



# City of Binghamton Planning Department

SUMMARY OF MINUTES CITY OF BINGHAMTON PLANNING COMMISSION	
<b>MEETING DATE:</b> November 15, 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	
Dylan Pelton	Building, Construction & Code Enforcement	
Sharon Sorkin	Corporation Counsel	

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

**Commissioner(s) Dziedzic and De Angelo recommended amending meeting minutes from October 11, 2022, Planning Commission meeting and adding few details to the minutes (183 Water St applicant's response to concerns brought up by Commissioner De Angelo and adding Sharon Sorkin's name for Corporation Counsel).**

**Commissioner Dziedzic recused himself (at ~5:20 PM) due to the geographic location of his residence being in a close proximity to the address of Fairview Recovery Services Project (Case 1 on the agenda). He returned promptly (at ~5:32 PM) after the conclusion of aforementioned case.**

SEQR DETERMINATIONS	
<b>ADDRESS:</b> 110 Fairview Ave	<b>CASE NUMBER:</b> PC-2022-0015
<b>DESCRIPTION FROM AGENDA:</b> Site Plan Review for the construction of a 12,750ft <sup>2</sup> building with 20 sleeping units on an existing Social Services campus in the R-2 One-and Two-Unit Dwelling District	

<b>APPLICANT:</b> Fairview Recovery Services		
<b>REPRESENTATIVE(S):</b> Sarah Campbell (Hinman, Howard, Kattell, LLP) and Kenneth R. Gay (Keystone Associates)		
<b>DISCUSSION POINTS:</b>		
<ul style="list-style-type: none"> <li>▪ 2<sup>nd</sup> application for the same project (1<sup>st</sup> one had strong opposition from the neighbors)</li> <li>▪ Construction of a new building (NOT a crisis center) and demolition of an old administrative building on an existing campus. It will no longer be located on a vacant land north of the existing structure (listened to the neighbors and comments made by PC from application #1)</li> <li>▪ People will no longer be entering the facility from Clapham or East streets; they will be entering it via Merrick Street through the parking lot. This will reduce the overall footprint of the site while addressing some of the concerns of the neighbors</li> <li>▪ 55 parking space(s) lot (51 on the lower area by Merrick St, 4 on the upper area by Clapham St)</li> <li>▪ Owner has replaced lights, as well as designated 3 areas on its campus for smoking, as they were a concern addressed by the neighbors from previous application</li> <li>▪ Applicant is willing to modify the plans to address comments regarding addition of landscaping on the proposed site</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 Unlisted under SEQR		
<b>FIRST:</b> Corcoran	<b>SECOND:</b> Priest	<b>VOTE:</b> Carried (5-0-1)
<b>AYE(S):</b> Corcoran, Priest, De Angelo, DiFulvio, O'Brien	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> Weiss
<b>MOTION</b> to schedule a public hearing at 5:20 PM on December 12, 2022, regular meeting		
<b>FIRST:</b> Corcoran	<b>SECOND:</b> Priest	<b>VOTE:</b> Carried (5-0-1)
<b>AYE(S):</b> Corcoran, Priest, De Angelo, DiFulvio, O'Brien	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> Weiss

<b>SEQR DETERMINATIONS</b>	
<b>ADDRESS:</b> 26-34 Wall St	<b>CASE NUMBER:</b> PC-2022-0016
<b>DESCRIPTION FROM AGENDA:</b> Site Plan Review and special use permit for the conversion of the ground floor of an existing office building into a Place of Worship in the C-2 Downtown Business District	
<b>APPLICANT:</b> Chabad of Binghamton <b>REPRESENTATIVE(S):</b> Levi Slonim (Rabbi, Chabad of Binghamton) <b>DISCUSSION POINTS:</b> <ul style="list-style-type: none"> <li>▪ Applicant has been in the area for 38 years, serving mainly the students at Binghamton University as well as local community members throughout the Broome County</li> <li>▪ With development of Downtown Binghamton and high concentration of students in the area, there have been requests made to expand the Chabad House services to the downtown for students and community members alike</li> <li>▪ Current leased space on Henry St does not meet the needs for the applicant in many ways, so they are looking for a permanent presence/option to call their home</li> <li>▪ Applicant will only be utilizing the 1<sup>st</sup> floor of the 26-34 Wall St building (areas for meals, weekly assembly for services, hospitality suite, residential space, commercial kitchen, programming, classrooms, etc.)</li> <li>▪ 62 space(s) parking lot (no minimum spaces required in the C-2 District for an existing building)</li> <li>▪ Outdoor area (will occupy up to 4 or more parking spaces): Plan is to create a space where students can do work/study, hangout in the months that there is nice weather. The word Suka is a holiday celebrated for 8 day(s) of the year, where a temporary outdoor structure is built, and meals would be served under the structure 3-4 times throughout the holiday.</li> <li>▪ Commissioner (Dziedzic) commented about staff findings regarding updating the parking diagram to show compliant drive aisles and no stacked spaces and if it can be updated before the public meeting.</li> </ul>	

