Legislative Branch

RL Number: 19-207

Date Submitted: 10/21/19

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Dani Cronce

Title/Department: Binghamton City Council

Contact Information: 772-7035

RL Information

Proposed Title: AN ORDINANCE AMENDING THE CODE OF THE CITY OF BINGHAMTON TO AMEND CHAPTER 410 ZONING TO ADD A C-6 ZONING DISTRICT

Suggested Content: TBD by Counsel

Additional Information

Does this RL concern grant funding?	Yes ☐	No ☒
If 'Yes', is the required RL Grant Worksheet attached?	Yes ☐	No ☒
Is additional information related to the RL attached?	Yes ☒	No ☐
Is RL related to previously adopted legislation?	Yes ☐	No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY

Mayor: _____

Comptroller: _____

Corporation Counsel: _____

Finance ☐ **Planning** ☒ **MPA** ☐ **PW/Parks** ☐ **Employees** ☐ **Rules/Special Studies** ☐

Urban Village District and C-6 Map Amendment

In 2013, the City of Binghamton passed an amendment to the Zoning Ordinance creating the Urban Village Overlay District (UVO). The intent was to protect the existing housing stock in the part of the Westside where student housing is prevalent, and to take steps toward promoting limited mixed-uses while preserving the residential aesthetic of the neighborhood. We have identified the following shortcomings and potential solutions to the implementation of the UVO.

- The design guidelines are not sufficiently specific, nor are they definitive. This makes them difficult to enforce, falling short of the stated goal to preserve and enhance the character of the neighborhood. The amendment would create specific regulations that would be applicable to all new developments within the Urban Village area. These regulations would improve the character and quality of the neighborhood, while preserving its predominantly residential aesthetic and medium- to low-density nature.
- The UVO is not a distinct zoning district with a specific set of allowed land uses, which does not allow for mixed use development. Creating a new Urban Village District would allow the City to create a list of allowed land uses tailored to the neighborhood, such as small bakeries, dry cleaners, etc.
- The UVO lies predominantly over residential districts, where it is not permitted for unrelated individuals to live together. Making it a non-residential district (with protections to keep the residential aesthetic of the neighborhood) would allow unrelated individuals to legally occupy the district. The Planning Department believes that legalization and regulation of non-family occupancy will yield better results in the effort to improve the quality of life in the Urban Village area.

The Planning Department has determined that the best course of action would be to convert an existing non-residential district to the Urban Village District, rather than creating a new district, which would increase an already long list of zoning districts. The C-6 District was chosen due to its very limited presence on the zoning map and the applicability of the limited, neighborhood-friendly land uses already allowed in that district. Special regulations to protect the Urban Village's residential character would then be applied to the new C-6 Urban Village District.

In order to prevent an undue impact to the existing C-6 districts, both of which exist on the Northside of Binghamton, the Planning Department is proposing converting those areas to C-4 Neighborhood Commercial, which is representative of the types of uses that exist in those areas now, and would prevent the introduction of new, significantly different regulations to those areas. This conversion of the Northside C-6 areas is supported by the comprehensive plan, which calls for those areas to be zoned "traditional commercial."

The following pages constitute the proposed text amendment to Chapter 410 of the City of Binghamton Code of Ordinances.

§410-10. Types of districts.

I. C-6 Urban Village District. The intent of the C-6 Urban Village District is to designate those predominantly residential areas that have developed mixed-uses and higher densities over time, and to apply design guidelines that create a vibrant and cohesive neighborhood while protecting the housing stock and property values.

§ 410-24. Performance standards.

[A.-L. no change]
[Remove M. in its entirety]
[Renumber N.-P.]

§ 410-32. Schedule II: Land Uses in Commercial and Industrial Zoning Districts.

A-E No change

F. C-6 Urban Village District.

(1) Permitted by right, subject to Article IX:

Community center
Day care
Dwelling, one to three units
Garden, community or neighborhood
General retail
Greenhouse/nursery
Medical office
Nursing home
Office
Personal service
Retail food sales
Studio/ art gallery
Townhouses, two or three attached

(2) Permitted with Planning Commission Review and Approval of a special use permit:
Animal care
Automatic teller machine, subject to 410-34A, C, & F
Convenience store
Dwelling, four or five bedrooms, subject to 410-41A(1)
Dwelling, multiple-unit
Eating and drinking establishment, subject to 410-34B
Educational institution, subject to 410-34B
Event venue
Congregate living
Overnight lodging
Parking, ancillary, subject to 410-55
Parking, commercial, subject to 410-55

Place of worship
Recreation, indoor
Townhouses, four or more attached
Vehicle fuel station, subject to 410-34A, B, F, H, & I

§410-34.1 Urban Village District

A. Intent: The intent of these guidelines is to preserve and enhance the neighborhoods in the C-6 District by ensuring design that is compatible with their existing low-intensity, mixed-use character and predominantly residential aesthetic.

