

Opposition to Re-Zoning from RR to PDD for “The Retreat at Bunn Hill” A Community-Member Perspective

Landmark Properties and the property owner of 833 Bunn Hill Road and adjacent parcels (~43 acres) are seeking to create an overlay Planned Development District (PDD) in a Rural Residential (RR) zoned area for the purpose of constructing 161 “cottage style” apartments as “professional housing”.

For a PDD to be approved, and for this not to be considered an illegal spot zone, the Town would need to elucidate CLEAR and COMPELLING reasons for changing the zoning. It would need to be demonstrated that there is SIGNIFICANT PUBLIC BENEFIT to this project and it is not being done to benefit one landowner. From the standpoint of many in the community, there are almost NO BENEFITS to the Town, and certainly no benefits that would outweigh the many negative consequences to the Town if this development were to proceed.

Although we do not cite much in the way of authority in this paper, we do use FACTS and common sense. All of our sources are cited. All of our materials were put together using REAL DATA from sources such as publicly available information in the Broome County GIS found online. We argue from the standpoint of what a reasonable person could be expected to see in this project.

Note: All diagrams and pictures will be provided full size at the end of the document.

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Zoning Law, the Comprehensive Plan, and the Pattern of Zoning in Vestal's Neighborhoods

In our viewpoint, zoning is like a contract between the Town and property owners. We buy a piece of property, we maintain it, we pay our taxes, and we might even improve upon our property and allow ourselves to be taxed even more. But in the end, we can find comfort in the fact that our zoning will probably allow our properties to appreciate in value. We can see our hard work and efforts on our property as a sound investment. We don't think that random and arbitrary decisions by the Town will suddenly allow an incompatible use to land next door. "Through zoning local government regulates what uses may be made of a parcel of land. The intent is to protect adjoining property owners from incompatible uses and to increase the likelihood that a community grows in a way which enhances overall quality of life." (Klein, 2017).

It has been said many times that "Vestal does not have a comprehensive plan." It would seem, though, in lieu of a comprehensive plan that the current zoning by default IS the comprehensive plan. "In accordance with a comprehensive plan" does not necessarily dictate that the Town HAS a formal comprehensive plan, just "that it shows that zoning be undertaken in accord with a well - considered plan." (Zoning and the Comprehensive Plan, 2015). To this end, Vestal has adopted zoning laws and designated areas that have allowable uses and created a zoning map. At the time this zoning was enacted, that was the current plan for the Town of Vestal.

When zoning needs to be changed there are three ways that most local jurisdictions change zoning (from Klein, 2017):

1. Zoning will frequently be adjusted when a new master plan is adopted.
2. During the ten to twelve years between master plan updates there will be a process where the need for zoning adjustments is studied comprehensively.
3. A land owner may petition for a rezoning at any time, though approval is usually granted only when it is found that the original zoning assignment was a result of error or that various factors have changed to a degree which makes current zoning inappropriate. If a rezoning proposal has the potential to take growth in a direction differing from that set forth in the master plan, then it should be evaluated through the intensive scrutiny applied to a master plan amendment.

Obviously #3 seems to apply the most to the "Retreat at Bunn Hill." Was the original zoning the result of an error? No. It applies to a large swath of the Town of Vestal and at the time these properties were purchased by the landowner they were under an RR designation or the equivalent at the time. Have the current conditions changed to a degree which makes current zoning inappropriate? No again. In fact, nothing has changed on this area of Bunn Hill in the last twenty years. (See diagram next).

What has changed on Bunn Hill Road in the last 20 years to justify a zoning change?

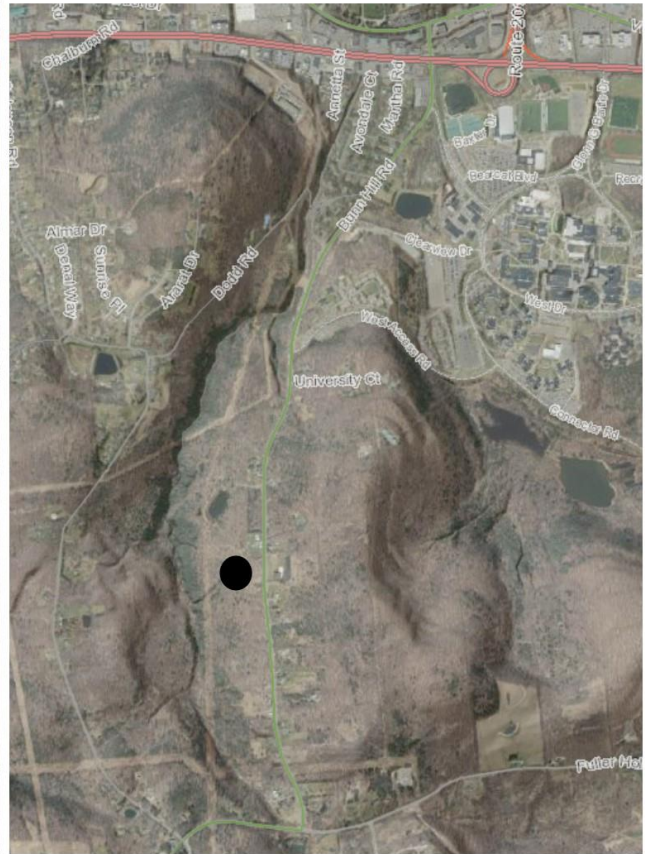
You are right..... NOTHING.



1999



Proposed Zoning Change Area



NOW

So nothing has really changed on Bunn Hill in the last 20 years. On other parts of Bunn Hill, new houses have been built in compliance with current RR zoning.

It seems obvious from current and past development in the Town that people want the 434 Vestal Parkway corridor to see the high density development while mostly leaving the hills of Vestal in low intensity use. This has also been stated in the Broome County Comprehensive Plan of 2013 as well as the Vestal Comprehensive Plan draft of 2003.

Currently, all high intensity use of land south of the Parkway and east of Route 26 in Vestal occurs very near to the Parkway and existing infrastructure. When we examine development in Vestal some important trends, and evidence of a “plan” and logic, emerge. First, apartment complexes are generally close to the Parkway. In fact, Hayes Community is the furthest from the Parkway at 0.47 miles (see Chart below). The proposed “Retreat” complex is almost three times further from the Parkway. Second, all Vestal apartment complexes are clearly in areas described as “transitional” in nature and are very close to commercial properties (see Chart). The average distance these apartment complexes are from commercial buildings is 0.14 miles. The proposed “Retreat” complex would be nine times further away from a commercial center than this average.

Furthermore, none of these apartment complexes are situated on the hill tops or even near the crest of the hills. Clearly, the placement of the proposed student housing complex by Landmark Properties on Bunn Hill Road, in Rural Residential zoning, is contrary to the “essential character” of the neighborhood and would break the pattern of development for all other apartment complexes in Vestal (east of 26 and south of the Parkway).