<ul style="list-style-type: none"> <li>Specifications would be provided by the staff to the applicant for appropriate updates to the plans</li> <li>Applicant is willing to add bicycle parking on site, per staff request</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 under SEQR, no further environmental review is required		
<b>FIRST:</b> Corcoran	<b>SECOND:</b> Dziedic	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Corcoran, Priest, De Angelo, DiFulvio, O'Brien, Dziedzic	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> Weiss
<b>MOTION</b> to schedule a public hearing at 5:25 PM on December 12, 2022, regular meeting		
<b>FIRST:</b> Corcoran	<b>SECOND:</b> Dziedic	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Corcoran, Priest, De Angelo, DiFulvio, O'Brien, Dziedzic	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> Weiss

<b>SEQR DETERMINATIONS</b>		
<b>ADDRESS:</b> 45 Carroll St & 20-24 Lisle Ave	<b>CASE NUMBER:</b> PC-2022-0011	
<b>DESCRIPTION FROM AGENDA:</b> Site Plan Review and special use permit for the construction of a 5 story Social Services facility with 60 sleeping units and a childcare center in the R-3 Multi-Unit Dwelling District		
<b>APPLICANT:</b> FAHS Construction		
<b>REPRESENTATIVE(S):</b> Carole Coppens (Executive Director, YWCA), Richard Vitto (Architect), Carl Guy (President, FAHS Construction)		
<b>DISCUSSION POINTS:</b>		
<ul style="list-style-type: none"> <li>YWCA have purchased properties/spaces at these addresses. (YWCA: stakeholders in the Coalition for the homeless of the Southern Tier; incorporated in the City of Binghamton in 1892, providing safe housing for women for 130 years)</li> <li>Intergenerational campus comprised of 68 affordable housing units coupled with state-of-the-art Day Care center (there is lack of such housing located in the area for the population YWCA serves, below-very low-no income; set aside of approximately 30% housing devoted to domestic violence survivors within that campus)</li> <li>Applicant is proposing to gut and completely strip down the interior of the Urban League building at 45 Carroll St and will reconstruct it for state-of-the-art day care center (~11,000+ ft<sup>2</sup>)</li> <li>68 dwelling units building (~43,000+ ft<sup>2</sup>) on Lisle Ave side of the project will be 5 stories tall with ([24] 0-bedrooms, [36] one-bedroom and [8] two-bedroom apartments.</li> <li>21 parking spaces to be constructed on the 1<sup>st</sup> floor of the Lisle Ave building, going into the yard along with offices and support spaces for residential and parent services</li> <li>Commissioner (Dziedzic) commented about the 21 parking spaces and whether it will be exclusive for staff, for the residents, or both.</li> <li>Representative (Ms. Coppens) commented that these spaces will be exclusive to the staff. But they are in communication with the Koffman Southern Tier Incubator (Binghamton University), to rent spaces from their larger parking lot, which is located directly across from Lisle Ave proposed project site</li> <li>Applicant will also be acquiring multiple variances, one for building height, for parking, some side space on an existing building that is part of the project.</li> <li>Commissioner (O'Brien) made a comment asking a question: upon completion of this project, will the Hawley St site close down?</li> <li>Representative (Ms. Coppens) commented saying that the YWCA has no plans of moving away or closing down the Hawley St site</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 I under SEQR		
<b>FIRST:</b> Corcoran	<b>SECOND:</b> O'Brien	<b>VOTE:</b> Carried (6-0-1)

<b>AYE(S):</b> Corcoran, Priest, De Angelo, DiFulvio, O'Brien, Dziedzic	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> Weiss
<b>MOTION</b> to schedule a public hearing at 5:30 PM on December 12, 2022, regular meeting		
<b>FIRST:</b> Corcoran	<b>SECOND:</b> O'Brien	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Corcoran, Priest, De Angelo, DiFulvio, O'Brien, Dziedzic	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> Weiss