B. Applicability. The design standards as set forth in Subsection A (3) of this section shall apply to any building or structure that is to be erected or enlarged, and when change-of-use causes any building or structure to become non-residential in use.

C. Design Standards

(1) Residential Structures

(a) Building orientation and location

[1] Residential buildings must have visual orientation to the adjacent roadways. Front entrances shall face the street.

[2] Configurations for corner lots. Orientation of the primary façade shall take into account the location of entries on adjacent lots and lots across the street. Driveway openings must be on minor street.

(b) Windows and transparency

[1] Replacement windows must match existing openings, window styles and materials

[2] Windows must be recessed from the surrounding exterior wall

(c) Landscaping

[1] Front yards shall consist of grass and include shrubs, low-plantings, and/or trees.

[2] Front yards may not be paved, except for areas required for driveways.

(d) Lighting

[1] Blinking lights are not permitted.

[2] Light fixtures may not project above the façade or roofline of the building

[3] These guidelines do not apply to seasonal decorative lighting, lighting intended to support a cause or campaign, and emergency lighting, except that such lighting should not result in a disabling glare as set forth in §410-24(J) of the Zoning Code.

(e) Conversion or Construction of Dwelling Units with More than Four Bedrooms.

[1] Minimum unit size. No dwelling unit conversion or construction shall be permitted in a dwelling unit with less than 1,500 square feet of gross floor area.

[2] Minimum lot area requirements. No dwelling unit conversion or construction shall be permitted in a building if the lot on which it is located does not comply with the bulk requirements of the applicable zoning district.

[3] Parking regulations. No dwelling unit conversion shall be permitted in any zoning district unless the minimum off-street parking requirement for such use can be met with on-site parking, or public or private off-site parking within 250' from any property line.

[4] These standards shall apply to all dwelling units with more than four, but no more than seven bedrooms. Any dwelling unit with eight to ten bedrooms shall be considered a Rooming House and at least one bedroom shall be reserved for an on-site building superintendent. Dwelling units with more than ten bedrooms are not permitted.

(f) Non-residential Structures

[1] Building orientation and location

a. Non-residential buildings should have pedestrian access and visual orientation to the adjacent roadways and/or open-space features

b. Parking should be to the rear of the site with primary entrances oriented to public roadway. Any construction or use requiring ADA accessible parking shall provide a secondary entrance adjacent to the rear parking area.

c. Blank wall area shall not exceed 30 linear feet without some form of articulation. Blank wall area means a portion of the exterior facade of the building that does not include: windows or doors; columns, pilasters or other articulation greater than 12 inches in depth; or a substantial material change (paint color is not considered a substantial change).

[2] Awnings on non-residential structures must be fabric awnings and conform to the pre-approved historic preservation color palette.

[3] Windows and transparency

a. Ground floor window openings for new construction of non-residential structures shall be a minimum of 75% of the ground floor façade area.

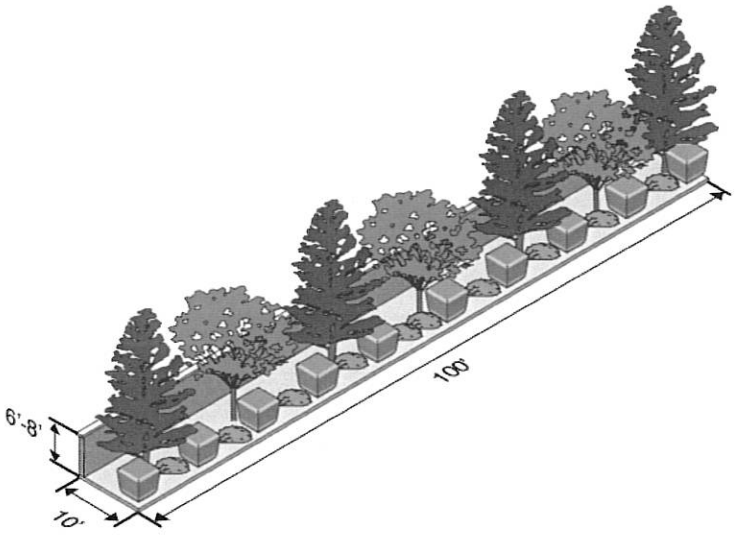
b. Second level and above windows shall not exceed 50% of the total exterior wall surface

c. Windows and/or doors located above the first level shall be stacked over those on the first level

d. Ground floor windows openings for formerly residential structures converted to non-residential use shall maintain the size, shape, and location of existing window openings.

