



# Department of Planning, Housing, & Community Development

**Mayor, Richard C. David**

*Acting Director, Jennifer Taylor*

TO: City Council Members  
FROM: PHCD Staff  
DATE: April 11, 2014  
RE: Comprehensive Plan and Main & Court Corridor Plan – Public comments received 04/05/14 through 04/11/14

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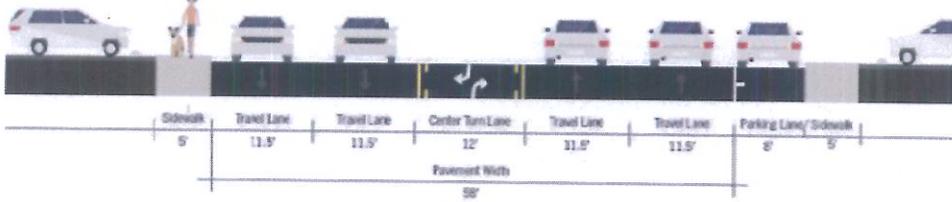
**Comment 1: Received via USPS from “Jane Doe” [see attached]**

**Comment 2: Received via email from Tarik Abdelazim ([modocpress@yahoo.com](mailto:modocpress@yahoo.com)) [see attached]**

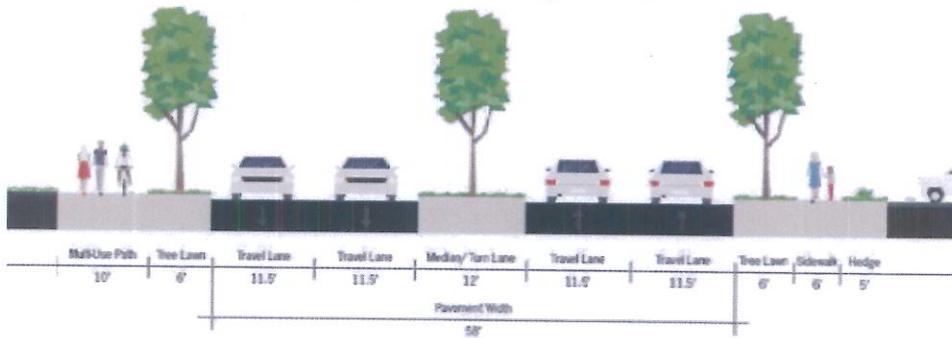
The new long range plan proposes more facilities, amenities. Great news - if your tax base is strong. Ours is not. These amenities need long term commitment, maintenance.

Received from "Jane Doe" via USPS on 04/07/14

Existing (looking west)



Proposed (looking west)



Tree pits in the sidewalk-snow storage area and a raised treed median on Court Street between Tompkins and Chapman were constructed back in the 2006 or 2007 time frame. The trees, requested by the city to be included in a State paving project (free money) and justified based on the City's plan at the time to make this area a City gateway, have experienced a 50% or more mortality rate. The City has not replaced the dead trees, they are still partially standing, or missing. No one does any maintenance to the ground surface such as weeding or trash pickup. They can not possibly think that NYSDOT, the road owner, will maintain these amenities for them – the City must do it. I do not like seeing the City propose even more of this treatment to Court Street out on the east side by Broad Ave area, further away from the well maintained downtown, without addressing the problem of lack of resources for maintenance for existing amenities never mind new ones. The adjacent property owners are not maintaining these features, they are above and beyond mowing grass in the utility strip and shoveling snow off the sidewalk, reasonable expectations from a home owner lucky enough to live adjacent to a city curb and sidewalk.

Actual Google earth street view: Dead trees in median and tree pits (1 of 4 trees in the utility strip on the right is alive), both areas are overgrown with weeds, debris is in the gutter and planting areas.