<b>SEQR DETERMINATIONS</b>		
<b>ADDRESS:</b> 59 Court St	<b>CASE NUMBER:</b> PC-2022-0009	
<b>DESCRIPTION FROM AGENDA:</b> Site Plan Review and Special Use Permit for the conversion of the upper seven floors of an existing office building into 57 dwelling units with 76 total bedrooms in the C-2 Downtown Business District		
APPLICANT: James Slocum REPRESENTATIVE(S): James Slocum DISCUSSION POINTS:		
<ul style="list-style-type: none"> <li>▪ Redevelopment of upper 7 floors of an existing building (total of 8 stories) into three phases</li> <li>▪ Phase I (floors 6, 7, 8) much smaller footprint consisting of 18 units and 24 bedrooms total</li> <li>▪ 66 dwelling units with 87 bedrooms, composed of 1-, 2-, and 3-bedroom units (this is an updated site plan, one which was not provided to the Planning Department)</li> <li>▪ Commissioner (Dziedzic) commented about the availability of parking being a concern since it is already a nightmare to park downtown.</li> <li>▪ Since this is an existing building located in the C-2 Downtown Business District, there is no minimum parking requirements, but the applicant will work with local garages to get parking where possible. Staff member (Martinez) commented, "It is correct. If its 3 beds or less, there is no parking requirement, if its 4 beds or greater, it requires parking on site."</li> <li>▪ Chair (Corcoran) commented further on parking issue: "are there a lot of people looking for apartments that they legit do not have cars or they would be looking for apartments that came with a parking space?"</li> <li>▪ Applicant answered, a lot of people are looking for apartments downtown, it is not a whole lot different than renting to offices, similar amount of people requires parking to get to work. A lot of the offices are not making a comeback after COVID. A lot of our existing tenants have converted into satellite officing or meeting spots. Commercial tenants do not have assigned parking spaces; they use the parking ramps.</li> <li>▪ Commissioner (Dziedzic) asked the applicant on their goal of the housing being not exclusive to students. He furthermore commented on his curiosity of how many young professionals would want to rent a 14x14 studio apartment. <ul style="list-style-type: none"> <li>▪ Applicant: 1–2-bedroom units are interchangeable with students and young professionals</li> <li>▪ Chair (Corcoran) commented about there being no plans for communal space, gym, or a study area</li> <li>▪ Applicant mentions that there is an amenity space (in house laundry room, potentially a small gym) on the 2<sup>nd</sup> floor on west side with no windows (this is part of an updated plan not sent to the Planning Department)</li> </ul> </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 under SEQR, no further environmental review is required		
<b>FIRST:</b> Corcoran	<b>SECOND:</b> De Angelo	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Corcoran, Priest, De Angelo, DiFulvio, O'Brien, Dziedzic	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> Weiss
<b>MOTION</b> to schedule a public hearing at 5:35 PM on December 12, 2022, regular meeting		
<b>FIRST:</b> Corcoran	<b>SECOND:</b> O'Brien	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Corcoran, Priest, De Angelo, DiFulvio, O'Brien, Dziedzic	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> Weiss