[4] Landscaping

a. Where any non-residential proposal abuts a residential lot, the following transitional buffer, composed of trees, shrubs, and a wall, shall be installed:



i. Minimum width: 10'

ii. Minimum wall height: (min/max) 6' / 8'

iii. Evergreen trees (min) 4

iv. Deciduous trees, large (min) 3

v. Shrubs, large (min) 10

vi. Shrubs, small (min) 1

[5] Lighting

a. Blinking lights are not permitted.

b. Light fixtures may not project above the façade or roofline of the building

c. These guidelines do not apply to seasonal decorative lighting, lighting intended to support a cause or campaign, and emergency lighting, except that such lighting should not result in a disabling glare as set forth in §410-24(J) of the Zoning Code.

d. Light fixtures may be located in planters on grade. Large concrete footings that exceed 12 inches above grade are prohibited.

(g) Building Materials

[1] Applicability. The following requirements apply to all street-facing facades of a building.

a. Primary Materials

The following materials are required for not less than 75% of the building wall surface area on each facade:

i. Brick and tile masonry;
ii. Cementitious siding;
iii. Glass curtain wall;
iv. Native stone (or synthetic equivalent);
v. Stucco (cementitious finish); and
vi. Wood – clapboard or shingles.

b. Accent Materials

The following materials may make up 25% of the building wall surface area on each facade:

i. External Insulation Finishing System - EIFS (for trim and cornice elements only);
ii. Glass block;
iii. Gypsum Reinforced Fiber Concrete (GFRC—for trim elements only);
iv. Metal (for beams, lintels, trim elements and ornamentation);
v. Pre-cast masonry (for trim and cornice elements only); and
vi. Split-faced block (for piers, foundation walls and chimneys only).

(h) Parking

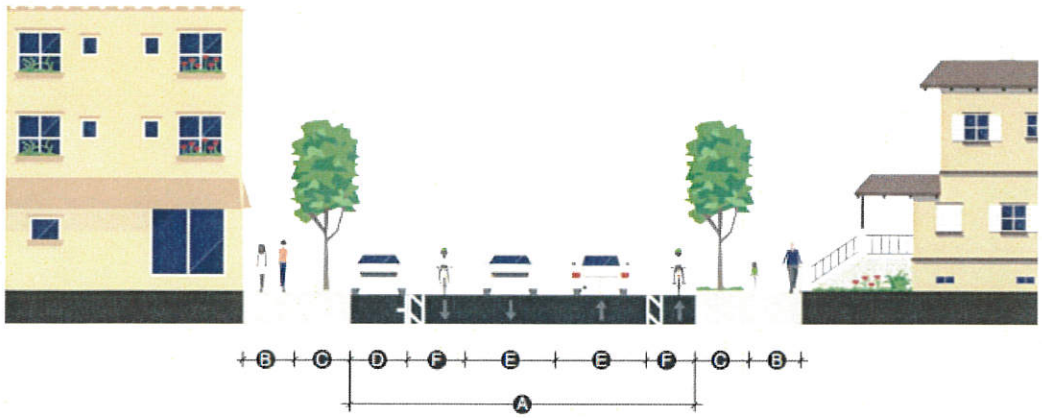
[1] With the exception of driveways for single- and two-unit dwellings, parking areas must be provided in a garage or structured parking facility. Parking in required front or side yard space, except on a paved driveway, is not permitted.

[2] Surface parking areas with three or more spaces shall not front on the street

[3] Surface parking areas must be located at the rear of the principal building

[4] Parking otherwise visible from the street must be screened, subject to design standards as set forth in §410-55(B)

(i) Streets, sidewalks, and transit. Where the construction or reconstruction of a street or sidewalk is part of a proposed development project or City action, the street or sidewalk shall meet the following requirements.



Width	
Ⓐ Pavement width (curb to curb)	42'
Streetscape	
Ⓑ Sidewalk (min)	8'
Ⓒ Planting area (min)	6'
Travelway	
Ⓓ Parking lane	7'
Ⓔ Bike lane	7'
Ⓕ Travel lane	11'

Specifications	
Planting type	Tree grates or tree lawn
Tree spacing	30' o.c. avg
Parking type	Parallel one side only
Bike lane type	Both sides 5' bike lane 2' striped buffer

[1] Streetscape

a. Pavement width (curb to curb): 42'
b. Sidewalk width: (min) 8'
c. Utility strip width: (min) 6'
d. Parking lane width: 7'
e. Bike lane width: 7'
f. Travel lane width: 11'
g. Parking type: Parallel one side only
h. Bike lane type: Both sides, 5' wide bike lane, 2' wide striped buffer

[2] If the sidewalk and street trees do not exist or do not meet the district requirements, sidewalk and street trees must be installed. Modified dimensions may be approved by the City Engineer.