Apartment Complex (moving west to east) [East of Rte. 26 and South of 434]	Distance from Parkway	Distance from major business
Evergreen Park, Evergreen Street	600 feet / 0.10 miles	636 feet / 0.12 miles from Weis grocery
Anthos Properties of Vestal, Rano Blvd.	950 feet / 0.18 miles	338 feet / 0.06 miles from Weis grocery
Cherry Hill Park, Rano Blvd.	1500 feet / 0.28 miles	940 feet / 0.18 miles from Target
Holly Brook, Burris Road	1300 feet / 0.25 miles	454 feet / 0.09 miles from Target
Hayes Community, Plaza Dr. / Clubhouse	2500 feet / 0.47 miles	1750 feet / 0.33 miles from University Plaza and < 0.10 miles from many large office buildings along Plaza Drive
The Clusters, Plaza Dr. / Clubhouse	1969 feet / 0.37 miles	1400 feet / 0.26 miles from University Plaza
The Meadows, Clubhouse Dr.	1500 feet / 0.28 miles	500 feet / 0.09 miles from University Plaza
Clayton Village, Clubhouse Dr.	1405 feet / 0.26 miles	600 feet / 0.11 miles from University Plaza
University Plaza, Parkway	480 feet / 0.09 miles	Negligible distance from multiple stores
Proposed “the Retreat”, Bunn Hill Road	7022 feet / 1.33 miles	6442 feet / 1.22 miles

Based on these trends, when folks bought properties on Bunn Hill they had no reason to think that high-density housing would be something that would show up nearby.

Textbook Case for Spot Zoning and the Bad Precedent it Will Set for the Town

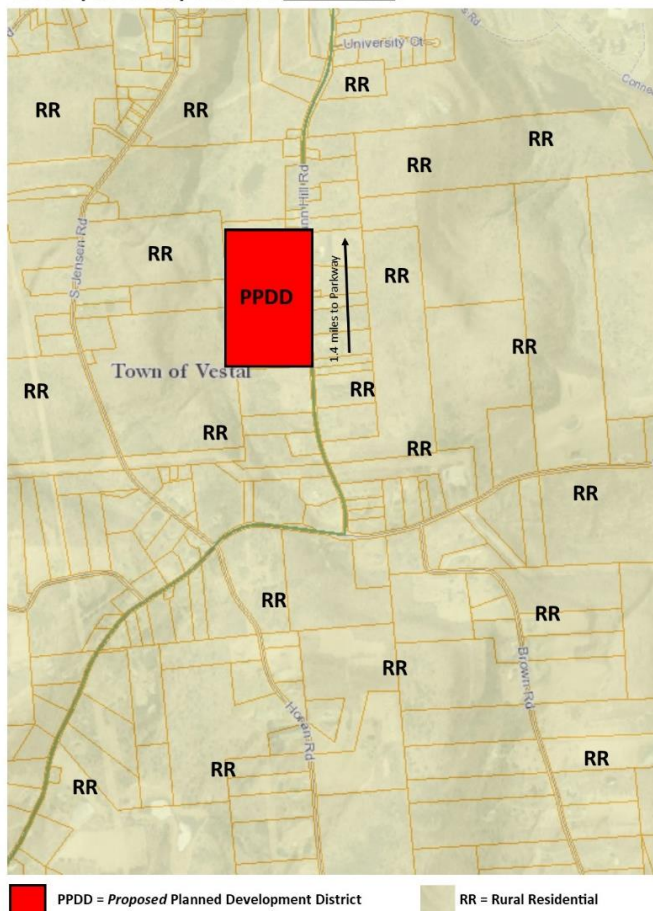
One clearly illegal form of rezoning is spot zoning. Spot zoning is traditionally defined as “the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners.” (Shapiro, 2013). Generally, in order to be considered a spot zone the property must meet the following four criteria (from Neumann, 2016):

- The area is small compared to districts surrounding the parcel in question.
- The new district allows land uses inconsistent with those allowed in the vicinity.
- The spot zone would confer a special benefit on the individual property owner not commonly enjoyed by the owners of similar property.
- The existence of the spot zone conflicts with the policies in the text of the master plan and the future land use map.

Another further consideration could be given to “public benefit” (Shapiro, 2013) or whether “the rezoning was done to benefit individual owners rather than pursuant to a comprehensive plan for the general welfare of the community.” (Zoning and the Comprehensive Plan, 2015)

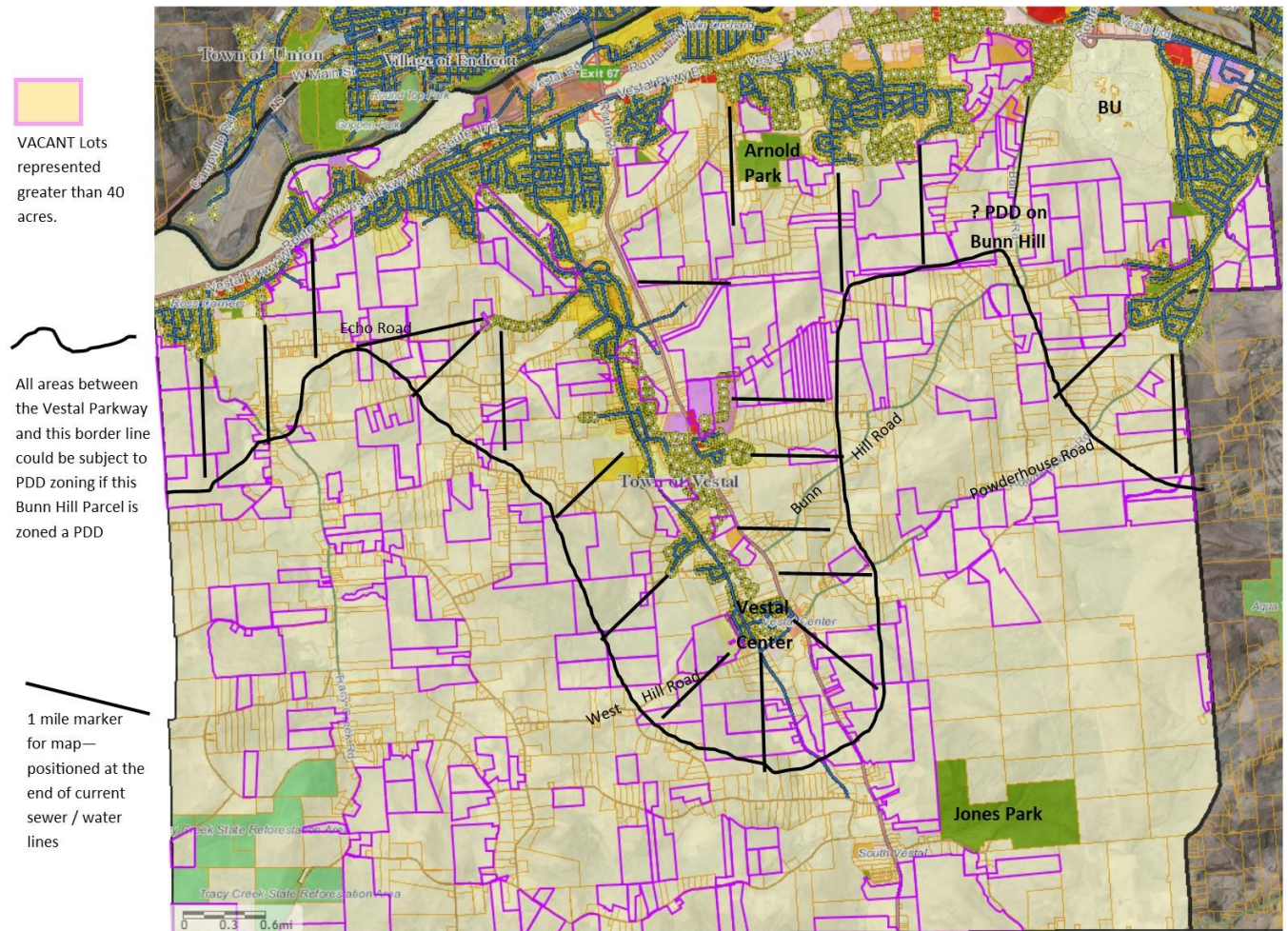
To any reasonable person looking at the data and reading about spot zoning this request would seem to check all the boxes as a classic textbook case for spot zoning! The entire area surrounding this property is designated RR. So there is a 40 acre parcel amongst thousands of acres of RR zoning in Vestal that we will now give a different designation? (See diagram). Clearly the requested land use is inconsistent with those in the vicinity and would not be allowed in the RR zoning.

