

Summary of the Minutes
May 7, 2013 Regular Meeting
City of Binghamton Zoning Board of Appeals
City Council Chambers, City Hall

CALL TO ORDER

Chairperson JoAnn Mastronardi called the meeting to order at 5:17 pm.

ROLL CALL

Present: Mastronardi, Warholic, Donovan
Absent: Stiles
Vacant Seats: One
Staff Present: Sosa, McCullen, L'Orange, Costello

APPROVAL OF MINUTES

Motion to Approve the Summary of the Minutes for the 4/2/13 ZBA Meetings: 1st Warholic, 2nd Donovan; Margin: 3-0

PUBLIC HEARINGS & DELIBERATIONS

124 Broad Avenue (2013-05)

Ken Warren appeared to provide information on the application. The public hearing was then opened. No one spoke in favor of the project. No one spoke in opposition of the project. No letters were received in support of the proposed project. No letters were received in opposition to the proposed project. Chair Mastronardi then closed the public hearing.

Motion to declare the proposed action an Unlisted action under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Warholic

Motion carried (3-0)

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

Motion to declare intent for the Zoning Board of Appeals to act as Lead Agency under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Warholic

Motion carried (3-0)

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

Motion to make a Negative Declaration for the proposed Unlisted Action, as Lead Agency under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Warholic

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None
Absent: Stiles

Motion to approve the requested Area Variances for Maximum Number of Wall Signs Allowed in the C-4, Neighborhood Commercial District.

Moved by Mastronardi, seconded by Warholic

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

153 Conklin Avenue (2013-06)

Fernando Castro appeared to provide information on the application. The public hearing was then opened. No one spoke in favor of the project. No one spoke in opposition of the project. No letters were received in support of the proposed project. No letters were received in opposition to the proposed project. Chair Mastronardi then closed the public hearing.

Motion to declare the proposed action an Unlisted action under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Donovan

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to declare intent for the Zoning Board of Appeals to act as Lead Agency under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Donovan

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to make a Negative Declaration for the proposed Unlisted Action, as Lead Agency under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Donovan

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to approve the requested Area Variances for Minimum Off-Street Parking for a Tavern in the C-4, Neighborhood Commercial District.

Moved by Mastronardi, seconded by Donovan

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

83 Court Street (2013-08)

Larry Gladstone appeared to provide information on the application. The public hearing was then opened. No one spoke in favor of the project. No one spoke in opposition of the project. No letters were received in support of the proposed project. No letters were received in opposition to the proposed project. Chair Mastronardi then closed the public hearing.

Motion to declare the proposed action an Unlisted action under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Warholic

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to declare intent for the Zoning Board of Appeals to act as Lead Agency under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Warholic

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to make a Negative Declaration for the proposed Unlisted Action, as Lead Agency under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Warholic

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to approve the requested Area Variances for Minimum Off-Street Parking Associated with New Construction/Addition in the C-2, Downtown Business District.

Moved by Warholic, seconded by Mastronardi

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

41-43 Court Street and 153-157 Washington Street (2013-09)

Mike Weisel appeared to provide information on the application. The public hearing was then opened. No one spoke in favor of the project. No one spoke in opposition of the project. No letters were received in support of the proposed project. No letters were received in opposition to the proposed project. Chair Mastronardi then closed the public hearing.

Motion to declare the proposed action an Unlisted action under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Warholic

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to declare intent for the Zoning Board of Appeals to act as Lead Agency under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Warholic

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to make a Negative Declaration for the proposed Unlisted Action, as Lead Agency under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Donovan

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to approve the requested Area Variances for Maximum Number of Wall Signs and Maximum Size of Wall Signs in the C-2, Downtown Business District.

Moved by Mastronardi, seconded by Donovan

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

21 Main Street (2013-10)

Roger Pruitt appeared to provide information on the application. The public hearing was then opened. No one spoke in favor of the project. No one spoke in opposition of the project. No letters were

received in support of the proposed project. No letters were received in opposition to the proposed project. Chair Mastronardi then closed the public hearing.

Motion to declare the proposed action an Unlisted action under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Donovan

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to declare intent for the Zoning Board of Appeals to act as Lead Agency under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Donovan

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to make a Negative Declaration for the proposed Unlisted Action, as Lead Agency under the State Environmental Quality Review Act.

Moved by Mastronardi, seconded by Donovan

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to approve the requested Area Variance for Minimum Off-Street Parking for a Restaurant in the C-1, Service Commercial District.

Moved by Mastronardi, seconded by Donovan

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

151 Laurel Avenue and 28 Mendelssohn Street (2013-05)

Sarah Campbell, representing the applicant, appeared to provide information on the application. The public hearing was then opened. City of Binghamton Councilman Mihalko spoke in favor of the project. Denis Dewey spoke in opposition of the project. Four letters were received in support of the proposed project. Two letters were received in opposition to the proposed project. Chair Mastronardi then closed the public hearing.

Motion to declare the proposed action an Unlisted action under the State Environmental Quality Review Act.

Moved by Warholic, seconded by Donovan

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to declare intent for the Zoning Board of Appeals to act as Lead Agency under the State Environmental Quality Review Act.

Moved by Warholic, seconded by Donovan

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to make a Negative Declaration for the proposed Unlisted Action, as Lead Agency under the State Environmental Quality Review Act.

Moved by Warholic, seconded by Donovan

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

Motion to approve the requested Area Modification to a Previously Approved Use Variance to Allowed Expansion of Hours of Operation for an Existing Dry Cleaning Business in the C-1, Service Commercial District, subject to the following conditions:

1. That the facility shall meet all federal air quality standards. Lint shall not be discharged from the site.
2. Hours of operation shall be limited to between 6:00am and Midnight Monday through Friday and 7:00am to 6:00pm Saturday. The facility shall be closed on Sunday.
3. Truck traffic, including, but not limited to, deliveries and pick-ups, shall not be generated after 9:00pm Monday through Friday or after 6:00pm on Saturday

Moved by Warholic, seconded by Donovan

Motion carried (3-0)

Ayes: Mastronardi, Donovan, Warholic

Nays: None

Absent: Stiles

OTHER ITEMS OF DISCUSSION

The Zoning Board of Appeals discussed moving the July 2, 2013, meeting in order to avoid the 4th of July Holiday. Motion to move the July 2, 2013, Zoning Board of Appeals meeting to July 9, 2013: 1st Mastronardi, 2nd Warholic; Margin 3-0.

ADJOURNMENT

Moved by Mastronardi, seconded by Donovan
None opposed.
Adjourned at 6:26 p.m.