[3] The required sidewalk may be wholly or partially located on private property provided the sidewalk is located within an easement permanently dedicated to the City.

[4] Where a transit stop is situated in front of a parcel, any proposal for new construction at that parcel must provide seating or a shelter for the transit stop if it does not exist.

(j) Street trees

[1] Specifications

a. Planting type: Tree grates in sidewalk or grass tree lawn

b. Tree spacing: 30' on-center average

[2] Tree species within utility strips must be installed per the recommendation of the City of Binghamton Shade Tree Commission

[3] Trees must not inhibit sight lines at intersections and near signage, subject to §410-17.

(k) Fencing

[1] Front yard fencing may not exceed a height of three (3) feet

[2] Side and rear yard fences may not exceed six (6) feet in height.

[3] Fences may be constructed of stained wood, masonry and/or metal

[4] Chain link fencing is not permitted

(l) Trash enclosures

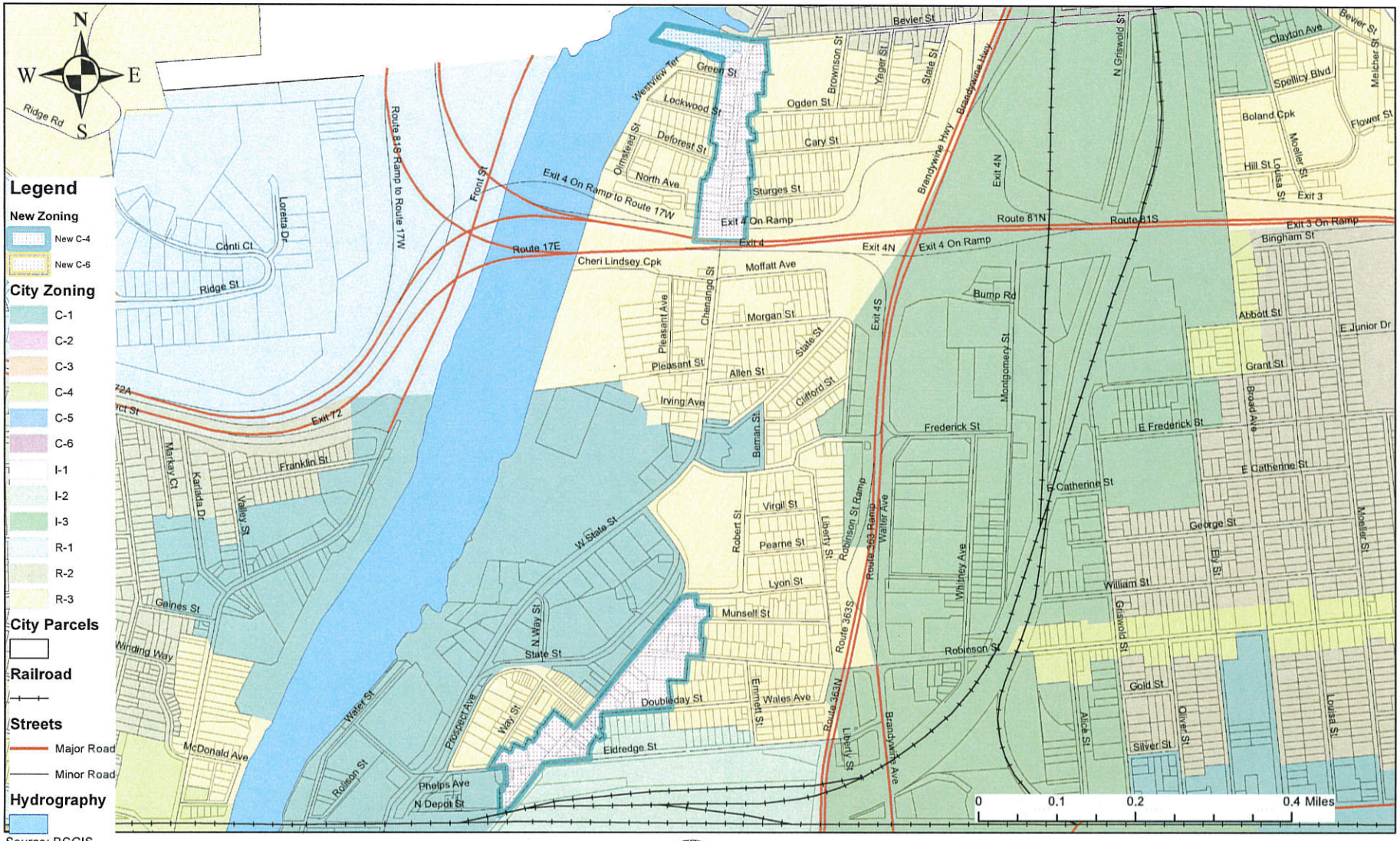
[1] Refuse container enclosures must be located in the rear and/or interior side yards to minimize their visibility from adjacent uses, streets and upper story uses.