Would you classify THIS as a **SPOT ZONE**?



This one landowner will clearly get a special benefit that others in the RR zoning will not receive, but many could then ask for PDD designation if this one is allowed (see Diagram and Appendix A for other properties that would become eligible for PDD's if this is allowed). And based on current zoning maps it is in conflict with future directions of growth in the Town.

Additional Areas of Vestal eligible for the PDD designation based on 1 additional mile of sewer / water being run from current sewer / water lines.



This diagram clearly shows that this property is not unique in Vestal. Clearly this landowner will be getting a benefit that others do not. This only shows acreage over 40 acres, within a mile of sewer line, that is currently vacant; similar to the applicant's property. In fact, there are 44 such properties in Vestal (see Appendix A for a table of these). There are many parcels over 40 acres that might just have one house on them. Why shouldn't those homeowners be allowed to apply for a PDD, make millions of dollars selling the land, and simply demolish their home and move? But in fact, the picture is worse, because the Town's PDD designation is for tracts of land of 10 acres or more. From the Town Code Sec. 24 – 531 "A residential, commercial, or industrial planned development district or combination thereof may be established in any district of the town for the purpose of promoting integrated site planning of tracts of land ten (10) acres or more in area." In reality then, any owner with a parcel of 10 acres or more could apply for a PDD and this would fill in significantly more areas eligible for a PDD.

If a project of this scope and magnitude is allowed to proceed with a questionable “spot zone”, Vestal will literally have opened Pandora’s Box. The dangerous precedent set on Bunn Hill Road will allow almost any developer’s wishes to be granted, because all they will need to do is point to Bunn Hill and say, “You did it for them over there.” And as is obvious from the data presented above, there are certainly many people who could apply this to their properties.

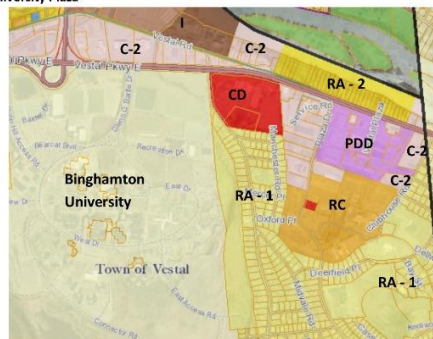
So the last question remains to determine if this is a “spot zone” and that is the idea of a “public benefit.” We will discuss that soon.

Planned Development Districts / Overlay Districts and Their Intent

Planned Development Districts (PDD) and overlay districts are interesting and useful planning tools. In the creation of overlay districts there should be a clearly defined purpose, boundaries for the zone should be set, and clearly defined rules for the zone should be identified. Examples of overlay zones could be to protect aquifers, maintain historic districts, or to encourage economic growth in high traffic corridors. A PDD is a type of overlay district. A PDD can have great benefits to a town when used correctly, but in this case it is simply another attempt (#3 in this case) by a landowner to get around the zoning laws. PDD’s (and similar Planned Development Clusters or PDC’s) can create a mix of uses that might otherwise not be allowed by zoning. For example, the University Plaza in Vestal along the Parkway is a PDD and has student housing, a bank, and many restaurants (such as Tully’s and Coppertop) all mixed together. The PDD designation in this case revitalized an area that was becoming run-down and underutilized. It is surrounded by other compatible zoning such as Commercial Development (CD), Community Business (C-2), Multiple Residence (RC), and then transitioning into Family Residential (RA-1 and RA-2). In other cases PDD’s can be used to cluster homes together tighter than allowed in the traditional zoning areas. This can be more efficient for running sewer and water lines. The remaining undeveloped portion of the parcel is required to be left as green space (See Miskowiak and Stoll, 2006 x2). Some of the PDD along Route 26 in Vestal has this quality. The proposed PDD for Bunn Hill is all by itself amongst exclusively Rural Residential (RR) zoning and therefore acts much more like a “spot zone.” (See Diagram below and compare to diagram on page 5)

Planned Development Districts (PDD) in the Town of Vestal

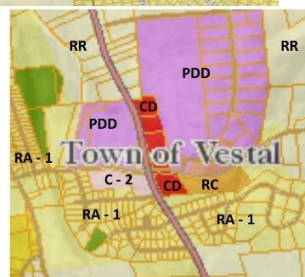
University Plaza



Route 26 PDD

KEY TO ZONING AROUND THE PDDs

PDD = Planned Development District
CD = Commercial Development
C-2 = Community Business
RC = Multiple Residence
RA-1 = One family residential
RA-2 = One and two family residential
I = Industrial
RR = Rural Residential



Of course, another key word in PDD is *planned*. What type of PDD would this be? What would it be designated as? The only possibility seems like some sort of economic PDD, but based on the fact it is isolated on a hill with no other development this seems like a very bad location. It will not have the economic multiplier effect as seen at the University Plaza. It will only benefit the one landowner to the detriment of the neighbors.

