



City of Binghamton Planning Department

SUMMARY OF MINUTES CITY OF BINGHAMTON PLANNING COMMISSION	
MEETING DATE: October 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	
Shalin Patel	Planner, Planning Department	
Greg Buell	Zoning Officer, Planning Department	
Sharon Sorkin	Corporation Counsel	

APPROVAL OF MINUTES		
MOTION to approve the September 12, 2022 meeting minutes as written		
FIRST: O'Brien	SECOND: Dziedzic	VOTE: Carried (5-0-2)
AYE(S): Corcoran, O'Brien, Dziedzic, Weiss, De Angelo	NAY(S):	ABSTENTION(S): DiFulvio, Priest

SEQR DETERMINATIONS	
ADDRESS: 183 Water Street	CASE NUMBER: PC-2022-0012
DESCRIPTION FROM AGENDA: Site Plan Review and special use permit for the construction of a 10-story building with a 549-vehicle public parking garage and 120 upper-story dwelling units in the C-2 Downtown Business District	
APPLICANT: United Group-Pike Development Joint Venture	
REPRESENTATIVE(S): Clair Fisher (Whitham Planning and Design), Antonino Borgese (CJS Architects)	
DISCUSSION POINTS:	
<ul style="list-style-type: none">▪ Less than 1 acre of land is being used for the project▪ The new building (parking garage + residential units) will not be attached to the Boscov's building in its entirety▪ Garbage: trash holding area on 1st floor; bins would be brought out for trucks to come and pick it up▪ 5 story public parking garage with roughly 500 spaces with 120 market rate residential dwelling units above the garage (floors 5-10)	

<ul style="list-style-type: none"> ▪ Precast concrete parking garage as a base for the 5 floors of residential units above it (using a variety of cladding systems for the façade and such) ▪ Commissioner (Dziedzic) asked following questions: what are the net spaces between the old parking garage and the new garage? And who will be the owner/operator of the building? ▪ The parking structure will be owned and operated by the city, while the United Group will be leasing the rights to the residential units above ▪ Commissioner (DeAngelo) commented about the deterioration of the existing garage due to salt corrosion of the steel material and asked the Architect (Borgese) if they have a high-level approach to make sure the new structure will last for years <ul style="list-style-type: none"> A. The Architect replied with “we are using up to date standards with regards to parking garage construction. Working closely with a pre-stress concrete manufacturer that deals with these types of structures all of the time. There will be consideration in the design of the pre-cast numbers, to ensure there is a longer life to the structure itself. We are building a residential building on the top of the parking structure, which provides some cover and protection as supposed to it being completely open air.” 		
VOTING		
MOTION that the Planning Commission intents to act as Lead Agency in SEQR review and that the action is Type I under SEQR		
FIRST: Corcoran	SECOND: Weiss	VOTE: Carried (5-0-2)
AYE(S): Corcoran, Weiss, O’Brien, De Angelo, Dziedzic	NAY(S):	ABSTENTION(S): Priest, DiFulvio
MOTION to schedule a public hearing at the November regular meeting at 5:25 PM		
FIRST: Corcoran	SECOND: Weiss	VOTE: Carried (5-0-2)
AYE(S): Corcoran, Weiss, O’Brien, De Angelo, Dziedzic	NAY(S):	ABSTENTION(S): Priest, DiFulvio