[2] Refuse collection areas and enclosures must be opaque, six feet in height and be constructed of durable, non-combustible materials. Chain link enclosures are not permitted.

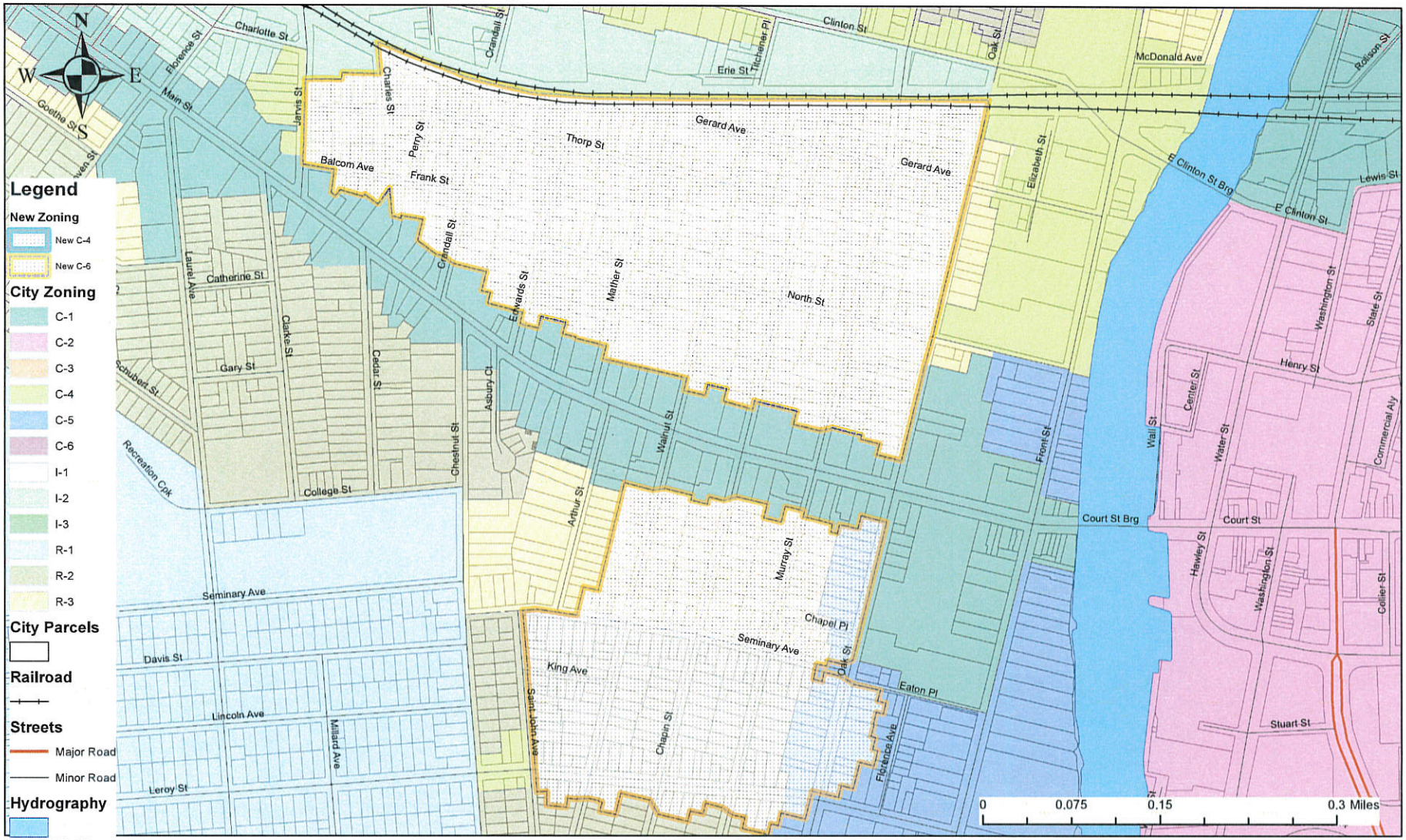
~~**§410-27.1 Urban Village Overlay District.**~~