It seems apparent that the Town does not have a vision or plan in regards to this property. The applicant would actually have a stronger case if the Town did have a comprehensive plan showing a vision of growth and that the majority of residents agreed with the plan. In this case, it is simply being considered because one landowner is trying (for the third time in 12 years) to make an exorbitant amount of money for themselves on land that they speculated on decades ago. It is apparent from the widespread opposition to this project (and very little support other than applicant family members and employees) that the residents of Vestal do not agree with this type of development on the hilltops of Vestal in RR zoning. It is also apparent from the previous PDD's in the Town that this development does not fit a pattern or plan in the way these have been utilized in the past. Again, this is just the strategy of one landowner to circumnavigate the zoning.

What are the purported “public benefits” of this project?

Are there any true “public benefits” to this project that will act for the greater good of Vestal residents? The developer and their attorney have stated many benefits of this project for the Town (retreatbunnhill.com). However, most of them just don't seem to add up. Let's look at these.

Claim #1: Hundreds of thousands of dollars in tax revenue to support the Vestal community

Please don't fall for the fallacy of the “increased tax base”. Look at the reality. If \$100,000 in revenue is generated out of a Vestal budget of almost \$30 million dollars that accounts for only 0.3% of the overall budget. **It won't even move the needle.** In fact, the University Plaza is almost exactly the same area as this proposed PDD, has an assessment of almost \$44 million, and generates ~\$128,000 in property tax revenue. IF this project were to generate the same revenue this is still only 0.4% of the Town budget! This is also too simple, because with high density development comes costs for Town services such as water, sewer, fire protection, and police. Our volunteer fire department is amazing, but development like this can really tax them. Ask them what their most common call-out is? (Student housing on BU Campus and University Plaza). Cost of community service studies (COCS) always cite high density residential development as the biggest drain on a town's tax base; sometimes as bad as only 50 cents in revenue to each dollar in expenditure. Also consider, with all the retail development on the parkway when is the last time your tax bill went down? It simply doesn't add up. For a small pittance Vestal will lose one of its most attractive features (the green surrounding hills) and open up a Pandora's Box of development on the hilltops.

One of the greatest generators of income for the Town budget is in sales tax. So getting tenants back into the Pizza Hut, Friendly's, and other vacant buildings on the Parkway will likely do far more for the good of Vestal residents and the overall Town Budget. Getting developers for vacant lots like the former Cheer's Eatery and the lots next to that will be bigger revenue generators for the Town in both property and sales tax.

Broad sweeping claims of “hundreds of thousands” in tax revenue for the Town is wonderful but not borne out by real data.

Claim #2: We need this type of housing locally

Exactly what type of housing is this? There certainly seems to be mixed signals coming from the developer themselves. Is this upscale professional housing? With students included? It seems to be a strange mix. Landmark's tag-line on their websites is that they are the "Nation's Top Developer of Student Housing". Now, suddenly they are going to become professional housing?



And of course, everybody knows that this is student housing. Which has been shown to NOT be needed at this time in the area. Binghamton University greatly expanded campus housing recently and has trouble filling Hillside Community, which is the furthest from the central campus. They have a dedicated shuttle service and still cannot fill it. SUNY Broome currently has Binghamton Advantage Students (BAP) that take classes at SUNY Broome, but they are housed on Binghamton University's campus. This agreement helps fill some of the available housing at BU while providing additional students to SUNY Broome. Also, student housing has exploded in areas that students want to be. This will not be an attractive site for them.

The Retreat at Bunn Hill falls in line with other student housing projects that this developer has and appears it will average 4 bedrooms to a unit (see table below). What young professional wants an apartment with 4 bedrooms?

Landmark Properties... "The Retreat" Cottage-style apartments

# Units	# Beds	City	State	Year Built
65	265	Knoxville	TN	2010
106	416	USF	FL	2017
125	492	Denton	TX	2011
138	587	State College	PA	2013
149	554	Raleigh	NC	2012
157	656	Louisville	KY	2015
160	668	Oxford	MS	2013
162	476	Champaign-Urbana	IL	Under construction
164	695	Starkville	MS	2017
175	700	Harrisonburg	VA	2017
178	710	Tallahassee	FL	2012
183	774	Tucson	AR	2013
187	780	San Marcos	TX	2012
188	787	Gainesville	FL	2016
192	796	College Station	TX	2016
195	756	Columbia	SC	2008
203	829	Blacksburg	VA	2016
218	853	Lubbock	TX	2011
221	894	Orlando	FL	2014
330	1016	Corvallis	OR	2015
342	1306	Lake Tamaha	AL	2009
182.76	714.76	AVERAGES		

21 developments

Average bedrooms per unit = 4

Even if we give them “the benefit of the doubt” in regards to the type of housing, it appears they might be too late entering the professional housing game. Numerous recent articles in the Press and Sun detail the professional housing and market-rate housing that is coming to the area (see references at end). These housing projects are also in locations that young professionals want to be! A 2014 real estate market survey confirmed that “there is a strong demand for homes in walkable neighborhoods. A walkable neighborhood is safe and comfortable for pedestrians (sidewalks are a must!) and there must be places people can walk to, such as parks, recreation facilities, shops, and restaurants. There is also a strong demand for being near public transportation, which is consistent with recent data showing that transit ridership is at a 50-year high.” (Molinaro, 2014). These wishes are even more prevalent in the younger generation (Molinaro, 2014). The location of the applicant is not ideal for attracting young professionals or students. Counter to their claims, it is NOT walkable or friendly to bikes. The nearest commercial venture that could be patronized by their residents is almost a 3 mile roundtrip walk up and down a steep hill.

Claim #3: This will turn “non-viable” properties (Sarah Grace Campbell) into viable properties.

“This project is transforming a residential property into viable productive use,” said Sarah Campbell, a lawyer with Hinman, Howard & Kattell, which is representing the developers. – Planning Board meeting 3/3/2020

Perhaps one of the most insulting things stated by the developer’s attorney at the 3/3/20 Planning Board meeting was that the RR designation was only a “placeholder” and that properties in RR zoning are “not viable”. It is obvious from the numerous residents of Vestal that built homes in RR zoning that they do not view themselves as “placeholders” or their properties as “non-viable.” In fact, the only reason that the applicants property has not been “viable” for the decades that they have held it is not because there was no sewer or water, but because they are land speculators that wanted to hold on to it to try and make more money. That is their choice. There is no doubt that somebody would have used this land for single family homes if it had ever been put on the market as building lots.

