

PLANNING BOARD
MEETING
MONDAY, FEBRUARY 9, 2015
7:00 P.M. - TOWN HALL - 1529 NYS RTE 12
BINGHAMTON - NEW YORK - 13901

PRESENT: Cynthia Paddick - Chairwoman
Messer: Donnelly, Warren, Blythe and Carl

ALSO, PRESENT: Thomas Geisenhof - Assessor
Alex Urda P.E. - Town Engineer
Jim DiMascio - Town Board Member

ABSENT: Michael Boland - Planning Board Alternate

The meeting convened at 7:00 p.m., at which time Mrs. Paddick called the meeting to order and welcomed the audience. Mrs. Paddick read a statement which explained the Planning Board Mission, along with the Board's duties, functions and limitations. The first order of business is the approval of the minutes from the December 8, 2014 meeting and the January 12, 2015 meeting.

A motion was made by Mr. Donnelly seconded by Mr. Warren to approve the December 8, 2014 Planning Board minutes.

Roll Call: Ayes - 3 Nays - 0 Absent – 1 (Boland)

Mr. Blythe and Mr. Carl were not officially Planning Board members to vote.

A motion was made by Mr. Donnelly seconded by Mr. Blythe to approve the January 12, 2015 Planning Board minutes.

Roll Call: Ayes - 5 Nays - 0 Absent – 1 (Boland)

ADVISORY OPINION/REFERRALS

- **IFFAT CORP** – Mohammad A Majeed- 36 Clark Ave – TM#112.06-3-14.2- Application for a use variance to allow a two family residence in a Residential Zone.

Mr. Urda reviewed the applicants request to allow a 2 family residence in a residential zone (§73-44). The existing structure exists as a two family residence without proper approvals. Currently it is unoccupied and the applicant would like to make this non- conforming use for both residences legal. Upon reviewing the documentation and discussing it with Michael Pecha Building and Code Inspector it was determined the building conditions do not meet the building codes. So as part of any Zoning Board of Appeals approval prior to occupancy, the applicant must meet the following conditions:

1. Coordinate with the Town's Building/Code Department prior to completing and any additional modifications.
2. Building permit is required. For any modifications made.
3. Inspections by the Building/Code Inspector will be required for the structures to bring the existing structures into compliance with the building code.
4. Electrical inspection by a (NYS licensed inspector) for any electrical installations made without a permit.
5. Building/Code Officer will confirm any property maintenance issues associated with the Town and Building Codes.
6. Adequate parking on the premises per Town Code to support the 2 residences (2 spaces per residential use)

Granting this variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or detrimental to the public welfare.

This is a Type II action under SEQR.

A favorable advisory is recommended with the mentioned items noted prior to occupancy.

Mr. Geisenhof from the Ordinance Office recommended that the Planning Board forward a favorable advisory to the ZBA to grant a use variance to allow a two family residence in a residential zone, with a building permit and professionally drawn and signed plans, being required.

The applicant Mr. Majeed was present to answer questions from the Board.

Mrs. Paddick asked if there is adequate parking, and are you agreeable to meet with the Town Code office for a building permit to ensure code compliance and to correct any property maintenance issues prior to any occupancy. You may also need an electrical inspection. So to be clear a building permit is required with the proper inspections and any property maintenance issues need to be cleared up before this can be rented.

Mr. Majeed stated there is room for 4 cars and is agreeable to meet with the Code Officer prior to any occupancy.

Mr. Carl asked if the address on the mail box 36 A Clark Ave is recognized as an acceptable address by 911 Emergency Services.

Mr. Majeed assured the Board 36 A Clark Ave is a valid address recognized by 911 Emergency Services.

There being no questions for the applicant, a motion was made by Mr. Warren seconded by Mr. Blythe to forward a favorable advisory to the Zoning Board of Appeals for this use variance.

Roll Call: Ayes - 5 Nays - 0 Absent – 1 (Boland)

and 12A and the possible ramifications. Mr. Hemedinger will continue to be involved and attend the meetings until it is completed. However, we need to set up scheduled meetings to begin again. So I suggested a conference call with Mr. Hemedinger, myself, Mr. Geisenhof and Mrs. Paddick to go over a few things and schedule the meetings. It is very important we move forward for the future growth and development within the town. We will get packets together for the new Planning Board members to bring them up to speed.

There being no further business before the Board a motion was made by Mr. Donnelly and unanimously carried to adjourn the meeting at 7:30 p.m.

Respectfully submitted,

Diane Aurelio
Ordinance Secretary