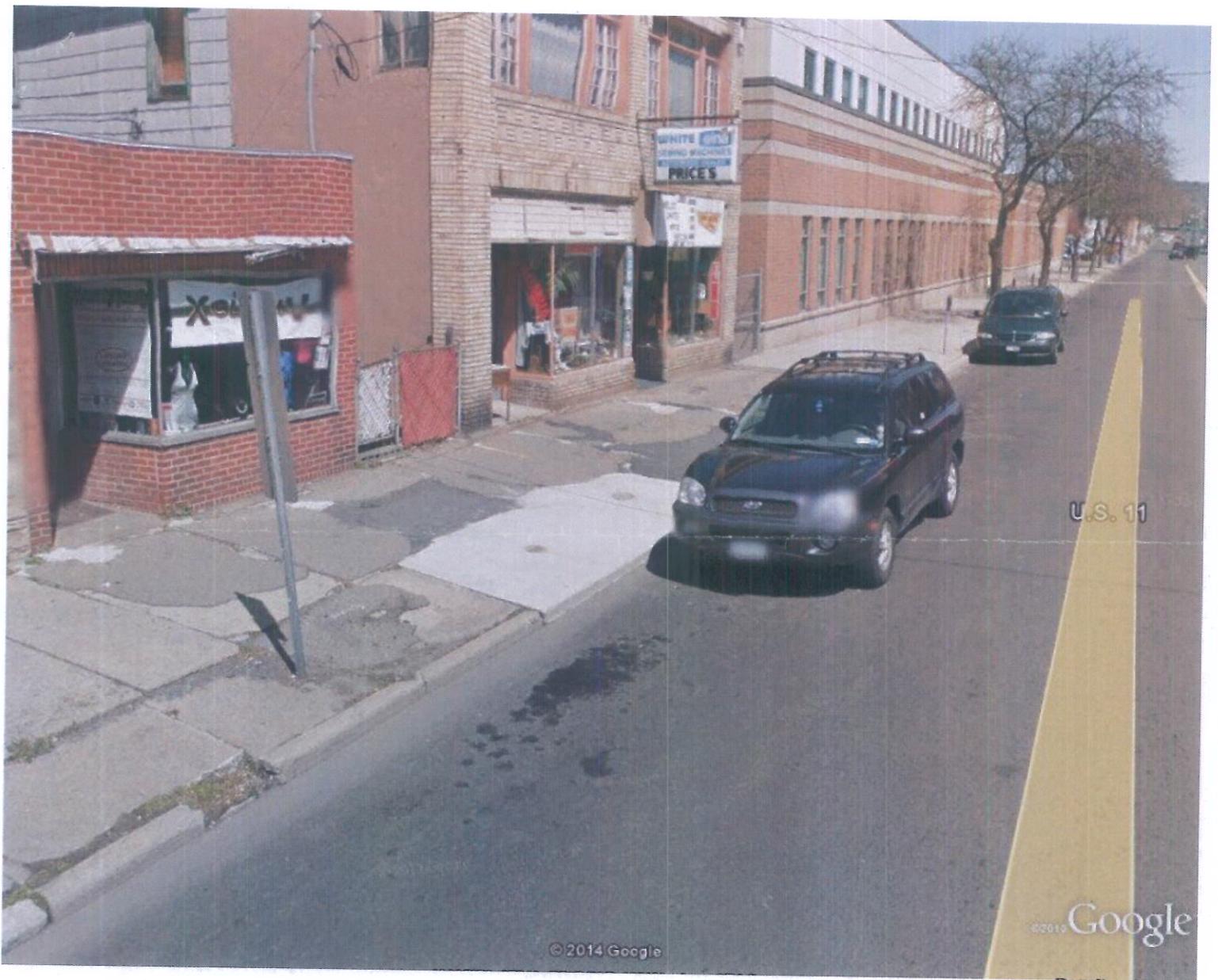
The long range plan really should include information on how much additional City DPW resources (staff, equipment, budget) is already in need to maintain existing facilities and what impact adding new burden means – staff \* is\* needed now - will more staff be needed in the future when you propose new amenities? How will that be done in our tight budget? The City should keep tax increases limited at the Governors 2% cap to retain a tax base of property owners willing to maintain their property to a higher level than 'run down'. I did not see mention of tax rate trends, sustainability, or DPW staffing in the Blueprint Binghamton Document.

2 empty tree pits here. Some trees are living in these smallish tree pits, so ground space is not the only issue.



