



City of Binghamton Planning Department

SUMMARY OF MINUTES CITY OF BINGHAMTON PLANNING COMMISSION	
MEETING DATE: July 11, 2023	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
Steve Seepersaud	X	
Kelly Weiss	X	
Emmanuel Priest		X
STAFF MEMBERS PRESENT:	TITLE & DEPARTMENT:	
Tito Martinez	Assistant Director, Planning Department	
Shalin Patel	Planner, Planning Department	
Greg Buell	Zoning Officer, Planning Department	
Elisabeth Rossow	Corporation Counsel	

APPROVAL OF MINUTES		
MOTION to approve the April 4, 2023 meeting minutes as written		
FIRST: Dziedzic	SECOND: Weiss	VOTE: Carried (5-0-2)
AYE(S): Dziedzic, Weiss, Corcoran, De Angelo, Seepersaud	NAY(S):	ABSTENTION(S): DiFulvio, Priest
MOTION to approve the June 6, 2023 meeting minutes as written		
FIRST: Seepersaud	SECOND: Dziedzic	VOTE: Carried (5-0-2)
AYE(S): Dziedzic, Weiss, Corcoran, De Angelo, Seepersaud	NAY(S):	ABSTENTION(S): DiFulvio, Priest
Commissioners Weiss and De Angelo were not present at the June regular meeting, but from reviewing the minutes as presented, they found no details that were out of order or details they took umbrage with, hence they voted to approve the minutes.		

SEQR DETERMINATIONS	
ADDRESS: 151 Court St	CASE NUMBER: PC-2023-0018
DESCRIPTION FROM AGENDA: Site Plan Review and special use permit for a Light Industrial facility in an existing mixed-use building in the C-2 Downtown Business District	
APPLICANT: e-Systems Group	
REPRESENTATIVE(S): John Current (RE Broker, Pyramid Brokerage), Andrew Crumb (General Manager, e-Systems Group)	
DISCUSSION POINTS:	
<ul style="list-style-type: none"> ▪ Relocation of existing business from Conklin, NY, site to above-mentioned address in the City of Binghamton 	

- It is a special use permit, because in the zone (C2 Downtown Business District) the nature of the work pertaining to the applicant is deemed not permitted by right without Planning Commission approval.
- There will be limited amount of traffic, not a lot of foot traffic, no hazardous materials, no noise.
- No major exterior changes to the building will take place, except for an addition of small vent on the rear exterior of the rented property.
- e-Systems Group is a sheet metal fabrication manufacturer, formerly known as SMC (in Broome County since 1945). Build server racks, 911 custom consoles, lots of work for government facilities, etc.
- Chair (Corcoran) asked how many people the applicant anticipates in employing?
 - Representative (Crumb) replied, currently they have 6 employees, but they downsized through last year to sustain but are now making profits. They are projecting growth in the 4th quarter and have additional projects coming up in the future.
- Vice chair (Dziedzic) asked, as part of your lease agreements with the principal owner, do you have access to one of these parking lots that is part of the property for your staff and other vehicles?
 - Representative (Crumb) replied, yes, we will have access to the side parking lot. Then we will have access to the back, if we do get a tractor trailer, we will have access to that in the back. But we do not do big shipments anymore.
- Commissioner (Seepersaud) asked the applicant, you said the only modification to the building was going to be the addition of a vent to the outside?
 - Representative (Crumb) replied, yes, it is for a spray paint booth, we use it for touching a product up. It is a filtrated booth, we just touch up, turn it off, and the vent is out. There will be very small amount of paint, it is for safety measure to make sue the employees are not breathing anything in.

VOTING

MOTION that the Planning Commission intents to act as Lead Agency in SEQR review and that the action is Type II under SEQR, no further environmental review is required.