In fact, RR zoning in Vestal is a valuable and important component in the diversity of zoning mixes. Residents of RR zoning maintain their own sewer and water, therefore not taxing Town systems. Wastewater for these homes is being treated on site at a time when the Binghamton – Johnson City Sewage Treatment Plant is working off a consent order. The thousands of acres of land in RR zoning also provides important ecosystem services such as wildlife habitat, erosion prevention, clean water supplies, and scenic beauty. The Town does not need to pay anything for these services; they are provided by the property owners of RR zoning.

Along with these many free services RR property owners provide the Town, they are also taxpayers. Within a one mile radius of the applicants “non-viable” property is \$15 million of assessed property value and there is large areas adjacent to this property of preserved Binghamton University lands with no homes (see Appendix B). These homes range in value from \$95,000 to \$775,000, providing potential housing for a variety of income levels. Many of the older homes have seen significant renovation in the last few years. The HH&K attorney also claimed that people don’t want to buy homes without sewer and water, but in the last two years RR properties have generated almost \$21 million in real estate sales in the Town of Vestal (see Appendix C). These homes ranged from \$10,000 to \$690,000 in sale price, again providing a wide-range of housing options for the community. Obviously there is a very large subset of folks in Vestal that place great value on RR zoning.

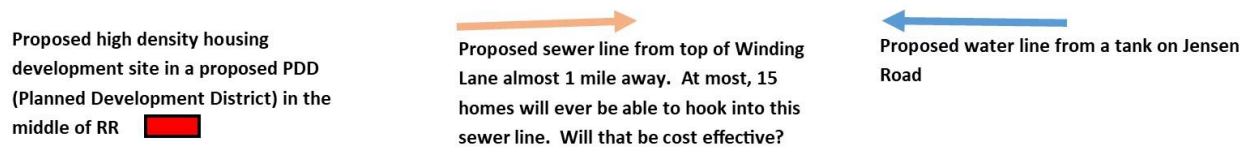
Claim #4: Run sewer and water for the Town residents “for free”

These thoughts seem to go along with the attorney’s assertion that RR zoning is non-viable and unproductive use of the land, so the Town will greatly benefit by having sewer and water run to this site by the developer. Who will actually benefit from this? Obviously, the biggest benefactor of this development will be the property owner and the developer! How will the residents get any benefit from this?

First, all of us in RR zoning knew what we were signing up for when we moved here. We were willing to trade the “convenience” of Town water and sewer for the lifestyle we have here. We put significant money into our septic and wells and maintaining them. The fact is we have already made significant investments in these services for ourselves. We do not need “the gift” of sewer and water. In fact, with all the construction and land use changes, many of our wells might actually be threatened. And if we lose our wells there will be NO PUBLIC WATER readily available as we will explain next.

Almost no residents of Bunn Hill Road will ever be able to hook up to this sewer. In fact, there are only about 15 homes that will ever be able to do so. Four more homes could be included on University Court, but will sewer lines be run up there for them? The rest of the land that this new sewer line would pass through is all BU lands. The western side of the road is a steep ravine where nothing would be built. Also, there will be NO WATER for the residents of Bunn Hill because the water lines will be run from a tank on Jensen Road into the back of the development. If something should happen to disturb our wells on Bunn Hill we will not be able to get into this water supply (See diagram below).

Does this look like a sensible way to build infrastructure? Is this cost effective? Will building infrastructure in this manner lower your tax bill? Besides the proposed development, who else in Vestal will “benefit” from this proposed infrastructure? Sewer and water only meet at the development.



Also, will the Town be creating a new sewer and water district as asked by the County in their 2008 239 Review of this project? Or will these utilities only be for the development? Will this be a private sewer line or owned by the Town? What is the cost to maintaining this sewer line for the development? The last developer the applicant tried to bring in 2008, Campus Crest, is now bankrupt and no longer in business. If this project is built but does not pan out for Landmark, who will be responsible for the sewer and water lines? Won't this then fall onto the Town and increase costs?

Whether the applicant and the developer are truly acting in good faith and to “benefit” the Town remains a serious question. They want a PDD (remember PLANNED), but there are so many details that are not present in their application package. This developer certainly seems to be putting the cart before the horse asking for approval and then saying they will come up with the details. They already know more details than they are letting on to the Planning Board. For example, they have the same engineers now as in the

2008 application. In 2008, Keystone Associates created a “Site Investigation Report” for the “Grove at Binghamton” and Campus Crest Development, LLC. There are some interesting details found in this report regarding sewer and water that have not been presented. Surely they know about these issues raised in 2008?

On pages 4-5 of this report, the Sewer and Water Service are discussed. First, because the project will be below the road grade the development will need a pumping station to bring the wastewater up to the road and the sewer line. Second, the water tank on Jensen is not at a high enough elevation compared to the project to supply adequate water pressure. They provide two options to remedy this situation. First, the Town would need to create a booster pump station. This option at that time was not favored by the Town because it would increase Town costs. The second remedy was to install an elevated water tank (100 feet high) on the site (see Appendix D and E for these documents). Neither a pumping station nor a water tank are present on their site plan. Why have details such as this been omitted?

Additional Issues

Traffic and Safety

The impact of this development on Bunn Hill Road traffic will be substantial. Unlike the University Plaza Apartments, which renovated the former K-Mart Plaza (a “Smart Growth” decision) and attracted businesses of student interest, there will be no student amenities on Bunn Hill Road. This will then necessitate that students regularly travel Bunn Hill for classes as well as down to the Parkway and downtown Binghamton bars for the services they desire.

Bunn Hill Road is also not conducive to large numbers of walkers or bicyclists (see diagram below). There is a relatively limited sight distance on Bunn Hill Road due to its gradient along with an even steeper gradient combined with a curvature in the road just up from the University’s back entrance. This combination, along with a very narrow road edge for most of its length, would be a dangerous combination for an increased number of student walkers or bicyclists. If you add in the effects of winter, inexperienced drivers, and the slope of Bunn Hill then a very dangerous situation presents itself.

Level of Service Standards for Bicycle Access	
A/B Desirable	 <ul style="list-style-type: none"> ◆ Dedicated bike lane, at least 4-5 feet in width, with signage, stripes or other markings and a separate sidewalk for pedestrians. ◆ New or recently resurfaced pavement, free of cracks. ◆ Light traffic volume. ◆ Posted speed limit of 25 mph or less.
C/D Typical	 <ul style="list-style-type: none"> ◆ Paved shoulder or emergency walkway, at least 3 feet in width. ◆ Worn pavement with minor cracks or hazards. ◆ Moderate traffic volume. ◆ Posted speed limit of 25-40 mph.
E/F Undesirable	 <ul style="list-style-type: none"> ◆ No bike lane, paved shoulder or sidewalk. ◆ Dangerous cracks, potholes, loose gravel, drainage grates or other hazards. ◆ High traffic volume, including numerous heavy vehicles. ◆ Posted speed limit greater than 40 mph.