SEQR DETERMINATIONS	
ADDRESS: 162, 180 and 184-186 Henry St, 77 Pine St, and 229 Court St	CASE NUMBER: PC-2022-0013
DESCRIPTION FROM AGENDA: Site Plan Review and special use permit for the construction of a mixed-use building with 65 dwelling units and 4,300 square feet of commercial space and two ancillary parking areas in the C-4 Neighborhood Commercial District and R-2 One- and Two-Unit Dwelling District	
APPLICANT: Kearney Realty and Development Group	
REPRESENTATIVE(S): Dominic Emilio (Engineer representing the applicant)	
DISCUSSION POINTS: <ul style="list-style-type: none"> ▪ 4 lots (3 on Henry, 1 on Pine Street(s)) being purchased by the applicant from the city ▪ 65 residential units, [43] one-bedroom and [22] two-bedroom and ~4300 sq. ft of commercial space on first level fronting Henry Street ▪ Garbage enclosure was located on Pine Street originally (ZBA and the neighbors not pleased with the decision) ▪ There is an addition of a bicycle room on the 1st floor near the lobby of residential units which is on the Chapman Street side of the property; applicant is also willing to provide bicycle racks on the sidewalk to meet the requirements ▪ Neighbor (Eric Leonard) submitted their own study for their solar panels, they said they would lose 30% of exposure (citing the building height blocking the sun from hitting their solar panels) ▪ Representative (Dominic) commented saying that the building on Pine St will not be 54 ft tall (mentioned by Eric L), instead it will only be 36 ft. Dominic commented about the losing of some sun exposure is in the evening hours and much of the neighbor’s building is already covered by trees, which are much taller 	

<p>than the building. Plus, Dominic also commented that the building directly to the west is close to 30 feet tall as well, which is a factor that needs to be considered. Allowable maximum building height on Pine St is 35 feet, and setbacks which are less than what is being proposed by the project.</p> <ul style="list-style-type: none"> ▪ Commissioner (Dziedzic) commented about the importance of parking and seeing as this applicant can only provide 21/79 required spaces, it will make it much difficult for all of the parties involved 		
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: Dziedic	VOTE: Carried (5-0-2)
AYE(S): Corcoran, Weiss, O'Brien, De Angelo, Dziedzic	NAY(S):	ABSTENTION(S): Priest, DiFulvio
MOTION to schedule a public hearing at the November regular meeting at 5:30 PM		
FIRST: Corcoran	SECOND: Dziedic	VOTE: Carried (5-0-2)
AYE(S): Corcoran, Weiss, O'Brien, De Angelo, Dziedzic	NAY(S):	ABSTENTION(S): Priest, DiFulvio

PUBLIC HEARINGS & FINAL DELIBERATIONS	
ADDRESS: 221 Washington St	CASE NUMBER: PC-2022-0014
DESCRIPTION FROM AGENDA: 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	
APPLICANT: Stonebridge Campus Living	
REPRESENTATIVE(S): Absent (Religious reasons)	
DISCUSSION POINTS:	
<ul style="list-style-type: none"> ▪ Case is being tabled to November's Planning Commission meeting 	
PUBLIC COMMENT:	
<ul style="list-style-type: none"> ▪ Zoran and Eugenie Nenadich spoke against the project. They provided 3 different statements, one from themselves, another from their business partners (DDBing Properties LLC), and a 3rd one from a resident (Thomas M) living at 217 Washington St. (Full statements will be provided upon request). ▪ Key highlights from the 3 statements include the following: <ul style="list-style-type: none"> - Multiple noise complaints filed with BPD - Open container and underage drinking - Public urination (including on the Federal Court House) - The destruction of public and private property (including destruction of handicap parking posts) - 221 Washington St address does not hold proper license nor permits to operate the business they are operating in the basement (menacing, illegal nightclub) - Due to the various problems caused by the 221 Washington St neighbors, we have had difficulty renting market rate housing, renters have broken leases due to the noise and menace of the nightclub - We endure constant damage to our property including our rooftop and façade, as well as litter, vomit, and urination - We have lost an estimated \$10,000 in annual revenue due to the closing of operations during daytime party events. Ex: BU Pub Crawl and Santa Con - There has been a constant disruption in business operation and experience, not just for our business, but for our neighbors' too 	
VOTING	
MOTION to table the project to the November meeting	
FIRST: Corcoran	SECOND: Dziedic
VOTE: Carried (5-0-2)	

