

**Summary of the Minutes**  
**August 6, 2013 Regular Meeting**  
**City of Binghamton Zoning Board of Appeals**  
**City Council Chambers, City Hall**

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**CALL TO ORDER**

Acting-Chair Donovan called the meeting to order at 5:16 pm.

**ROLL CALL**

Present: Stiles, Donovan, Appe  
Absent: Mastronardi, Warholic  
Vacant Seats: None  
Staff Present: Sosa, Costello, L'Orange

**APPROVAL OF MINUTES**

Motion to Approve the Summary of the Minutes for the 7/9/13 ZBA Meeting: 1<sup>st</sup> Stiles, 2<sup>nd</sup> Appe;  
Margin: 3-0

**PUBLIC HEARINGS & DELIBERATIONS**

**121 Susquehanna Street (2013-18)**

The case had been tabled at the July meeting, pending receipt of 239-m comments from Broome County. Barry Blakeslee 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 favor or in opposition of the proposal. Acting-Chair Donovan then closed the public hearing.

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

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

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

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

*Motion to approve the requested Use Variance to re-establish a deli and retail store offering food and convenience items.*

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

### **79 Glenwood Avenue (2013-19)**

No representative for the applicant was present when the case was called.

*Motion to table the case to the next Zoning Board of Appeals meeting.*

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

### **49 Court Street (2013-20)**

Patrick Doyle of Rapp Signs 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 favor or in opposition of the proposal. Acting-Chair Donovan then closed the public hearing.

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

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

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

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

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

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

*Motion to approve the requested Area Variance for Maximum Number of Wall Signs in the C-2, Downtown Business District, to allow a total of two (2) wall signs.*

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

### **21 S. Washington Street (2013-04)**

Fred Lawrence and MaryKay McKinney 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 favor or in opposition of the proposal. Acting-Chair Donovan then closed the public hearing.

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

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

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

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

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

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

*Motion to approve the requested Area Variance for Maximum Number of Wall Signs in the C-4, Neighborhood Commercial District, to allow a total of three (3) wall signs.*

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

The applicant for 79 Glenwood Avenue arrived.

*Motion to recall the case for 79 Glenwood Avenue.*

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

### **79 Glenwood Avenue (2013-19)**

Jonny Norton appeared to provide information on the application. The public hearing was then opened. Barry Blakeslee spoke in favor of the project. No one spoke in opposition of the project. No letters were received in favor or in opposition of the proposal. Acting-Chair Donovan then closed the public hearing.

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

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

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

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

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

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

*Motion to approve the requested Area Variance for Minimum Off-Street Parking for a Business Office in the C-4, Neighborhood Commercial District, for a total of six (6) off-street parking spots.*

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

**63 Beethoven Street (2013-16)**

Costa Sakellariou 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 favor or in opposition of the proposal. Acting-Chair Donovan then closed the public hearing.

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

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

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

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

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

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

*Motion to approve the requested Area Variances for Minimum Side Setback and Maximum Number of Accessory Structures in the R-1, Single Family Residential District with the following conditions:*

- 1. That the applicant remove the existing curb-cut and replace it with a regular curb;*
- 2. That the applicant remove the existing driveway apron and replace it with grass to fill in the utility strip; and*
- 3. That the existing driveway tracks on the property be filled in with grass.*

Moved by Stiles, seconded by Appe

**Motion carried (3-0)**

Ayes: Donovan, Stiles, Appe

Nays: None

Absent: Mastronardi, Warholic

### **20 Hawley Street (2013-14)**

This case had been tabled prior to the meeting at the applicant's request.

### **OTHER ITEMS OF DISCUSSION**

Staff provide the Board with an update on the Comprehensive Plan project.

### **ADJOURNMENT**

Moved by Stiles, seconded by Donovan

None opposed.

Adjourned at 6:17 p.m.