I did not see a mention in the plan of addressing existing facilities that are in need of maintenance now. What is the point of building more of the same when we have proven we can not or choose not to take care of the facilities built in the last 5-10 years?

Here is a great example of the reality here in the City now. At government properties such as the new library, adjacent curbs and sidewalks are well kept (reconstructed at the expense of the tax payer), and the rest of the infrastructure is overlooked. It is simply not realistic to expect property owners to reconstruct infrastructure as shown in this picture - plus it is inequitable. This is a highly trafficked sidewalk being adjacent to the library. The cost of providing this transportation facility should be born by the tax payers uniformly – not just the adjacent property owner (who does not actually own either the curb or sidewalk). I do not care what is allowed by NYS City Law – it is no where required that you try to pass the reconstruction responsibility of curbs and sidewalks onto the adjacent property owner, and it is not reasonable. This situation is an embarrassment to the City. I am sure these property owners have a hard time just paying their property taxes and utility bills, never mind putting up money for reconstruction of adjacent public infrastructure. It sure is in their best interest to have that run down look, it keeps their assessment down. I am embarrassed to live here and have that mentality.



As unmaintained facilities grow, and the tax rate continues to creep upward, the City will begin to lose the minority owner-occupied residents. Property values will fall as persons are willing to sell at what is seen as below market value (which really is market value) just to be able to move out from the high tax burden. As property values fall, the pressure to raise the tax rate to compensate will increase. It is a downward spiral.

Rather than propose spending money on new amenities, (as a 20 year and yet working resident) I would rather see our money programmed to reconstruct facilities that are already here and in bad need of replacement like that pictured above. It seems short sighted to be ignoring the problem at hand: lack of funds to maintain the infrastructure. It is not going to get better in 10 or 20 years, it is going to get worse, unless it is addressed now. This plan does not address it.

I would be so totally happy for you to come up with a 20 year plan to reconstruct corridors of curb and sidewalk. I would be supportive. I can not support the plan at hand.

My taxes are about \$3000 on a 75,000 house. In neighboring states that tax bill goes with a 300,000 house. The sustainable solution to living here is planning to leave.

These are my comments on the Blueprint Binghamton long range plan.

Jane Doe.

# Comments on Draft Comprehensive Plan

Submitted by T. Abdelazim, former Director of PHCD

April 10, 2014

## GENERAL

- Change the color scheme on some of the diagrams/maps – Very difficult to see in online PDF document (ie, block conditions map – yellows and pale yellow bleed into white and are impossible to distinguish). Should review all maps in PDF version to catch those that need new color scheme.
- I was surprised there was no section on 'Operations/Management,' as many Comp Plans have
- I always cringe when I see plans presented “in a vacuum” and not strongly connected to recently completed plans or ongoing critical initiatives/plans. I think this plan does a good job referencing other relevant plans, but these connections are buried in the text—and most residents (and elected officials!) won't ever read the full document. So, I was wondering if you could think of adding a “visual” that can be repeated throughout this document. For example, in every mini-plan you list the goals, and how the goals advance specific aspects of the overall VISION (Thriving, Resilient & Sustainable, Alive, etc.). Could you use the “empty space” in column one to include something like this: “EXISTING PLANS THAT SHARE AND/OR INFORMED THESE GOALS.” And here is a list you can pull from based on the mini-plan:
  - Three BOA plans in City (N Chenango, First Ward, Brandywine)
  - Local Waterfront Revitalization Plan
  - Commission Reports (Sustainable Development and Smart Growth; Housing and Homeownership; Sanitation)
  - Energy and Climate Action Plan
  - Urban Forest Management Plan
  - Others here: <http://www.binghamton-ny.gov/departments/planning-housing-community-development/planning/plans-studies>
  - Broome County Comprehensive Plan
  - NY Rising Broome Communities (CDBG-DR)
  - Southern Tier Regional Economic Development Plan
  - Southern Tier Greener, Cleaner Communities Plan
  - BMTS Transportation Tomorrow: 2035 (and other BMTS plans, <http://bmtsonline.com/bmts/reports>)