AYE(S): Corcoran, Weiss, O'Brien, De Angelo, Dziedzic	NAY(S):	ABSTENTION(S): Priest, DiFulvio
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PUBLIC HEARINGS & FINAL DELIBERATIONS	
ADDRESS: 25 Doubleday St	CASE NUMBER: PC-2022-0010
DESCRIPTION FROM AGENDA: Site Plan Review and special use permit to convert an existing building into 10 one-bedroom apartments in the R3 Multi-Unit Dwelling District	
APPLICANT: Family Enrichment Network	
REPRESENTATIVE(S): April Ramsey (Director of Program Development at Family Enrichment Network), Kenneth Gay (Keystone Associates, Architects for the Family Enrichment Network)	
DISCUSSION POINTS:	
<ul style="list-style-type: none"> ▪ [10] one-bedroom housing units with some office space and a community room on 1st floor ▪ 8 parking spaces with addition of an accessible ramp that comes out onto the lot ▪ Permanent easement would be established between the St Paul's Church and the Family Enrichment Network to allow car traffic for parking spaces through the Church's bigger parking lot ▪ Funding for the project is sought from New York State via the Empire State Supporting Housing Initiative (to offer supportive housing to 10 individuals experiencing homelessness), Homeless Housing Assistance Program, HHAP (seeking capital funding) ▪ Commissioner (Dziedzic) commented saying request for reduction in parking spaces, the residents, given their nature, many of them will not own vehicles of any kind (citing to similar comment from last meeting) ▪ The parking lot and the building itself are located on two separate parcels, while the applicant is not opposed to combining them both into one parcel 	
PUBLIC COMMENT:	
<ul style="list-style-type: none"> ▪ Lisa M. Young (26 Doubleday Street) wrote an email in strong opposition to the above project. The entire content(s) of the email can be forwarded upon request. Some of the key highlights from said email include: <ul style="list-style-type: none"> - Diminishing property values, no renters - Turning of a quiet bedroom community into a commercialized area - No resources or programs offered by the St Paul's church to the public - Addition of a supervisor or manager makes it seem more like a hotel or a salvation army than a residential place - People hanging outside the building, creating noise, and littering (known from involvement) - People constantly lose housing because they cannot find transportation to go the DSS office in Downtown due to inadequate transportation and resources - There will 50 or more people who will be crammed into a housing facility across from my two-family house 	
APPLICANT RESPONSE TO PUBLIC COMMENT:	
<ul style="list-style-type: none"> • With the [10] one-bedroom units, the Family Enrichment Network (FEN) would be certified to provide 2 beds per units for a maximum of 20 beds and 20 people in the facility • This facility will be supervised or overseen by Office of Temporary Disability Assistance (OTDA), who comes and provides monitoring to ensure that the FEN is complying with all the policies and procedures set forth in their grant contract • FEN would have a case manager on site to assist individuals who have experienced homelessness, or are experiencing homelessness, they could be coming out of a shelter or are unsheltered. Giving them assistance in becoming successful with daily living skills and self-sufficiency in general. Living skills training will be offered, it is not required but is offered • No security guard on site 24/7, these are independent apartments for individuals to live independently, FEN just offers skills support individuals 	

- This is not part of the church's project, the church is not receiving a grant, it is a grant funding that FEN would be receiving. The church is just a seller of the property to FEN.

VOTING

MOTION to recuse Kelly Weiss for this case

FIRST: Choose an item.	SECOND: Choose an item.	VOTE: Carried (4-0-2)
AYE(S): Corcoran, Dziedzic, O'Brien, De Angelo	NAY(S):	ABSTENTION(S): Priest, DiFulvio

MOTION that the requirements for Site Plan Review and Special Use Permit have been met and therefore the application has been met and conditionally approved, subject to the following: the easement for vehicle circulation through the church parking lot be obtained and that the Planning Commission is approving the waiver of the 20% of the parking requirement

FIRST: Corcoran	SECOND: Dziedzic	VOTE: Carried (4-0-2)
AYE(S): Corcoran, Dziedzic, O'Brien, De Angelo	NAY(S):	ABSTENTION(S): Priest, DiFulvio

ADJOURNMENT

MOTION to adjourn		TIME: 6:46 PM
FIRST: Dziedzic	SECOND: De Angelo	VOTE: Carried (5-0-2)
AYE(S): Dziedzic, De Angelo, Weiss, Corcoran, O'Brien	NAY(S):	ABSTENTION(S):