**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):** Martin A. Miranda (Associate, Toohar & Barone, LLP),

**DISCUSSION POINTS:**

- Commissioner (Dziedzic) commented asking how long Stonebridge Campus Living has owned the 221 Washington St building. And a significant issue is the official letter from Chief of Police expressing his uncomfortableness with this project. Has the applicant met with the BPD to address his concerns?
- Representative replied since August 2021. Condemption of the basement space occurred in February. Applicants have been corresponding with the Police Department, have yet to receive a response, but that should not be construed as anything negative. Amenity spaces are desired (based on 59 Court St project), there is no issues with the space per se, it may make policing difficult as any interior space, but these spaces do foster healthier environments when they are managed correctly, to make sure students are presenting themselves appropriately. That is what the current owner is expressing through their measures that they would like to take upon PC approval.
- Counsel (Sorkin) commented, the applicant and the police chief should not communicate about the project while its pending before the commission. That should not be construed against the applicant. The Police Chief always cites safety concerns associated with any basement or underground social space, and that includes in our state liquor authority applications. That might be a proper ground to consider, but not the lack of communication between the applicant and the Police Chief.
- There is a video camera installed in the lobby space, which monitors who comes in/out of the building as well as goes in/out of the basement. Other entrances and exits will be monitored via video cameras, key fobs, and more secure locks. The owner is willing to work with the neighbors and respond to any additional recommendations and feedback from neighbors and the police to make sure that this is an appropriate space for students.
- Chair (Corcoran) commented about the plan that shows a giant open area. He asked the applicant representative and attorney if they would be willing to submit a new plan that breaks up the space into appropriate designed use or function. Ex: furniture layout, space for study area, a gym perhaps, etc.
- Counsel (Sorkin) commented that the applicant should indicate the location of cameras, whether or not if they are external or internal on an updated site plan along with location other entities mentioned in the case.
- Commissioner (Priest) commented asking about whether or not there will be a dedicated security team keeping an eye on the space 24/7?
- Commissioner (DiFulvio) commented if applicants have any idea of the history of police calls to the building or any issues that required the police to be called in?
- Commissioner (De Angelo) commented, he would be extremely concerned about any public use of a building in a basement. If going on what Chair (Corcoran) said about dividing a space up. If this were on the 1<sup>st</sup> floor of the building where there are windows or fire escapes, then it's a different issue. But any group of 50-100 people in a basement is a concern. Proposal of a hookah bar (at corner of State and Court St) I think had 2-3 exists, but it still raised a lot of concerns from the Fire Marshal and in the end that project did not get approved. My view of a project that would be in a basement is all about safety. I would have to be convinced at length that anything that you propose has been screened through every possible city agency that's responsible for code review. I would offer no votes either way until that is done.
- Commissioner (O'Brien) commented that it's a valiant effort from the applicant to go on their back for their tenants on this project, but this has been a 2<sup>nd</sup> straight month where we had a public meeting/comment for this project and not one of the tenants has bothered to show up to the meeting. And the representative keeps on mentioning how important this space is to the students and tenants of the building. "I am much

more swayed by your neighbors who have taken time out of their busy schedules to come down and voice their opinions.”

- Commissioner (Dziedzic) commented, how would the applicants make the letter filed by the Chief of Police go away? Or will the letter never go away because the social space is in the basement?
- Counsel (Sorkin): some of the concerns that were raised by the commission and ideas presented by the applicant about how to enhance safety measures might influence the Chief’s concerns on safety risks.
- Staff member (Martinez): it could be a similar plan drawn to scale, have dimensions that show ingress/egress of the space, camera locations, and if the space is going to be separated into different uses, that there will be actual physical partitions, so that no one room can host a large occupancy.
- Commissioner (De Angelo) asked about if there were any heating/cooling systems in the basement?
- Applicant said there is a firewall and storage for the left hand side only owners have access to the material and the units above have their own on their floors.

**PUBLIC COMMENT:**

- **Thomas M (resident at 217 Washington St – ~4 years)** spoke in opposition of the project. “What I have seen and experienced is not hypothetical. They are not perceptions and attitudes. This building has been used as a party house and is rented out to student who like to party, and they party hard. Recreation studies, they are not watching Alfred Hitchcock movies and analyzing the cinematography. This is not what these students are interested in using this space for. I have seen things that I do not want to describe. I just want to make sure that these aren’t just perceptions, these aren’t oh they just think they have a misperception that this will go away.”
- **Zoran Nenadich (Co-owner/operator of The Shop at 219 Washington St)** spoke in opposition of the project. “I just want to show our faces one more time and hope the commissioners will make the right choice and listen to what we have to say. And refer to all of the documents we have submitted previously. Also, if there is a proposal to use the space in a different manner than it was used so far, is there a way for them to guarantee that there will be no alcohol use in that space? I operate a similar establishment, but I also answer to New York State Liquor Authority and New York State Police and anyone else that wants to come in.”

**APPLICANT RESPONSE TO PUBLIC COMMENT:**

- Attorney (Miranda): “This build has a history of party activity, but that is what the new owner is trying to change through some safety mechanisms and measures. To also monitor or document any inappropriate activity in an event something like that does happen. I don’t think the space is promoting that sort of opportunity. This problem of underage drinking is a problem of all college campuses beyond a specific building.”
- Attorney (Miranda): The owner wants to be proactive and listen to the neighbors and the PC to make sure that this space is a good space for the group and provides a healthy environment for the students. Since the basement space has been condemned, the new owner has forbidden use of laundry space in the basement outside of regular business hours to its tenants. There will be regulated hours at some point once this space is approved and used. We hope that general regulations and monitoring would help ease some of the concerns of the community and this commission despite the past history of this building.
- Alcohol problem is a problem with any environment, Whether it’s a bar, it’s a hotel, or a dorm room. The way to prevent that is through general monitoring, deterrence, through being a proactive/responsible owner and by keeping the space and conditions that makes people want to live there rather than party there.
- In terms of proactive monitoring, there is a 24/7 close circuit camera with 7-day tape record to go back to and see for any potential wrongdoings
- There will be no dedicated security team, it will most likely be a staff member who will do so. It is not necessary to have a full time at this point. Once you partition this space, so that it isn’t a big empty space, and addition of cameras will deter people from engaging in activity that have caused issues previously.
- Attorney (Miranda): the only police issues that have transpired relate to noise, which were due to parties after hours. This is something we are trying to stop with some of our measures. The last time this occurred was in February. It wasn’t condemned because of partying, but because there was a problem with the 1<sup>st</sup>