## A: ECONOMIC DEVELOPMENT MINI-PLAN

- Correction Needed: page 20, under 2.2....Broome County was one of EIGHT (not TEN) municipalities to be approved for land bank. The state authorized up to ten, but to date, only eight have applied and been approved.
- Correction: Page 43, **The First Ward/Ely Park** neighborhood area ranks fifth of the neighborhoods in terms of retail demand, just behind the South Side East area.” I think you mean South Side **WEST**.
- Love 7.5 “Sponsor an Artist,” and referencing the studio as an example!
- I found the absence of any commitment to a “green economy” very disappointing. There are

currently 7 key goal areas, and I think an “eighth” needs to be added that specifically advances this 'area.' Going green is an economic driver, and I think the Plan needs to state this unequivocally. Not mentioning it, or worse, “tip-toeing” around it, would be indefensible. We all know that going green is a proven, successful economic strategy, and there is plenty of local justification for a far more substantive section on this:

- Our grant is from federal Partnership for **Sustainable** Communities (smile)
- I recall many of those who participated in community engagement exercises hoped Binghamton could become a 'hub' or 'model' of sustainability—so there's strong citizen support for this.
- The City's Own 2009 Smart Growth and Sustainable Development Commission Report identifies 'green economy' as a key theme, and outlines numerous strategies to achieve this goal.
- The City's 2011 Energy Action and Climate Plan emphasizes the strong connection between GHG reductions AND job creation (among other things). And there's no way we'll reach the GHG reduction goals unless we put a lot of people to work making our buildings (homes and businesses) more energy-efficient!
- The Southern Tier Regional Economic Development Council Economic Plan originally had only 5 (five) strategic areas: **Energy-Efficiency and Renewable Energy** was number one. If our regional economic council is prioritizing this, shouldn't we align our local economic strategies accordingly?
- Aside from the obvious environmental and public health benefits, energy efficiency of buildings has been proven to improve economic competitiveness of region, improve local economies, increase real estate market values, and create local jobs. Under the state's Green Jobs Green NY Program (residential energy-efficiency initiative), the Southern Tier LED THE STATE in the number of residential audits and retrofits completed (2011-2012)—largely because of the community education initiative the city launched with many private and non-profit sectors. Let's make sure we continue this momentum, and emphasize that this work achieves economic, social, and environmental benefits.
- And just this month, members involved in that successful education campaign have started an off-shoot project, Southern Tier Solar Works:  
<http://southerntiersolarworks.org/>
- Happy to discuss some specific strategies if needed (ie., Cleveland's Evergreen Cooperatives an amazing model!)

## **B: HOUSING MINI-PLAN**

- Page 43, 4.5. I think it's a **huge mistake** to recommend demolition of BHA North Shore Towers and Village, as well as Woodburn Court I and II. It also contradicts our ongoing efforts. The City recently applied to FEMA for Hazard Mitigation Funds to elevate mechanical/life safety systems at Woodburn Court I and BHA North Shore Towers and Village. This simple mitigation measure will make these buildings far more resilient to flood. And it's a much better alternative than an extremely costly demolition and rebuild project. With that being said, the city has determined that no reasonable mitigation measure will protect Woodburn Court II (low townhouses, along Susquehanna). We anticipate that this affordable housing project will need to be demolished

and relocated in the years to come (and likely after the next big flood). To that end, I strongly recommend that this recommendation be limited to Woodburn Court II, and that another recommendation be added (echoing our strategy in County's 2013 Hazard Mitigation Plan) that systems be elevated in the other two housing projects to improve resiliency and dramatically mitigate impacts of future floods. After all, the INFRASTRUCTURE mini-plan prioritizes implementation of Hazard Mitigation Plan as a key strategy, so this proposed revision would create consistency throughout this plan.