~~UVO Urban Village Overlay District. The use permitted by right and with Planning Commission approval in the underlying zoning districts are permitted in the Urban Village Overlay District, subject to the same reviews and conditions; additionally, uses within the Urban Village Overlay District shall be subject to the Urban Village Overlay District design guidelines, as listed in §410-24 above.~~

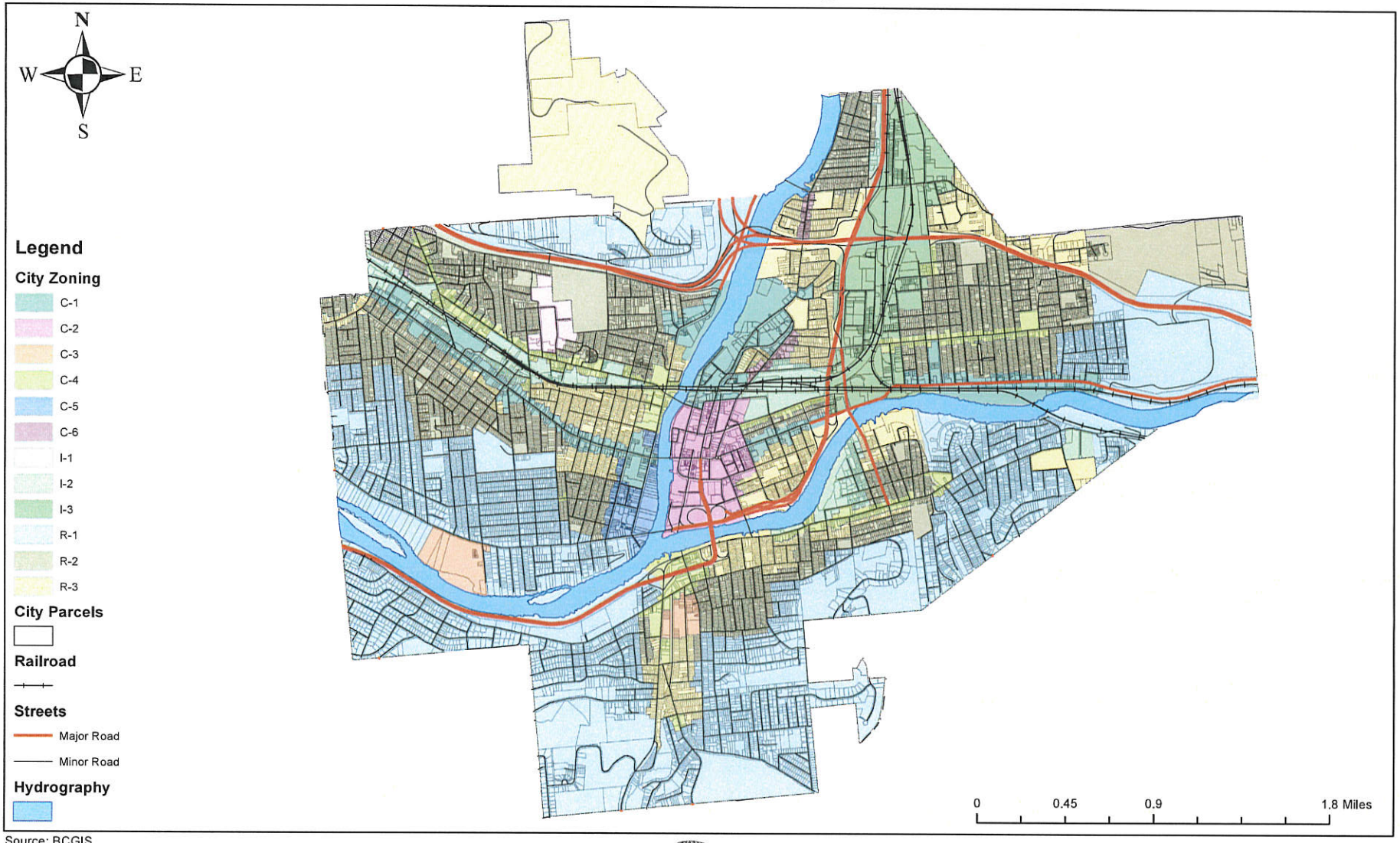
Proposed Conversion of C-6 Limited Neighborhood Commercial District to C-4 Neigborhood Commercial District