Bunn Hill Road definitely falls mostly into the E/F category (from Roberts, 2009).

Currently there is no bus service above the lower entrance to the University and Campus itself. Broome County Transit has cited numerous issues in trying to provide bus service to this complex on Bunn Hill (see 3/13/20 239 Review) including pedestrian safety with buses.

The combination of no student amenities and limited alternative forms of transportation will lead to an even greater need for students to drive. The Institute of Transportation Engineers (ITE) publishes data on trip generation rates for different forms of land use. For an apartment, the trip generation rate is 6.6 trips / day / dwelling unit (See Klein, 2017). What is the dwelling unit? For college students it is probably safe to assume that a unit is per bedroom. Assuming 161 units with on average 4 bedrooms we would have 644 potential occupants with cars (see previous data under *Claim #2*).

Calculation (high end?)	Result
6.6 trips a day x 644 students	4250 trips
Over a 16 hour day 4250 / 16	265 more cars / hour
265 / 60 minutes	4.5 more cars / minute
4 cars / 1 minute	1 <u>additional</u> car every 15 seconds on the road

Even if we give them a break and say the “unit” is the 161 they claim.

Calculation (low end?)	Result
6.6 trips a day x 161 units	1063 trips
Over a 16 hour day 1063 / 16	66 more cars / hour
66 / 60 minutes	1.1 more cars / minute
1 car / 1 minute	1 <u>additional</u> car every 60 seconds on the road

According to their own traffic studies “approximately 81 vehicles will be exiting during the morning peak hour and just over 100 vehicles entering and exiting during the evening peak hour.” They definitely seem to be on the lower end of these calculations. Let’s do the math on this simple concept. For those living nearby or below this project they will see on average an *ADDITIONAL* car every 45 seconds during the morning peak hour and an *ADDITIONAL* car every 36 seconds in the evening. Most of us did not move to RR for that! If we look at the high end, residents might see an additional car every 15 seconds.

The Essential Character of the Neighborhood

There are many potential impacts of the proposed development and their attendant parking spaces on the Bunn Hill environment. It should be noted that although we are discussing the “environment”, this also equates to our neighborhood. The “neighborhood” and the “environment” are an integrated feature of Bunn Hill. The potential impacts on the environment include view-shed impacts, light pollution, noise pollution, impacts on wildlife, and many negative effects in regard to Bunn Hill Creek.

Currently the Bunn Hill area has many large parcels of wild lands that surround and protect the watershed of Bunn Hill Creek. The value of these intact, vegetated lands is immeasurable and has many important effects on the Creek and surrounding area. An intact watershed slows the water from storm events by holding it in place through absorption as well as physically preventing fast run-off. This in turn cuts down on sedimentation as sediments are filtered out or fall out of the runoff as it percolates through the vegetative physical barrier. The intact watershed also prevents erosion by slowing the water flow and fluctuations in water flow. Bunn Hill Creek has a large buffer system in place because BU lands surround

the middle portion of the creek and Nuthatch Hollow Nature Sanctuary protects the more southerly portion.

Unfortunately, the portion where the applicant wants to build is at the unprotected “headwaters” of the stream. The creation of large areas of impervious surfaces, through rooftops, sidewalks, and large parking lots will have a series of effects. First, water will run off at a faster rate and reach the stream more quickly. This will lead to higher “flood” levels and higher discharge at the lower end of the stream. This in turn will lead to greater erosion in the downhill neighborhood as well as lead to more flooding in high water events. These negative effects will have severe impacts on the lower Bunn Hill neighborhood as well as leading to greater costs to taxpayers for stream repair.

The creek will also be impacted by polluted runoff from the complex’s parking areas. For every parking space, 380 square feet of impervious surface is created. This amount of impervious surface generates almost 7000 gallons of polluted runoff per year and can degrade up to 4 feet of a high-quality stream (Klein, 2017). Therefore, the over 500 parking spaces for this apartment complex will lead to the degradation of almost one-half mile of Bunn Hill Creek.

Bunn Hill Creek has many biological indicators showing it to be a “high-quality” stream. These species range from various insect larva in the stream to salamanders living in the stream. The Spring Salamander, *Gyrinophilus porphyriticus*, is one such species and inhabits Bunn Hill Creek. It is well-known to be a “sensitive” species that disappears from streams where excess sedimentation from development occurs (Gibbs, 2007). Because of this projects location at the top portion of Bunn Hill Creek, the effects of increased sedimentation and polluted runoff from its parking lots will likely affect the entire stream biota.

The developer claims that it will “mitigate” most of these effects with the construction of a retention pond. Mitigation means to make something less severe or harsh; it does not contend that there will be no impact. Retention ponds do have the capability to slow run-off and filter out sediments and pollution. By their very nature then, retention ponds are not attractive places. They slowly start to fill up with trapped sediments and pollutants equating to a toxic sludge. Also, as they do their job and fill up with sediments, they start to lose their capacity to hold the water they were designed to hold. Without maintenance the retention pond eventually loses function. At that point, water designed to be held will overflow and will likely also carry heavy loads of pollutants. Although retention ponds sound good on paper, they come with their own problems and limitations, none of which will aid in preserving the Bunn Hill neighborhood.

The Intentions of Binghamton University

In all honesty, the intentions of BU should have no place in these discussions. Yet the Town seems fearful of what BU could do up here in the hills. The developer’s attorney waves around a map of BU properties with a warning that they will develop all the hills anyway, so why not let this project go through? The truth is that in the time that most of us have lived on “the hill” BU has been a great neighbor. Many of us have lived here for over 25 years and raised our families here, and in that time BU has added wildlands that we can use for hiking, running, photography, bird watching, x-country skiing etc. There is no evidence they intend to do anything with them except protect their natural areas and add to them. In fact, we have never had a single problem with BU lands, but we have now had to deal with the applicant’s intentions three times in 12 years!

The applicant is using pure speculation when they state that SUNY will develop the land behind residents' homes on Bunn Hill for classrooms and dorms. In fact, quite to the contrary, there appear to be several lines of evidence AGAINST such a notion. By all appearances, the University appears to be interested in expanding its influence to the East of campus and in continuing to expand into and revitalize the downtown areas of Johnson City and Binghamton.

- BU has made tremendous investment in campus housing as they phase out through demolition many of the older dorms in Dickinson and Newing Colleges and replace them with taller structures, adding ~900 new beds.
- BU purchased the NYSEG property on Murray Hill Road and has invested millions into the new Innovative Technologies Complex
- BU has made large investments in the downtown center in Binghamton.
- BU is really expanding their footprint in Johnson City with their pharmacy school. In conjunction with UHS there appears to be a significant expansion planned for both and there will be need for professional housing in those locations.
- See the long list of articles in the references related to BU's expansion and investment in these areas.

