants are willing to compromise with the Planning Staff and plant trees over a certain period (maybe over next 3 years)</li> </ul>		
<b>PUBLIC COMMENT:</b>		
<ul style="list-style-type: none"> <li>▪ Mr. Yonaty spoke in favor of the application. Spoke about how Marchuska Brothers keep their property well maintained and clean, and overall importance of parking in downtown. Furthermore, talks about the city not maintaining their parking garages and one being torn down. Maybe in 3 years Marchuska Brothers will have no tenants in their building. In the long run, it is a win-win for everybody, the city, the county, office space, retail, the forum, everything.</li> <li>▪ Olivia L (Graduate Student at Binghamton University, studying Sustainability) spoke in opposition. Environmental benefits of having trees downtown, it is good for the psyche of residents who walk around every day to see greenery. Would like to have a promise from Marchuska Brothers LLC to increase vegetation on their site. Parking spaces do have a lot of benefits, but we should not forget about environmental and health benefits of vegetation in a highly commercialized area.</li> </ul>		
<b>VOTING</b>		
<b>MOTION</b> that the requirements for Site Plan Review have been met and therefore the application has been conditionally approved, subject to the following: <b>applicant install 12 trees within 36 months of approval, and that they use the city’s recommend street trees from the shade tree commission or that the Planning commission is ok with</b>		
<b>FIRST:</b> Corcoran	<b>SECOND:</b> Priest	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Dziedzic, Priest, Weiss, Corcoran, DiFulvio, O’Brien	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> De Angelo

<b>ADDRESS:</b> 168 Water Street		<b>CASE NUMBER:</b> PC-2022-
<b>DESCRIPTION FROM AGENDA:</b> Site Plan Review for the conversion of floors 2-5 of an existing commercial building to 18 dwelling units with 26 total bedrooms in the C-2 Downtown Business District		
<b>APPLICANT:</b> 168 Water LLC		
<b>REPRESENTATIVE(S):</b> Josh Bishop		
<b>DISCUSSION POINTS:</b>		
<ul style="list-style-type: none"> <li>▪ Market rate housing – young professionals, people that work Downtown, little bit of high-end housing (stone countertops, nice finishes)</li> <li>▪ [18] apartments on floors 2,3,4, mostly one bedroom, 2 bedrooms, and couple 3 bedrooms</li> <li>▪ 9 parking spaces remaining as is</li> <li>▪ 2 means of egress</li> </ul>		
<b>PUBLIC COMMENT:</b>		
<ul style="list-style-type: none"> <li>▪ No one spoke in favor or against the application</li> </ul>		
<b>VOTING</b>		
<b>MOTION</b> that the requirements for Site Plan Review have been met and therefore the application has been approved		
<b>FIRST:</b> Corcoran	<b>SECOND:</b> Dziedzic	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Dziedzic, Priest, Weiss, Corcoran, DiFulvio, O’Brien	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> De Angelo

<b>OTHER BUSINESS</b>		
<b>DESCRIPTION: <u>Student Housing Legislation</u></b> - proposed legislation to amend the zoning ordinance to change the definition of "Family" such that a group of 4 or more unrelated college students shall be presumed to not constitute a family, and rezoning a section of the City bound by Seminary Ave and Ayres St and Chestnut St and Oak St		
<b>MOTION:</b> The Planning Commission recommends approval subject to including language allowing off-site parking to be located remotely within 250 feet and encouraging Council to consider regulations around garbage storage		
<b>FIRST:</b> Dziecic	<b>SECOND:</b> Priest	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Dziecic, Priest, Corcoran, DiFulvio, O'Brien, Weiss	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> De Angelo

<b>DESCRIPTION: <u>Cannabis Business Legislation</u></b> - An ordinance amending Ch. 410 of the code of ordinances, Zoning, to allow Cannabis-related businesses in certain zoning districts. Three types of businesses: Industrial, On-site use, and Retail		
<b>MOTION:</b> To recommend approval		
<b>FIRST:</b> Dziecic	<b>SECOND:</b> Priest	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Dziecic, Priest, Corcoran, DiFulvio, O'Brien, Weiss	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> De Angelo

<b>DESCRIPTION: <u>Rezoning of 187 Clinton Street</u></b> – City request to rezone this site. Proposal is in works to get funded by the State to develop affordable housing at this location. This lot is currently zoned as industrial and industrial districts cannot consist of dwelling units. In order to do a mixed unit building on this site, we would need to rezone it to C-4, it makes the most sense because most of the neighborhood around this plot is C-4, so it would fit right into the neighborhood		
<b>MOTION:</b> Planning Commission recommend approval of this proposal		
<b>FIRST:</b> Corcoran	<b>SECOND:</b> O'Brien	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Dziecic, Priest, Corcoran, DiFulvio, O'Brien, Weiss	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> De Angelo

<b>ADJOURNMENT</b>		
<b>MOTION</b> to adjourn		<b>TIME:</b> 7:30 PM
<b>FIRST:</b> Dziecic	<b>SECOND:</b> Corcoran	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Dziecic, Priest, Corcoran, DiFulvio, O'Brien, Weiss	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> De Angelo