Proposed C-6 Urban Village District



City of Binghamton Zoning



Source: BCGIS

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Creation of Urban Village Zoning District		
Project Location (describe, and attach a general location map): Westside (see map)		
Brief Description of Proposed Action (include purpose or need): In 2013, the City of Binghamton passed an amendment to the Zoning Ordinance creating the Urban Village Overlay District (UVO). The intent was to protect the existing housing stock in the part of the Westside where student housing is prevalent, and to take steps toward promoting limited mixed-uses while preserving the residential aesthetic of the neighborhood. The City is proposing converting the overlay district to a formal zoning district.		
Name of Applicant/Sponsor: City of Binghamton	Telephone: 6077727028 E-Mail:	
Address: 38 Hawley St		
City/PO: Binghamton	State: NY	Zip Code: 13901
Project Contact (if not same as sponsor; give name and title/role): Tito Martinez	Telephone: E-Mail: tlmartinez@cityofbinghamton.com	
Address: Same		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes☐No	City Council	
b. City, Town or Village Planning Board or Commission ☑Yes☐No	Planning Commission	
c. City, Town or Village Zoning Board of Appeals ☐Yes☐No		
d. Other local agencies ☐Yes☐No		
e. County agencies ☐Yes☐No		
f. Regional agencies ☐Yes☐No		
g. State agencies ☐Yes☐No		
h. Federal agencies ☐Yes☐No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☑Yes☐No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No

If Yes, identify the plan(s):

NYS Major Basins:Upper Susquehanna, Remediaton Sites:704030, NYS Heritage Areas:Susquehanna

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes☑No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
R-2, R-3, C-5, UV Overlay

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? C-6 Urban Village District

C.4. Existing community services.

a. In what school district is the project site located? Binghamton City

b. What police or other public protection forces serve the project site?
BPD

c. Which fire protection and emergency medical services serve the project site?
BFD

d. What parks serve the project site?
RECREATION PARK, WALNUT ST PARK

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes ☐No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes ☐No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☐No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify:

_____

iii. If other than water, identify the type of impounded/contained liquids and their source.

_____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☐No

If Yes:

i .What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

_____

_____

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No

If yes, describe. _____

_____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐Yes ☐No

ix. Summarize site reclamation goals and plan: _____

_____

_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☐No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

_____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

_____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

_____

c. Will the proposed action use, or create a new demand for water? ☐Yes ☐No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No
- Do existing lines serve the project site? ☐Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

_____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes ☐No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

_____

_____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☐No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

- Do existing sewer lines serve the project site? ☐Yes☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

_____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes☐No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

_____

_____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

_____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

_____

_____

- If to surface waters, identify receiving water bodies or wetlands: _____

_____

_____

- Will stormwater runoff flow to adjacent properties? ☐Yes☐No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

_____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes☐No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☐No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

_____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☐No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

_____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

_____

_____

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No

Describe: _____

_____

n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

_____

_____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No

Describe: _____

_____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

_____

_____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

_____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No

If Yes:

i. Describe proposed treatment(s):

_____

_____

_____

_____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____

_____

- Operation: _____

_____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____

_____

- Operation: _____

_____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐Yes ☐No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐Yes ☐No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐Yes ☐No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes ☐No

If Yes:

i. Has the facility been formally closed? ☐Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes ☐No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☑Yes ☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☑Yes ☐No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☑ Yes – Environmental Site Remediation database — Provide DEC ID number(s): 704030

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑Yes ☐No

If yes, provide DEC ID number(s): 704053, 704022, 704027, 704030, V00072, C704047...

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

_____

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☐No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? ☐Yes ☐No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ _____%
_____ _____%
_____ _____%

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: ☐ Well Drained: _____% of site
☐ Moderately Well Drained: _____% of site
☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____% of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☐Yes ☑No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐Yes ☑No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐Yes ☑No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐Yes ☑No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☑No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐Yes ☐No

j. Is the project site in the 100-year Floodplain? ☐Yes ☐No

k. Is the project site in the 500-year Floodplain? ☐Yes ☐No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑Yes ☐No
If Yes:

i. Name of aquifer: Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names:Clinton Street Ballpark SSA

m. Identify the predominant wildlife species that occupy or use the project site: _____

_____ _____ _____

_____ _____ _____

n. Does the project site contain a designated significant natural community? ☐Yes ☑No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐No