- ALSO, the middle picture on the bottom of the page is incorrectly identified. The building shown is actually Woodburn Court I, not the BHA North Shore Tower.
- ALSO, if you do include this recommendation, make sure all references to this are also updated (ie. Infrastructure Mini-Plan, page 22, and Land Use and Zoning Plan, page 26).
- Strategy states to “work with BHA to ensure properties leased to Section 8 tenants (Housing Choice Voucher) have been inspected and comply with rental registration program [RRP].” I think ensuring compliance with RRP makes sense, but as you mention elsewhere, HUD requires inspections of all properties leased to Section 8 tenants prior to moving in. The City ran this program for years as well, and I had personal experience with program administration. I truly don't believe Section 8 Housing Choice Voucher is the problem. The real deficiency is with County's DSS. Back in 2009, I recall DSS confirmed that they were providing housing assistance to approximately 950+ clients within the city limits. Unfortunately, DSS never requires inspections, and has always stated it would be too cumbersome to implement some kind of monitoring program. Based on my experiences, this is the “loophole” that needs to be closed as we look for ways to improve rental housing conditions. Regrettably, DSS has never wanted to strongly coordinate with city on any initiative that would ensure landlords who benefit from DSS assisted tenants are providing safe, compliant housing. They always offer the “Spiegel Act” as an enforcement tool, but it's cumbersome to implement and limiting. Also, the city attorneys have actually discouraged the code officers from sending DSS any notification pursuant to Spiegel Act for fear of liability. Talk with Tom if you want more on this....But Spiegel Act isn't the answer. We need something that involves inspections prior to units being rented, and if possible, DSS should adopt rules, if permitted, to 'ban' clients from future assistance (just like Section 8) if they are convicted in a civil court of property damage—both parties need to be held accountable. Anyways, if there is a model that works elsewhere that the city could emulate, with County's support, this would be a huge improvement. There's no reason public dollars—provided by DSS for housing low-income tenants—should subsidize and enrich landlords who are failing to meet the city's standard housing codes. Nor should these dollars be granted to tenants who repeatedly damage private property and undermine the city's rental housing inventory.
- Strategy states, “Work with institutions to offer employees an incentive to live in Binghamton.” Good visual example here of results from University of Chicago's Employer Assisted Housing Program: <http://www.metroplanning.org/work/project/8/subpage/1>
- WOW – 80% of those who held primary jobs in Binghamton in 2011 lived outside the city!
- Page 26, 1.4, first column: “In addition, the range of rehabilitation might be expanded to include rehabilitation.” Huh? Also, first sentence in next paragraph, top of column 2 is very long and worded strangely.
- Page 29, 1.7, I take issue with the last line on this page, and consider it inaccurate. When we

wrote the RFP for One Dollar Healthy Homes, we gave higher score to owner-occupied proposals, and three of the five properties did end up as owner-occupied properties. However, the ONLY other viable proposals were from investor-owners. To that end, I would respectfully request the line be amended to more accurately reflect our efforts, with a little more context: "Given the state has ended the Restore NY Program, the city should look to the Broome County Land Bank to help continue these housing initiatives. And like the successful One Dollar Healthy Homes Initiative, priority should be given to owner-occupants over investors."

- Goal 2, General Comment: One of the challenges in properly advancing these strategies is the improper location of housing choices outside the city in adjacent suburbs. The County IDA has approved PILOTs for senior housing in "dumb" locations, not only undermining our 'urban community goals,' but also in disregard for NY State's Smart Growth Public Infrastructure Policy Act (PIPA). Another example: State is currently reviewing applications for next round of low-income housing credit funding. Two area CHDOs submitted applications. First Ward Action Council submitted an excellent project informed by local comp plan and neighborhood BOA plans, with the goal of fixing up a major gateway and Clinton Street through rehabilitation (primarily) of existing buildings. The other applicant, SEPP, is proposing a senior development on suburban greenfield. Should SEPP be funded at the expense of FWAC's project, it will be unfortunate, and illustrates how the lack of a countywide commitment to smart growth makes some of our local strategies hard to implement. Is there any way to communicate this 'diplomatically' in a very short paragraph somewhere in the housing section? Meg's analysis shows that this trend over the last 20 years (outmigration, and investments directed to suburbs) has been devastating to Binghamton. I think it helps at least include something in our plan so advocates for smart growth can reference it as needed going forward in regional/countywide collaborations. Besides, this 'recommendation' to prioritize investments in our urban centers and existing neighborhoods is also included in the County's Comprehensive Plan, regional plans (STREDC Plan and STREDC Sustainability Plan), and NY State's PIPA. Thanks for seriously considering how recognition of this dynamic in the housing chapter could be helpful in moving the regional dialogue in the right direction.
- Page 35, 3.1 Picture of property showing reinvestment opportunities is currently under redevelopment by Opportunities of Broome for very-low income population. Not sure if this matters, but wanted you to know. Also, you suggest that Conklin Avenue could be site to incentivize student housing, but most of Conklin Avenue between Exchange Street and S Washington Street bridges will be in 100-year floodplain in new floodmap. Moreover, two of the large multi-unit properties along this Conklin Avenue stretch were severely damaged by 2011 flood and have since been abandoned. Both are now in serious disrepair and will likely need to be demolished. I know the overlay, or new zoning district would still need to include this stretch, but wanted to include for background purposes and further consideration.