floor support beams and an inspector needed to have a visual inspection of those by going into the basement and realized the basement was violating a code without a certificate of occupancy.

- “Heard some pretty serious allegations being made about what has happened near this building or from tenants of this building, I do not think that is actually the case. If you can tie this building to some of those activities. I have heard references to some of the larger events, Santa Con, Pub-crawl, and there was a young lady who ended up somewhere. I do not think she was tenant there; I think she was an attending. The neighbors who have raised these issues, I think it’s just this perception concern that continues to be raised without concrete examples. But if these examples are tied to tenants of this building, this owner will be very proactive to make sure any bad apples do no cause systemic problems with the community or with the building.”

**VOTING**

**MOTION** to re-open the public meeting

<b>FIRST:</b> Corcoran	<b>SECOND:</b> Dziedzic	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Corcoran, Dziedzic, De Angelo, DiFulvio, Priest, O’Brien	<b>NAY(S):</b>	<b>ABSTENTION(S):</b>

**MOTION** to table the project until the December 12, 2022, meeting at 5:40 PM

<b>FIRST:</b> Corcoran	<b>SECOND:</b> Priest	<b>VOTE:</b> Carried (6-0-1)
<b>AYE(S):</b> Corcoran, Dziedzic, De Angelo, DiFulvio, Priest, O’Brien	<b>NAY(S):</b>	<b>ABSTENTION(S):</b>

**Commissioner DiFulvio recused himself (at ~6:58 PM) due to his relations with the representative presenting the Henry St project for Kearney Realty and Development Group. He returned promptly after the completion of the case hearing by the Planning Commission.**

**PUBLIC HEARINGS & FINAL DELIBERATIONS**

**ADDRESS:** 162, 180 and 184-186 Henry St, 77 Pine 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 one ancillary parking area 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

**DISCUSSION POINTS:**

- 229 Court St parcel was removed from the application, because it ended up not being available from the city
- There is a memo of understanding between Kearney and the Rumble Ponies for the long-term lease of 30 spaces from the Rumble Ponies parking lot, plus the applicant still has 10 spaces from the 162 Henry St parcel
- Interior garbage space on the 1<sup>st</sup> residential level, added a retaining wall and exist on the east side of the building with a walkway north out to the Henry St – addressing concerns about garbage collection from the public comments made in the past
- Submitted a summary and report of findings based on a shade study performed by the applicants. It was found that combination of removing the tress required in the construction of the new building, while it may shade those panels some, there is a net positive effect of the project on Mr. Leonard’s solar panels
- In addition to interior bike storage on the 1<sup>st</sup> floor of the building, the engineers did add 3 more bike rack station along Henry St and one along Pine St
- Commissioner (O’Brien) commented about the 15-year agreement between Rumble Ponies and Kearney Realty Group for 30 spaces worth parking. What will happen after 15 years?
  - As other parcels become available in the area over the next 15 years, there may be opportunities to obtain those parcels to provide additional parking that Kearney group can control. The variance will be

written as any additional spaces the group can provide between now and 15 years from now, the total will be deducted to maintain 40 spaces.

- Chair (Corcoran) asked about the applicability of shade study and how it is performed?
  - 3D computer program – input shapes and sizes of a structure. Used ariel imagery along with another software to find conservative tree canopy height and put it in the program and ran the model for a year time. In the end it tells what the output of the solar panels at their location is with these obstructions and ran it again with the trees removed and new building inserted, then it tells the difference. No specifics for the neighbor (Eric Leonard)’s panels, but the number is accurate in terms of solar access to the site. (It goes from 86.4% to 96.2%). A lot of the time the new building will be shading the panels will be when the sun is very low and during evening times, which does not get the neighbor the most efficiency and angle of sun rays during that time.

