



# Department of Planning, Housing & Community Development

Mayor, Richard C. David  
Director, Dr. Juliet Berling

## City of Binghamton Floodplain Development Permit Application

§240-4 of the City of Binghamton Flood Damage Prevention Ordinance requires a development permit be obtained prior to the start of any construction or other development within the area of special flood hazard, as established in §240-3B. Local law must adhere to the minimum requirements set forth by NFIP and may be made more restrictive than NFIP, with process compliance and notification.

All applications must be approved by the Local Floodplain Administrator, the Planning Commission, prior to the issuance of a Floodplain Development permit and/or a Building permit.

All applications are subject to review by the Planning staff, Engineering staff, Building and Construction staff, as appropriate to the scope of proposed action and prior to that action being placed on the Planning Commission agenda. You will receive adequate notice prior to your Planning Commission appearance.

This application must be accompanied by the **REQUIRED \$1,000 APPLICATION FEE**. A permit fee will be due and payable upon issuance of the floodplain development permit.

### 1) GENERAL PROVISIONS (to be read and signed by *the Applicant*)

1. No work, within the scope of this action and this permit, may commence until a floodplain development permit is issued.
2. The permit may be revoked if any false statements are made herein.
3. If revoked, all work must cease until a permit is re-issued.
4. Development shall not be used or occupied until the *Certificate of Compliance* is issued.
5. The permit is invalid if no work, within the scope of this action and this permit, has commenced within six (6) months of issuance as determined by the Local Floodplain Administrator.
6. The floodplain development permit expires two (2) years from the date of issuance.
7. Applicant is hereby informed that other permits may be required to fulfill local, state and federal regulatory requirements.
8. Applicant hereby gives consent to the Local Administrator or his/her representative to make reasonable inspections required to verify compliance.
9. By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of any variance.

Date: 9/2/16

[Signature]  
Applicant's Signature

Date: 9/1/16

Margaret Scarnzi  
Property Owner's Signature (if different than Applicant)

**APPLICANT INFORMATION**

**1. Property/Project Location Information**

Address of Property: 50 Front Street Tax Map #: 160.48-1-16

Dimensions: Frontage 360 +/- ft. Depth 493 +/- ft. Square Footage: 169,884 +/- sf.

Zoning District: C-5 Neighborhood Office District

**2. Applicant: Newman Development Group, LLC Attn: Marc Newman**

Address: 300 Plaza Drive Vestal NY 13851  
(Street) (City) (State) (Zip)  
Telephone: (607) 584-0034 Email: Marc@newmandevelopment.com

Applicant's relationship to property:  Owner  Contract Vendee  Other \_\_\_\_\_

**3. Property Owner: Broome County Land Bank Corporation Attn: Margaret Scarinzi, Executive Director**

Address: 60 Hawley Street, 5th Floor Binghamton NY 13901  
(Street) (City) (State) (Zip)  
Telephone: (607) 778-6001 Email: mscarinzi@co.broome.ny.us

**4. Engineer/Architect: Keystone Associates Architects, Engineers and Surveyors, LLC**

Address: 58 Exchange Street Binghamton NY 13901  
(Street) (City) (State) (Zip)  
Telephone: (607) 722-1100 Email: mparker@keyscomp.com

**5. Attorney: Coughlin & Gerhart, LLP Attn: Cheryl Sacco, Partner**

Address: 99 Corporate Drive Binghamton NY 13902  
(Street) (City) (State) (Zip)  
Telephone: (607) 723-9511 Email: csacco@cglawoffices.com

2) **PROPOSED DEVELOPMENT** (to be completed by *THE APPLICANT*)

Description of Work:

Project includes the removal of the existing unoccupied seven (7) story building and associated parking and replacement with a five (5) story mixed use development, parking and landscaped/green areas. The project is proposing to bring in fill on a portion of the east side of the property within the Special Flood Hazard Area. A HEC-RAS report and study has been completed and previously submitted to the City of Binghamton to demonstrate that there will be adverse impact to the upstream and downstream properties.

Estimated Cost of Project: \$21,335,000.00

STRUCTURAL DEVELOPMENT (please check ALL that apply)

PROPOSED ACTIVITY

New Structure

Addition

Alteration

Relocation

Demolition

Replacement

STRUCTURE TYPE/USE

Residential, 1-2 Family

Residential, multifamily

Non-residential

Mixed-Use

OTHER DEVELOPMENT ACTIVITIES

Fill                       Mining                       Drilling                       Grading

Excavation (unless for structural development, checked above)

Watercourse alteration (including dredging and channel modification)

Drainage improvement (including culvert work, stormwater control structure(s) or ponds)

Subdivision (new or expansion)

Individual water or sewer system

Other \_\_\_\_\_

3) **DETERMINATION** (to be completed by the *LOCAL ADMINISTRATOR*)

The proposed development is located on FIRM Panel No. \_\_\_\_\_, Dated \_\_\_\_\_

Given the location on FIRM, the proposed development has been determined to be:

- (1) Reasonably safe from flooding (entire property is in Zone B, C, or X).
- (2) adjacent to a flood prone area.

