

Summary of the Minutes
February 2, 2016 Regular Meeting
City of Binghamton Zoning Board of Appeals
City Council Chambers, City Hall

CALL TO ORDER

Chairman Donovan called the meeting to order at 5:15 pm.

ROLL CALL

Present: Landers, Donovan, Appe, Pelella, Priest
Absent: 0
Vacant Seats: 0
Staff Present: Giurastante, Martinez, Conway

APPROVAL OF MINUTES

December and January minutes were approved.

SEQRA DETERMINATIONS

169 RIVERSIDE DR (2015-28)

The applicant was not present. The purpose of this meeting was to establish lead agency for the purpose of coordinated review with the Planning Commission.

Motion to establish ZBA as lead agency under SEQRA.

.
Moved by Appe, seconded by Priest

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

Motion to set the public hearing for March 7th at 5:20pm.

.
Moved by Appe, seconded by Priest

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

PUBLIC HEARINGS & DELIBERATIONS

26 BURR AVE (2015-27)

Joachim Harris, applicant, appeared to provide information on the requested Area Variance for maximum number of sheds when one (1) is allowed and four (4) are existing in the R-1, Residential Single Unit Dwelling District

No one spoke in favor. Robert Pontelious spoke in opposition to the project. No letters were received.

Motion to establish ZBA as lead agency under SEQRA.

.
Moved by Appe, seconded by Priest

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

Motion to declare action 'Type 2' under SEQRA.

.
Moved by Appe, seconded by Pelella

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

Motion to grant Area Variance to permit two (2) sheds when one (1) is allowed and four (4) are existing in the R-1, Residential Single Unit Dwelling District

.
Moved by Priest, seconded by Appe

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

16 AND 16.5 CEDAR ST (2016-02)

Kenneth S. Kamlet, Esq., project representative, appeared to provide information on the following Area Variances concerning the subdivision of a property in the R-2, Residential One and Two Unit Dwelling District.

Proposed lot 1 requested an 1,253.7 sq ft variance for minimum lot area, a 30 ft variance for lot width, a 5 ft variance for the right side yard setback, and a 12 ft variance for total side yard setbacks. Proposed lot 2 requested a 2,538.2 sq ft variance for minimum lot area, a 20 ft variance for lot width, a 3.2' ft variance for the left side yard setback, and a 9.2 ft variance for total side yard setbacks

No one spoke in favor. No one spoke in opposition to the project. No letters were received.

Motion to establish ZBA as lead agency under SEQRA.

.
Moved by Appe, seconded by Priest

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

Motion to declare action 'Type 2' under SEQRA.

.
Moved by Appe, seconded by Landers

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

Motion to grant Area variances concerning the subdivision of a property in the R-2, Residential One and Two Unit Dwelling District. For Proposed lot 1: a 1,253.7 sq ft variance for minimum lot area, a 30 ft variance for lot width, a 5 ft variance for the right side yard setback, and a 12 ft variance for total side yard setbacks. For proposed Lot 2: a 2,538.2 sq ft variance for minimum lot area, a 20 ft variance for lot width, a 3.2' ft variance for the left side yard setback, and a 9.2 ft variance for total side yard setbacks. The following condition applies: A driveway easement should be secured and filed and at the Office of Corporation Counsel.

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Moved by Appe, seconded by Landers

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

1 MATHER ST (2016-03)

Ed Jent, project representative, appeared to provide information on the following Area Variances concerning the subdivision of a property in the C-1, Service Commercial District. 1 Mather Street requested a variance of 13'2" for total side yard setbacks as it provides 11'10" and 25' is required. 3 Mather Street requested a variance of 11'4" for total side yard setbacks as it provides 13'8" and 25' is required. The properties had been previously damaged by a fire and, in order to secure a loan for repair, the applicant had to separate the parcel. All utilities for the two buildings are separate.

No one spoke in favor. No one spoke in opposition to the project. No letters were received.

Motion to establish ZBA as lead agency under SEQRA.

.
Moved by Appe, seconded by Priest

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

Motion to declare action 'Type 2' under SEQRA.

Moved by Appe, seconded by Priest

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

Motion to grant Area Variances concerning the subdivision of a property in the C-1, Service Commercial District. For 1 Mather Street, a variance of 13'2" for total side yard setbacks as it provides 11'10" and 25' is required and, for 3 Mather Street, a variance of 11'4" for total side yard setbacks as it provides 13'8" and 25' is required.

Moved by Donovan, seconded by Priest

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

34 LEROY ST (2016-04)

Josh Bishop, applicant, and Sarah Campbell, Esq., representative, appeared to provide information on an Area Variance where no on-site parking is provided and three (3) spaces are required and a Use Variance to establish a Business Office in the R-2, Residential One and Two Unit Dwelling District. Historically, the applicant had trouble renting the property while it maintained a residential use, so he hoped to use it as a property management office since he owns many nearby homes. This use required more parking than the lot will allow.

No one spoke in favor. No one spoke in opposition to the project. No letters were received.

Motion to establish ZBA as lead agency under SEQRA.

Moved by Appe, seconded by Priest

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

Motion to declare action 'Unlisted' under SEQRA.

Moved by Appe, seconded by Priest

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

Motion to establish a 'Negative Declaration'.

.
Moved by Appe, seconded by Priest

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

Motion to grant the Area Variance where no on-site parking is provided and three (3) spaces are required and a Use Variance to establish a Business Office in the R-2, Residential One and Two Unit Dwelling District

.
Moved by Donovan, seconded by Priest

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

ADJOURNMENT

Motion to adjourn.

Moved by Donovan, seconded by Appe

Motion carried (5-0-0)

Ayes: Landers, Donovan, Appe, Pelella, Priest

Nays: None

Absent: None

Meeting adjourned 6:40 p.m.