

Summary of the Minutes
March 4, 2014 Regular Meeting
City of Binghamton Zoning Board of Appeals
Planning, Housing, and Community Development Conference Room, City Hall

CALL TO ORDER

Chair Mastronardi called the meeting to order at 5:15 pm.

ROLL CALL

Present: Mastronardi, Appe, Donovan, Stiles, Warholic
Absent: None
Vacant Seats: None
Staff Present: Costello, McCullen, Sosa

APPROVAL OF MINUTES

Motion to Approve the Summary of the Minutes for the 2/4/14 ZBA Meeting:
Moved by Mastronardi, seconded by Warholic; Margin: 5-0

PUBLIC HEARINGS & DELIBERATIONS

20 Hawley Street / Appeal of Supervisor of Building and Construction Interpretation of Section 410.51H (2013-31)

JoAnn Mastronardi and Susan Appe stated that although absent from the January 7, 2014 public hearing they had reviewed all of the documents and letters submitted in support of, and in opposition to, the appeal and listened to the audio recording of the January 7th public hearing.

Chair Mastronardi stated that the interpretation by the Supervisor did not take into account the following sections: 400-104(I), 400-104(F), 410-104(D)(2)

Motion to uphold the appeal, thereby overturning the interpretation of Section 410.51H by the Supervisor of Building, Construction, Zoning and Code Enforcement.

Moved by Mastronardi, seconded by Warholic

Motion to withdraw the previous motion

Moved by Mastronardi, seconded by Warholic

Motion carried (5-0-0)

Ayes: Mastronardi, Appe, Donovan, Stiles, Warholic
Nays: None
Absent: None
Abstained: None

Susan Appe questioned the applicability of the above cited sections to Section 410.51H and E. JoAnn Mastronardi stated that not all information that should or could have been put into the interpretation was. Susan Appe indicated that Section 410.51H was clear and unambiguous and that there were no other code sections that were incompatible with 410.51H

Motion to uphold the appeal, thereby overturning the interpretation of Section 410.51H by the Supervisor of Building, Construction, Zoning and Code Enforcement.

Moved by Mastronardi, seconded by Warholic

Motion carried (4-1-0)

Ayes: Mastronardi, Donovan, Stiles, Warholic

Nays: Appe

Absent: None

Abstained: None

OTHER ITEMS OF DISCUSSION

None.

ADJOURNMENT

Moved by Mastronardi, seconded by Warholic

None opposed.

Adjourned at 5:29 p.m.