If Yes:

i. Species and listing (endangered or threatened): _____

Peregrine Falcon, Brook Floater

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☑Yes ☐No

If Yes:

i. Species and listing: _____

Pygmy Snaketail, Hellbender

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☐No

If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☑No

If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☐No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: Eligible property:64-66 Main Street, Binghamton, Eligible property:43 North St., Eligible property:10 Edwards St., El...

iii. Brief description of attributes on which listing is based:

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s):

ii. Basis for identification:

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource:

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.):

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation:

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

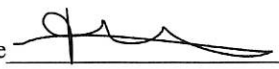
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

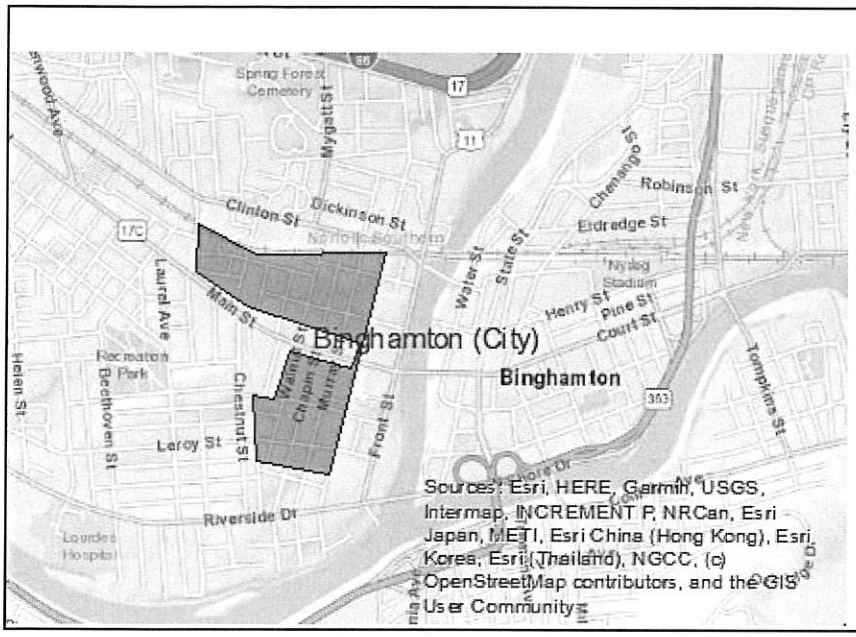
Applicant/Sponsor Name Tito Martinez Date 11/21/2019

Signature  Title Asst. Dir. of Planning

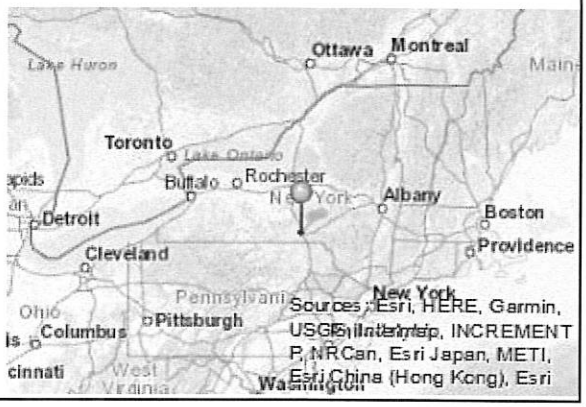
PRINT FORM

EAF Mapper Summary Report

Thursday, November 21, 2019 4:09 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Major Basins:Upper Susquehanna, Remediaton Sites:704030, NYS Heritage Areas:Susquehanna
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	704030
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	704053, 704022, 704027, 704030, V00072, C704047, C704046
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names:Clinton Street Ballpark SSA
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Peregrine Falcon, Brook Floater
E.2.p. [Rare Plants or Animals]	Yes
E.2.p. [Rare Plants or Animals - Name]	Pygmy Snaketail, Hellbender
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:64-66 Main Street, Binghamton, Eligible property:43 North St., Eligible property:10 Edwards St., Eligible property:25 Main St., Eligible property:American Legion Post 80, Eligible property:Binghamton High School, Eligible property:HEMINGWAY HOUSE, Eligible property:16 North St, Eligible property:6 Crandall Street, Eligible property:8 Crandall Street, Eligible property:47 North Street, Eligible property:80 Walnut St, Eligible property:13 Mather St., Eligible property:109 Oak St., NY 13905, Eligible property:22 North St, Whitmore, John T., House, Bennett, Abel, Tract Historic District, Trinity MemorialChurch, Marlborough Building, Clinton Street, Building at 171-177, Harlow E. Bundy House, J. Stuart Wells House
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No