



# MINUTES

*Town of Binghamton Planning Board*

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July 25, 2023 | 6:30pm

**In attendance:**

- Kathy Kiekel, Ray Mastin, Dave West, Christopher Streno – Planning Board
- Michael Donahue – Town Board Liaison
- Gina Middleton, Attorney
- Dan Griffiths, Thomas Pappas – Griffiths Engineering
- Brett Sherman – JJJ Group
- David Chase- CPL: Architecture – Engineering – Planning
- Elizabeth Rounds – Town Supervisor
- Five members of the public

**Absent:**

- Bill McGowan

The meeting was called to order at 6:43pm. There was a short delay as an attempt to connect Bill McGowan via Zoom was made but it was unsuccessful due to issues with the town's account.

Attendance was taken and the welfare of the Members was discussed.

The meeting began with a joint legal corner presented by town attorney, Gina Middleton. Middleton's presentation was a Subdivision Revue that mainly referred to Section 195 of the Town Code of the Town of Binghamton.

Middleton explained that Subdivision Revue is required by both New York State and Town Law and that a Subdivision Plat Approval is completed in two parts;

1. Approval or denial of the Preliminary Plat Layout.
2. Approval or denial of the Final Plat Layout.

She went on to revue the responsibilities and actions to be taken by both the applicant and the Planning Board during both the Preliminary Plat Layout and the Final Plat Layout, noting several important timelines that are included in each part. A copy of her outline is attached to these minutes.

Once the Legal Corner was concluded, the members of the ZBA were excused.

The first order of business was a brief discussion regarding the Binghamton Solar project. Attorney Middleton explained that the attorneys for Atlas and the town are working together



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along with the Town Board to finalize some issues such as a PILOT Program, a Road Use Agreement and Host Community details.

The second order of business was a discussion regarding the plan to add a building to the property of Access Unlimited at 570 Hance Road. Streno informed the Board that Tom Egan was sent the proper guidelines to develop a Site Plan and a 239 Review Submission Form to be completed. Egan did send in an updated Site Plan that was forwarded to the town attorney so that they could proceed with the 239 submission. Egan was able to provide the proper paperwork for the 239 submission and in June the Broome County Planning Board emailed a few questions to be relayed to Egan. Streno explained to the Board that Egan did not respond and after being contacted again and it was determined that he did not receive the email due to a Spam filter issue. It was discovered during this discussion that the Board had not received the update Site Plan. Streno reported that he would be sending it to everyone.

The third and final order of business was a discussion regarding the Mill Street Subdivision Project, now being called Golden Valley Views. Dan Griffiths represented his company, Griffiths Engineering and the developer, JJJ Group. David Chase of CPL Engineering was present in the audience. Streno began by noting that in just the last several days there had been a large amount of information going back and forth between the developer and the town engineers, including copies of; Architectural and Civil Drawings, Sewer/Water Engineering Report and the Stormwater Pollution Prevention Plan Report (SWPPP) as well as a detailed response from CPL. These items were also made available to members of the Planning Board both in hard copy form and electronically.

As a result, all parties agreed that instead of trying to dissect all of the information during the Planning Board meeting, a direct meeting between the two groups would be beneficial to everyone and help move the project forward. Griffiths updated the Board on the development plan, taking a few questions from Board members and the audience. Griffiths answered with occasional input from Brett Sherman and/or Tom Pappas.

Supervisor Rounds spoke regarding some communication she was having with the city of Binghamton Engineer, Ron Lake, regarding Sewer Credits and connection to the Joint Sewage Treatment Plant. Those communications are ongoing and that aspect of the project is being handled by the Town Board.

The meeting was concluded and adjourned at 7:32pm.

The next regularly scheduled meeting is scheduled for Tuesday October 24, 2023.

The board acknowledged that the likeliness of holding Special Meetings for the Golden Valley View project is likely to occur before the next quarterly meeting.



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### Legal Corner Handout

Planning Board Subdivision Plat Approval (Section 195 of the Town Code)

Completed in two parts:

1. Approval or denial of the preliminary plat layout
2. Approval or denial of the final plat layout

#### (1) Preliminary Plat Layout

- a. Applicant files a complete preliminary plat application for approval by the Planning Board.
- b. Applicant attends, at the Board's request, a meeting to discuss the application and respond to Board requests or questions.
- c. Planning Board determines whether the application is complete or if additional items or information is necessary for a complete application.
- d. Planning Board declares itself the lead agency under SEQR and makes a positive or negative declaration under SEQR.
  - i. Positive declaration – EIS required
- e. Upon a complete application being filed:
  - i. No EIS is required, then a public hearing on the preliminary plat must be held within 62 days of the Planning Board's receipt of the completed application.
    1. Must be noticed at least 5 days before said hearing in a newspaper of general circulation in the Town and posted online and on the Town bulletin board.
  - ii. EIS is required – the public hearing is held in conjunction with the draft EIS public hearing.
- f. Planning Board review paying attention to the following factors in the context of the Town's Comprehensive Plan and Official Map (if applicable).
  - i. Arrangement, location, and width of streets in relation to the topography of the land
  - ii. Sewage disposal
  - iii. Adequacy of drainage
  - iv. Lot size and arrangement
  - v. Future development of adjoining lands
- g. Planning Board issues a preliminary plat determination within 62 days of the close of the public hearing: approval, approval with conditions, or denial with a statement of the grounds for the determination on the Planning Board meeting record.



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### (2) Final Plat Layout

- a. Within 6 months of preliminary plat approval, applicant must file a final plat approval application.
  - i. The final plat and its approval application must substantially agree with the preliminary approved plat (e.g., comply with all requirements of the preliminary approval and must have been changed in accordance with that approval).
- b. Prior to the final approval being issued by the Planning Board, which approval must be issued within 62 days of submission, the following must occur:
  - i. Endorsement by the County Health Department as meeting County Sanitary Code or applicable health codes
    1. Alternatively, the Planning Board can approve, contingent on such approvals by the Health Department
  - ii. 239 review if applicable
  - iii. Applicant must complete all street, sanitary and other improvements specified in the plat approval before action is taken by the Planning Board, or a bond in the amount necessary to complete such improvements, must be filed with the Town Board by the applicant.

Respectfully submitted,

**Christopher Streno -Planning Board Chairperson**