#### **Interesting notes from and comments on housing market analysis:**

- 70% of households include no more than 2 persons; 85% of households have three or fewer individuals. So why do we continue to support high-density housing (eight bedroom units) for a student market that is already saturated?
- Nearly 40% of households have total income less than \$25,000
- 2013 Media household income: City, \$32,000 v County, \$45,000

- From 2007 – 2011, 30% of city individuals were living below poverty level (v 15% for NYS)
- Median year built for all US housing units is 1974; for city, it's 1939!
- Massive increase in home sales to investor-owners in 2013 – from 22% (2012) to 89%!!!
- The data affirms our concerns about impact of new flood maps to East Side—a stable, working family neighborhood with third highest owner-occupancy rates in the city (behind far west side and SSW)
- Shouldn't market study mention the new flood maps, when discussing the East Side neighborhood? In draft form, it does not. It does a good job of listing new flood maps under “Issues and Concerns” for First Ward and Southside West, so I think this issue/concern should also be referenced under discussion of East Side—which will likely be impacted more heavily than First Ward.
- Correction? Page 85. Report mentions that home at 8 Seminary sold for \$500,000, which is accurate, but it was a bulk sale, including five other properties!  
(<http://imo.co.broome.ny.us/search.aspx>, put 8 Seminary, then click 'Owner Sales' button on left side of screen)
- Page 86: Did interviewees actually recommend better screening and enforcement activity of households with Section 8 HCV from Binghamton Housing Authority? Or was this again a misunderstanding, based on my comments above? When City ran Section 8, our tenants were NEVER a problem. In fact, landlords migrated from DSS to Section 8 because we had contracts with tenants and held them accountable. The voucher is “gold,” so recipients don't ever want to lose it. DSS, on the other hand, has no incentive and no accountability for good behavior. I suspect the concerns are with DSS clients—not Section 8 tenants.
- Correction? Page 87: “...most notably north of Reservoir Park.” I think the author meant Recreation Park. There is no Reservoir Park in Binghamton.

### **C: TRANSPORTATION MINI PLAN**

- 2.2 – States parking revenue is currently allocated to general fund, which is not entirely accurate. Parking meter fees are general fund revenues, but all ramp revenue is dedicated to parking fund (special enterprise/revenue fund).
- Though there's recognition and ample discussion on both OCC and BC Transit systems, with a couple references to improve coordination, I feel the plan needs to emphasize a recommendation stated in other county/regional plans: consolidation of OCC and BC Transit (see BMTS study on this consolidation: <http://www.bmtsonline.com/files/bmts/pdfs/BCT-OCCT%20FINAL%20W%20APPENDICES.pdf>).
- Page 22 – 24 (Page 164-166), Discussion on removing existing infrastructure, specifically the proposal for North Shore Drive and Susquehanna Street. The rendering on page 166 is great, but can you add a second rendering from an aerial perspective? I think a birds-eye view would be very compelling and help clarify the proposal.
- Page 35, 3.7: I like this idea, but the summary paragraph needs to repeat the key phrase: “AMEND CITY CODE TO REQUIRE....” Another recommendation, as part of this (and to be included in new law), is to require Engineering Department to produce an Annual Complete Streets Policy Report. The report would include brief summary of projects and could really just be a compilation of all 'completed checklists' for every project funded that year to show (and ensure) Engineering Department is actually doing its due diligence and proactively trying to

incorporate Complete Streets amenities where possible. Engineering simply won't use the checklists unless it is mandated by law, and requiring an annual report is the most practical way to change the 'culture' in the Engineering Department and secure compliance with Complete Streets Policy.