Other lines of evidence against the thought of SUNY developing the lands are that they are currently considered part of the BU Nature Preserve. We can see in the latest Trail Map Brochure, as compared to the older version, that when the new lands were purchased SUNY added new Trails to the property. Furthermore, the BU Campus lies in a bowl due to it being surrounded by steep hillsides. To reach this property on Bunn Hill the University would need to get through federally and state protected wetlands and climb slopes with >20% grade (Broome Co. GIS system) in order for the campus to be contiguous. Also, with the expense of adding sewer and water to the property it would seem unlikely that SUNY will develop these properties.

And lastly, BU President Dr. Harvey Stenger, in a Guest Viewpoint in the Press and Sun (2014) clearly stated the intentions of the University were to keep revitalizing Johnson City and Binghamton downtowns. "Though Binghamton University has traditionally been a residential college, recent enrollment growth has brought many of our students, and almost all of our graduate students, into the local rental housing market, and this will continue over the next five years." "This movement of students into the downtown region has helped revitalize the city center; *the challenge will be to bring these successes to other parts of the city.*" The entire Guest Viewpoint is actually a call to revitalization of our urban core and highlights the role Dr. Stenger envisions the University having in this process. BU will continue to be a supportive neighbor for the greater Binghamton region and it is obvious from this article that they have no interest in developing Bunn Hill.

Conclusion

In conclusion, there is no compelling, well-reasoned argument that can be made for this project going forward. Not even close. Why this has come so far in the process is beyond comprehension. Please remember also that the County has now issued three negative 239 reviews for these projects. These negative 239 reviews have been issued by two different planning departments under two different administrations. We would ask that you respect RR zoning and make a very strong recommendation opposing the change from RR to PDD. Thank you for your time and consideration.

References

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Pressconnects Stories

Non-Student Housing in place or going up now

Grand Avenue apartments:

<https://www.pressconnects.com/story/news/local/2019/05/13/johnson-city-apartment-binghamton-university-school-pharmacy-decker-nursing/1187884001/>

\$33 million housing development opens at former Endicott-Johnson shoe factory:

<https://www.pressconnects.com/story/news/local/2018/10/22/housing-development-opens-former-shoe-factory/1728604002/>

Vacant Binghamton car dealership to become \$20 million housing development:

<https://www.pressconnects.com/story/news/local/2020/02/18/binghamton-apartments-gault-dealership-front-street-development/4794287002/>

Binghamton's old city hall targeted for apartments:

<https://www.pressconnects.com/story/news/local/2020/03/09/binghamton-old-city-hall-targets-residential-development/5001271002/>

New Binghamton apartment complex commands big-city rents, but owner says there is a demand:

<https://www.pressconnects.com/story/news/local/2018/07/29/new-binghamton-apartments-charge-big-city-rents-but-some-cite-demand/762942002/>

Binghamton University Intentions

Johnson City revitalization

Binghamton University Expands its Johnson City Footprint:

<https://www.pressconnects.com/story/news/local/2020/01/27/binghamton-university-expands-its-johnson-city-footprint/4562933002/>

Binghamton University to Build a New \$60 Million School of Pharmacy and Pharmaceutical Sciences:

<https://www.newswise.com/articles/binghamton-university-to-build-a-new-60-million-school-school-of-pharmacy-and-pharmaceutical-sciences-off-campus>

Binghamton University buys more Johnson City real estate: Here is a map of the properties:

<https://www.pressconnects.com/story/news/local/2020/03/03/binghamton-university-johnson-city-real-estate-google-map/4931878002/>

United Health Services planning \$132M renovation of Johnson City hospital:

"Binghamton University recently opened a new pharmacy school two blocks from the UHS campus, and the nursing school will relocate to a rehabilitated Endicott Johnson factory also on Corliss Avenue. A health science research development center is also planned for the university complex, as well as a gerontology facility."

<https://www.pressconnects.com/story/news/local/2020/02/19/united-health-services-planning-120-m-renovation-johnson-city-campus/4808400002/>

Downtown Binghamton investment

'The energy has changed': As 2020 dawns, leaders assess downtown Binghamton's progress:

<https://www.pressconnects.com/story/news/local/2020/01/02/leaders-business-owners-reflect-state-downtown-binghamton/2690739001/>

Guest Viewpoint (Harvey Stenger): BU will drive economy, culture

<https://www.pressconnects.com/story/opinion/2014/08/30/guest-viewpoint-bus-growth-drive-economy-culture/14818387/>

Koffman Southern Tier Incubator

KOFFMAN SOUTHERN TIER INCUBATOR CELEBRATES GRAND OPENING:

<https://www.binghamton.edu/news/story/664/koffman-southern-tier-incubator-celebrates-grand-opening>

Murray Hill Road ITC (Innovative Technologies Complex)

Binghamton University Opens \$70 Million Smart Energy Building:

https://www.newswise.com/doescience/?article_id=680402&returnurl=aHR0cHM6Ly93d3cubmV3c3dpc2UuY29tL2FydGljbGVzL2xpc3Q=

Spanning Time: How one plot of land went from the home of Ansco to Binghamton University:

<https://www.pressconnects.com/story/news/local/2019/11/16/how-one-plot-land-evolved-home-ansco-binghamton-university/4179461002/>

Bunn Hill Road development

Oh.... Wait... there is nothing on that..... Except expansion of Nature Preserve and Nuthatch Hollow NATURE PRESERVE including a Living Building Project.

Binghamton University to construct Living Building at Nuthatch Hollow Nature Preserve:

<https://www.bupipedream.com/news/73511/auto-draft-100/>

Appendix A

44 Vacant Parcels, Town of Vestal, over 40 acres within a mile of Sewer lines; doesn't include all those that could be added on after 1 mile of sewer is run for these!