**PUBLIC COMMENT:**

- No one spoke for or in opposition of the project

**VOTING**

**MOTION** to close the public meeting

<b>FIRST:</b> Dziedzic	<b>SECOND:</b> De Angelo	<b>VOTE:</b> Carried (5-0-1)
<b>AYE(S):</b> Dziedzic, De Angelo, Corcoran, Priest, O’Brien	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> Weiss

**MOTION** to issue a negative declaration under SEQR

<b>FIRST:</b> Corcoran	<b>SECOND:</b> De Angelo	<b>VOTE:</b> Carried (5-0-1)
<b>AYE(S):</b> Corcoran, Dziedzic, De Angelo, Priest, O’Brien	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> Weiss

**DELIBERATIONS:**

**MOTION** that the requirements for Site Plan Review and Special Use Permit have been met and therefore the application has been met and approved

<b>FIRST:</b> Corcoran	<b>SECOND:</b> Dziedzic	<b>VOTE:</b> Carried (5-0-1)
<b>AYE(S):</b> Corcoran, Dziedzic, De Angelo, Priest, O’Brien	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> Weiss

**PUBLIC HEARINGS & FINAL DELIBERATIONS**

<b>ADDRESS:</b> 183 Water Street	<b>CASE NUMBER:</b> PC-2022-0012
<b>DESCRIPTION FROM AGENDA:</b> 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	
<b>APPLICANT:</b> United Group-Pike Development Joint Venture	
<b>REPRESENTATIVE(S):</b> JACOB VON MECHOW (Senior Designer, Whitham Planning Design Landscape Architecture), Mike Gestwick (Pike Development)	
<b>DISCUSSION POINTS:</b> <ul style="list-style-type: none"> <li>▪ Variances (building height and lot coverage) have not been approved yet</li> <li>▪ Received preliminary County comments (239 Review), long list of comments, but in their opinion the PC should hold off on final decision without a Traffic Impact Study (TIS) and documentation that the design conforms to the city’s historic guidelines. The CAUD has to review this design and they’ll have to document to CAUD that they are conforming to their historic guidelines. The TIS is a recommendation from the County because they anticipate over 100 trips to this location, that is their threshold, the PC can/may not choose to ask for this information. <b>(Staff member Martinez)</b></li> <li>▪ <b>Chair (Corcoran)</b> asked about the number of spaces between the old garage and proposed construction of the new garage.</li> <li>▪ Applicant says the old garage had approximately 600 spaces, while the new one will feature approximately 500 spaces</li> </ul>	



- New curb opening has to be approved by the Traffic Board. When there is a new curb opening, the city has to amend the city's traffic code, so it has to go to that board for that purpose. (Staff member Martinez)
- **Commissioner (De Angelo)** commented, the existing parking garage had a collection system for when snow melted for taking all the water through the sewer system. Is the applicant going for a LEED certification or what will they do with the water? Is it going into the sewer system? That is something that would be a benefit if it was not all going the same way.
  - **Applicant:** Roughly 2/3s of the parking garage will be covered by the apartment building on top of it, so there is only a small part of the garage that will be exposed to the snow collection, so there are no plans for a snow-melting system. Snow will be managed in coordination with the city and stockpiled as appropriate. All of the runoffs will be similar to the old garage structure

**PUBLIC COMMENT:**

- No one spoke for or in opposition of the project

**Public hearing was opened at 7:12 PM and closed at 7:13 PM**

**MOTION** to issue a negative declaration under SEQR

<b>FIRST:</b> Corcoran	<b>SECOND:</b> Priest	<b>VOTE:</b> Carried (6-0-1)
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<b>AYE(S):</b> Corcoran, Priest, Dziedzic, O'Brien, DiFulvio, De Angelo	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> Weiss
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**MOTION** to table the project

<b>FIRST:</b> Corcoran	<b>SECOND:</b> Dziedzic	<b>VOTE:</b> Carried (6-0-1)
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<b>AYE(S):</b> Corcoran, Dziedzic, O'Brien, De Angelo, DiFulvio	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> Weiss
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<b>ADJOURNMENT</b>
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<b>MOTION</b> to adjourn	<b>TIME:</b> 7:22 PM
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<b>FIRST:</b> O'Brien	<b>SECOND:</b> Everyone	<b>VOTE:</b> Carried (6-0-1)
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<b>AYE(S):</b> O'Brien, Corcoran, De Angelo, DiFulvio, Dziedzic	<b>NAY(S):</b>	<b>ABSTENTION(S):</b> Weiss
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