- Page 36, 3.9, I would revise to read, “Full bike network plan should be developed, in conjunction with ~~Broome County~~ Binghamton Metropolitan Transportation Study...”
- BIG IDEA – Consider retrofitting existing (or building new) parking ramps that would house a small fleet of electric Zip Cars, which are already available on BU campus. Since so many students now live downtown, this would make “living without a car” more attractive. Membership would also be available to non-students who live downtown. The key would be installing solar array on top floor of parking garage, if feasible, and providing plug-in stations for the electric fleet. Would need to work with BU, and have them install a plug-in station on campus as well. A similar project could be run even before any new ramp was constructed (which might take 7 – 10 years). In the interim, could the city issue an RFP for firms to install and manage a downtown car share program, and in exchange City would offer parking spots in ramps for free and install plug-in stations? Could this RFP be issued jointly by City and BU? Or even City, BU, and County (BMTS)?
  - The recommendation to incentivize/require EV charging stations with large new developments is excellent, and with above, could help build-out an infrastructure that would be sufficient to drive consumer preference for and use of electric vehicles

#### **D: INFRASTRUCTURE MINI PLAN**

- Page 9 (page 195), “Flood Plain: FEMA Proposed.” Report states that according to new floodmaps, approximately 8,000 structures are located in the flood zone. I don't think this is right. I could have sworn that of about 14,500 parcels in the city, about 2,200 are newly incorporated in the flood map. This is a huge discrepancy, so please double-check these numbers. Doug English at County GIS has a very good spreadsheet of impacts of new flood maps: parcels, taxable value, etc.
- I strongly suggest connecting with Dave Smith, from VHB, who led the NY Rising regional planning effort here in Broome. Tom Costello and I, after a couple failed attempts, finally pulled together some 'key' water/sewer personnel to sit with Dave Smith and go over every possible mitigation project, specific to storm/sewer/water lines. It was perhaps one of the most informative 90-minute planning/brainstorming sessions I had been in during my four years as Director. We heard of problems and projects that I NEVER heard mentioned by any top department heads. And most of these projects were captured accurately and described in the Broome NY Rising final plan (submitted to state earlier this month). I would definitely review these projects, or at least reference them in this plan, just as you reference the Hazard Mitigation Plan.

#### **E: ENVIRONMENT MINI-PLAN**

- I feel that four important neighborhood parks are missing from the map/inventory: West End Armory Park (far West Side); Booth Field/Kent Playground (Southside East); Sandy Beach Park (far Southside east) and Valley Street Park (First Ward). See Parks interactive map: <http://www.binghamton-ny.gov/city-parks-pools-fields>

## **F: LAND-USE & ZONING**

- Page 15, Collaborative Map. Incorrect numbering on right side. Goes from 1 to 3 and 4. Doesn't match map.
- Page 25-26. First line for Brandywine Industrial Corridor is actually on prior page in previous section (this spacing error happens occasionally throughout the mini-plans).
- I felt that the discussion under Brandywine Industrial Corridor didn't emphasize enough the importance of preventing/prohibiting “big-box store” redevelopment, but was very pleased to see this issue addressed in the more detailed description of Industrial Preservation Area. Over the years, IDA and County officials have expressed interest in big-box store development here, so it's important to explain the city's position in economic and land-use terms. This is not just a “knee-jerk” reaction against big-box stores. Rather, it is about ensuring the best return of investment on a very unique industrial corridor and guiding private investment to North Side's commercial district along Chenango/State Streets, where it would help achieve a more walkable and vibrant neighborhood.

## **G: COMMUNITY BUILDING MINI-PLAN**

- No comment.