

ZONING BOARD MEETING  
TUESDAY – JUNE 23, 2015  
ZONING BOARD  
7:00 P.M. – TOWN HALL – 1529 NYS RTE 12  
BINGHAMTON – NEW YORK – 13901

PRESENT: Mr. Donald Phillips, Chairman  
Messrs. Ruston & Doolittle  
Ms. Kinne, Alternate

ALSO PRESENT: Donald G. Walls, Esq. - Town Attorney

ABSENT: Messrs. Waskie, & Grannis, ZBA Members  
Jim DiMascio, Councilperson  
Tom Geisenhof, Assessor

The meeting convened at 7:00 p.m. at which time Mr. Phillips called the meeting to order and welcomed the audience. Mr. Ruston read a statement which explained how the Zoning Board members are appointed, along with the Board's functions, limitations and duties. Mr. Ruston noted that the reading of this statement not only informs the audience about the Zoning Board of Appeals, but it also reminds the Board members of their responsibilities. Mr. Ruston also read the Notices of Publication for each case, which was duly published, as required by law, and as evidenced by Affidavits of Publication received and placed on file.

APPROVAL OF THE MINUTES

- Approval of the Minutes for May 26, 2015, Zoning Board Meeting.

A motion was made by Mr. Ruston, seconded by Mr. Doolittle, to approve the Minutes of the May 26, 2015 Regular Meeting.

ROLL CALL: AYES – 4 NAYS – 0

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PUBLIC HEARING

- BERT ADAMS DISPOSAL – 515 Main St. – TM#112.06-2-24 – Multiple Area Variances for the expansion of the office building with less than required lot width from 350' to 65', acreage from 6 acres to .30 acres, front yard setback from 30' to 25'-67" and side yard setback from 10' to 5'-20" and lot depth from 450' to 200' in a PDD-C zone.

Mr. Walls conducted the Public Hearing.

Mr. Walls explained that Adams Disposal is looking to expand the office building but upon investigation the parcel and building are out of compliance with the PDD-C zone. He's looking to bring the parcel into compliance.

Mr. Walls asked Mr. Adams to please explain where he is expanding the office and the size of the expansion.

Mr. Adams explained the addition would be 16' wide and approximately 40' in length which is on the west side of the property.

Mr. Walls wanted to know if the building existed for several years and if it was pre-existing.

Mr. Adams explained that the building has been there for many years and it was pre-existing.

Mr. Walls wanted to know if the front yard setback, side yard setback (east side) 10' to 5'-2" and lot size as well as lot depth have existed?

Mr. Adams explained nothing has changed. All of these remain the same.

Mr. Walls wanted to know if there was any property Mr. Adams could purchase to bring this parcel, which is in a PDD-C zone, into compliance.

Mr. Adams explained there was none available.

Mr. Phillips read the following correspondence.

Ordinance Office recommends approval for the multiple area variances for the office expansion on the pre-existing non-conforming lot, which will now be brought into compliance with a building permit and fire inspection being required.

Broome County Planning has reviewed the above cited case and has not identified any significant countywide impacts associated with the proposed project. However, the project should show appropriate drainage, site plan for parking area and include landscaping along the building perimeter and at the building entrance.

Town Planning recommends a favorable advisory with a building permit being required.

Urda Engineering has reviewed the application and recommends a favorable advisory.

Drainage Coordinator recommends approval.

Mr. Doolittle, ZBA Member, with the concern of the drainage he was surprised that the Highway Superintendent said there was not a drainage problem and he signed off on it.

Mr. Don Phillips, Chairman ZBA, explained the problem is not with Mr. Adams property, it's with the main street. He also wants to say that Mr. Adams took a parcel on a dead end street and turned it into a very nice parcel and it's very meaningful for the Town.

A motion was made by Mr. Ruston, seconded by Mr. Doolittle, and unanimously carried to approve this application for the expansion of the office building with less than required lot width from 350' to 65', acreage from 6 acres to .30 acres, front yard setback from 30' to 25'-67" and side yard setback from 10' to 5'-20" and lot depth from 450' to 200' in a PDD-C zone with a building permit and fire inspection required.

ROLL CALL:            AYES – 4      NAYS – 0

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NEW BUSINESS

- ANNA RUSNAK- 1953 NYS Rte. 12 – TM#078.19-2-12 – Application for an Area Variance to place an accessory building (carport) with less than required side yard setback from 10' to 4'-5".

RECOMMENDATION

The Ordinance Office finds this application to be complete and would recommend the Board accept and schedule the Public Hearing for July 28, 2015.

A motion was made by Mr. Doolittle, seconded by Mrs. Kinne, and unanimously carried to accept this application for an Area Variance to place an accessory building (carport) with less than required side yard setback from 10' to 4'-5".

ROLL CALL:            AYES – 4      NAYS – 0

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ADJOURNMENT

There being no further business before the Board, a motion was made by Mr. Doolittle, seconded by Mr. Ruston, to adjourn the meeting at 7:16 p.m.

Respectfully submitted,

Nancy Schnurbusch,  
Recording Secretary