100-year flood elevation at the site is:

\_\_\_\_\_ Ft. \_\_\_\_\_ NGVD 1929/ \_\_\_\_\_ NAVD 1988 (MSL) \_\_\_\_\_ Unavailable

- (3) within or may be within flood prone area. **Continue to section 5.**

**DETERMINED BY**

LOCAL ADMINISTRATOR \_\_\_\_\_

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

**4) ADDITIONAL REQUIRED INFORMATION**

(Provided by *THE APPLICANT*, completed by the *LOCAL ADMINISTRATOR*)

The following documents must be submitted by the applicant prior to the processing of this application.

- Site Plan(s) showing the location of all existent structures, water bodies, adjacent roads, lot dimensions and proposed development.
- Development plans and specifications, drawn to scale. Including, but not limited to: anchoring structures, proposed elevation of the lowest floor, types of water resistant materials used below the first floor, details of floodproofing for utilities located below the first floor, details of enclosures below the first floor, openings in foundation entry/exit of floodwaters.
- Elevation certificate (*FEMA 81-31 or FEMA 81-65*)
- Subdivision or other development plans (if the subdivision/development exceeds one acre).
- Plans showing the watercourse location, proposed relocation, floodway location.
- Topographic information showing the existing and proposed grades of all proposed fill.
  - Top of new fill: \_\_\_\_\_ Ft. \_\_\_\_\_ NGVD 1929/ \_\_\_\_\_ NAVD 1988 (MSL) \_\_\_\_\_ Unavailable
- PE certification of soil compaction.
- Floodproofing protection level (non-residential only) \_\_\_\_\_ NGVD 1929/ \_\_\_\_\_ NAVD 1988 (MSL). For flood proofed structures, applicant must attach certification from a registered engineer/ architect.
- Other documentation: \_\_\_\_\_

**5) PERMIT DETERMINATION (to be completed by the *LOCAL ADMINISTRATOR*)**

The proposed activity has been determined to be:

- A. In conformance
- B. Not in conformance

with the provisions of Chapter 240 of the Code of the City of Binghamton, adopted in 1987 and all amendments. This permit is hereby issued subject to conditions attached to and made part of this permit.

**DETERMINED BY**

LOCAL ADMINISTRATOR \_\_\_\_\_

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

If the proposed activity is in conformance, box A of this section, the local administrator may issue a Development permit upon receipt of payment of the determined permitting fee.

If the proposed activity is not in conformance, box B of this section, the local administrator will provide a summary of deficiencies with the proposal. The applicant may revise and resubmit the application to the local administrator, or alternatively may request a hearing before the Zoning Board of Appeals.

APPEAL:

Appealed/will appeal to the ZBA?       Yes       No

Hearing Date: \_\_\_\_\_

Decision:                       Approved       Denied

Conditions:

--

**6) AS-BUILT ELEVATIONS** (to be submitted by *THE APPLICANT*, prior to certificate issuance)

The following information is necessary for project structures. This section must be completed by a registered engineer, architect or land-surveyor. Complete either A or B below.

A. As-built elevation at the top of the lowest floor, including basement is:

\_\_\_\_\_ Ft. \_\_\_\_\_ NGVD 1929/ \_\_\_\_\_ NAVD 1988 (MSL)

*ATTACH FEMA Form 81-31, Elevation Certificate.*

B. As-built elevation of floodproofing is:

\_\_\_\_\_ Ft. \_\_\_\_\_ NGVD 1929/ \_\_\_\_\_ NAVD 1988 (MSL)

*ATTACH FEMA Form 81-65, Elevation Certificate.*

Engineer/Architect: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**7) COMPLIANCE ACTION** (carried out by the *LOCAL ADMINISTRATOR*)

The Local Administer will designate a representative that will carry out periodic inspections, in order to ensure compliance with local law for flood damage prevention.

INSPECTIONS:

DATE \_\_\_\_\_ Representative: \_\_\_\_\_ Deficiencies: \_\_\_\_\_

DATE \_\_\_\_\_ Representative: \_\_\_\_\_ Deficiencies: \_\_\_\_\_

DATE \_\_\_\_\_ Representative: \_\_\_\_\_ Deficiencies: \_\_\_\_\_

**8) CERTIFICATE OF COMPLIANCE** (to be completed by the *LOCAL ADMINISTRATOR*)

Certificate of Compliance issued: \_\_\_\_\_

BY, LOCAL ADMINISTRATOR \_\_\_\_\_

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_