FIRST: Corcoran	SECOND: Weiss	VOTE: Carried (5-0-2)
AYE(S): Dziedzic, Weiss, Corcoran, De Angelo, Seepersaud	NAY(S):	ABSTENTION(S): DiFulvio, Priest

MOTION to schedule a public hearing at the August regular meeting

FIRST: Corcoran	SECOND: Weiss	VOTE: Carried (5-0-2)
AYE(S): Dziedzic, Weiss, Corcoran, De Angelo, Seepersaud	NAY(S):	ABSTENTION(S): DiFulvio, Priest

PUBLIC HEARINGS & FINAL DELIBERATIONS

ADDRESS: 96 Front St	CASE NUMBER: PC-2023-0017
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DESCRIPTION FROM AGENDA: Site Plan Review for the construction of an approximately 1,600ft² rear addition onto an existing Eating & Drinking Establishment in the C-1 Service Commercial District

APPLICANT: 96 Front LLC

REPRESENTATIVE(S): Corey Layton (Architect, L2 Studio Architecture), Aaron Chamleunsouk (contact person, Thai Time at 96 Front St)

DISCUSSION POINTS:

- The plan is to roughly double size the pre-existing rear deck – located at the riverside of the property, it is at a street level, but elevated from the ground in the back.
- Below the deck is an events space that is not a conditioned space, open air – will be enclosed upon deck extension completion, will be treated as a 3-season space, with glazing, doors, and proper wall foundation just to extend the use of the lower room beyond summer months.
- No other changes to the restaurant proper, no changes to street elevation or the footprint of the conditioned building.
- Chair (Corcoran) asked the representative (Layton) to explain the stairs that go between the upper and lower deck. And that easement, all it is the stairs encroach on the other property up in the air?

- Representative (Layton) commented, the owner prefers to not build the stairs inboard of the deck to take away square footage. An agreement between the owner of the neighboring property to encroach on their property to build an egress stair from the deck down to lower level has not been finalized yet in a formal easement, but it is in the process.
- Representative (Layton) commented, the upper landing comes off the deck, it will be designed structurally in a way that upper landing will be diagonally supported and can leave it off the Thai Time structure, so there is no physical post going into the ground on that side of the easement. At the lower landing, it does encroach on the property a little bit, to support the landing, but it is so close to the river. The only concern the neighbor has is he does not want to lose any parking at the lower level as a result of the stair construction, so we are accommodating him that way, but currently he is not losing any parking.
- The owner has not finalized an easement yet because he was waiting on the boundary survey being completed, but now that it is completed, they will move forward to working on the easement and such.
 - Chair (Corcoran) commented, the proposal involves a permitted use and does not require a SEQR review, as such it is eligible for a waiver of the public hearing. It is a modification to an existing structure that does not impact anything else.

VOTING

MOTION that the proposal involves a reuse of an existing commercial building, which is a Type II action per SEQR, no further environmental review is required

FIRST: Corcoran	SECOND: Dziedic	VOTE: Carried (5-0-2)
AYE(S): Dziedic, Weiss, Corcoran, De Angelo, Seepersaud	NAY(S):	ABSTENTION(S): DiFulvio, Priest

MOTION to waive the public hearing requirement as the application involves a permitted use and does not require a SEQR review

FIRST: Corcoran	SECOND: Seepersaud	VOTE: Carried (5-0-2)
AYE(S): Dziedic, Weiss, Corcoran, De Angelo, Seepersaud	NAY(S):	ABSTENTION(S): DiFulvio, Priest

MOTION that the requirements for Site Plan Review have been met and therefore the application has been met and conditionally approved, subject to the following: The acquisition of an easement by 96 Front St LLC from the owner of 94 Front St allowing the construction of the southern staircase.

FIRST: Corcoran	SECOND: Weiss	VOTE: Carried (5-0-2)
AYE(S): Dziedic, Weiss, Corcoran, De Angelo, Seepersaud	NAY(S):	ABSTENTION(S): DiFulvio, Priest

ADJOURNMENT

MOTION to adjourn **TIME: 5:45 PM**

FIRST: Dziedic	SECOND: Weiss	VOTE: Carried (5-0-2)
AYE(S): Dziedic, Weiss, Corcoran, De Angelo, Seepersaud	NAY(S):	ABSTENTION(S): DiFulvio, Priest