PARCEL_ID	PARCEL_ADDR	MUNI	NAME	ACRES	LANDUSE
206.03-2-3	2779 NYS RTE 26 S	Town of Vestal	2619 YALE STREET TRUST	138.97	Vacant
190.01-1-16	369 BUNN HILL RD	Town of Vestal	ALBERTO M BARTOLI	45.08	Vacant
173.12-1-9	229 MEEKER RD	Town of Vestal	ARVIND J THAKKAR	60.07	Vacant
172.15-1-15	1995 VESTAL PKWY W	Town of Vestal	BELLA PUNTA LLC	64.99	Vacant
188.01-1-18	588 TRACY CREEK RD	Town of Vestal	BRIAN R HARRINGTON	91.61	Vacant
175.09-1-4	742 BUNN HILL RD	Town of Vestal	CAMPUS RELATED PROPERTIES	44.78	Vacant
175.09-1-1	854 BUNN HILL RD	Town of Vestal	CAMPUS RELATED PROPERTIES	42.56	Vacant
175.09-1-5	3615 FULLER HOLLOW RD	Town of Vestal	CAMPUS RELATED PROPERTIES	55.84	Vacant
175.05-1-5	882 VESTAL PKWY E	Town of Vestal	CAMPUS RELATED PROPERTIES	59.97	Vacant
205.02-1-18	2252 KATHLEEN DR	Town of Vestal	CEN ANNA	71.32	Vacant
206.02-1-13	360 POWDERHOUSE RD	Town of Vestal	CHRISTOPHER J CLARK	68.87	Vacant
206.03-2-2	2683 NYS RTE 26 S	Town of Vestal	DANIEL BINKEWICZ	73.83	Vacant
174.03-1-42	264 FOSTER RD	Town of Vestal	DONALD L SIEGEL	45.65	Vacant
174.07-1-31	722 JENSEN RD	Town of Vestal	EDWARD BENDERT	40.17	Vacant
174.03-1-28	231 FOSTER RD	Town of Vestal	EMMA VENTURES LLC	86.52	Vacant
205.04-2-34	188 WEST HILL RD	Town of Vestal	FRANK WALTER	53.09	Vacant
173.14-1-45	715 TORRANCE AVE	Town of Vestal	HELEN M KIE	72.42	Vacant
172.04-1-4	1000 ECHO RD	Town of Vestal	JOHN MERSEREAU	50	Vacant
206.03-1-23.1	2406 GLENWOOD RD	Town of Vestal	JOHN S SARRA	59.71	Vacant
188.03-1-12	131 ROCKWELL RD	Town of Vestal	KURT D BARNES	108.37	Vacant
174.03-1-44.1	135 FOSTER RD	Town of Vestal	LARRY T MEDIONTE	157.1	Vacant
175.09-1-3	3101 FULLER HOLLOW RD	Town of Vestal	LEE SHIU LEU CHOW	42.15	Vacant
205.02-1-7	1 KILMER RD	Town of Vestal	MARYANN FRIEND	145.71	Vacant
205.02-1-6	83 WEST HILL RD	Town of Vestal	MARYANN FRIEND	49.01	Vacant
205.02-1-5	189 WEST HILL RD	Town of Vestal	MARYANN FRIEND	50.01	Vacant
205.04-1-2	221 WEST HILL RD	Town of Vestal	MARYANN FRIEND	50.33	Vacant
206.02-2-6	250 GARDNER RD	Town of Vestal	MICHAEL FALLON	80.28	Vacant
174.04-1-1	840 JENSEN RD	Town of Vestal	MICHAEL J RANO	166.2	Vacant
172.04-1-7	1036 ECHO RD	Town of Vestal	MICHAEL J TOMSEY	41.38	Vacant
174.03-1-17	315 FOSTER RD	Town of Vestal	PLOUGH RD LLC	85.82	Vacant
188.22-1-13	413 CLIFFORD DR	Town of Vestal	PRICE FAMILY PROPERTIES L	46.03	Vacant
188.03-1-3.211	223 ROCKWELL RD	Town of Vestal	RAYMOND L CADY	92	Vacant
173.20-1-24	1323 NYS RTE 26 S	Town of Vestal	REWJ ASSOCIATES	121.04	Vacant
172.15-1-23.11	269 ROSS HILL RD	Town of Vestal	RICHARD A SAVAGE	65.52	Vacant
188.01-1-3	582 TRACY CREEK RD	Town of Vestal	RICHARD M VOSEFSKI	70.99	Vacant
189.03-3-12	246 GRIPPEN HILL RD	Town of Vestal	RITA E RODGERS	109.83	Vacant
206.03-1-34	2760 NYS RTE 26 S	Town of Vestal	ROBERT G DECKER	40.49	Vacant
172.04-1-1	1176 ECHO RD	Town of Vestal	ROSE M HERCEG TRUST	59.77	Vacant
206.03-1-22.1	2453 GLENWOOD RD	Town of Vestal	SHIRLEY R HICKLING	122.71	Vacant
206.01-2-30	2613 NYS RTE 26 S	Town of Vestal	THE HILL PARTNERSHIP	105.26	Vacant
174.11-1-10.11	766 JENSEN RD	Town of Vestal	VISIONS FEDERAL CREDIT UN	159.67	Vacant
173.15-1-50.1	1101 NYS RTE 26 S	Town of Vestal	WILLIAM M SHINE	45.41	Vacant
173.11-1-22	1029 NYS RTE 26S	Town of Vestal	WILLIAM M SHINE	45.57	Vacant
175.03-1-23.1	3600 FULLER HOLLOW RD	Town of Vestal	WINDING BROOK CORPORATION	45.12	Vacant

Appendix B

Selected Parcels within 1.0 mile of the "undesirable property" that have VIABLE RURAL RESIDENTIAL (RR) USES						
Address	Owners	Distance from Applicant Property (miles)	Current Assessment	Year Built		
227 BROWN RD	ADAM S HASLETT & DANIEL T DAVIS	0.85	\$106,700	1920		
3601 FULLER HOLLOW RD,	WILLIAM HALL	0.84	\$206,100	1920		Complete Reno
758 BUNN HILL RD	FREDERICK S ROTHMAN	0.05	\$164,900	1925		
884 BUNN HILL RD	RYAN J FEDOR	0.25	\$95,000	1930		
579 BUNN HILL RD,	STEVEN MADDEN & BARBARA MADDEN	0.7	\$98,600	1930		
786 BUNN HILL RD,	RONALD V MALIWACKI & CATHERINE MALIWACKI	0.05	\$164,000	1940		
852 BUNN HILL RD	AURORA H TAN SIOK HIAN CO	0.1	\$112,100	1941		
946 BUNN HILL RD,	CHRISTOPHER J FOCHT & MARCIA M FOCHT	0.5	\$206,700	1955		Complete Reno
855 BUNN HILL RD	ANDREW H NAZAK & PATRICK J NAZAK	0.1	\$145,000	1956		
885 Bunn Hill Road	Victor and Sheri Lamoureux	0.25	\$229,800	1956		Complete Reno
518 JENSEN RD	EDWARD YETSKO & LYNN YETSKO	0.5	\$371,700	1956		
818 BUNN HILL RD,	JON-MICHAEL N HALL	0.05	\$101,100	1957		
4132 UNIVERSITY CT,	PHILIP B GRAYSON & REBECCA E GRAYSON	0.5	\$180,000	1957		Complete Reno
4121 UNIVERSITY CT,	YARON KWELLER	0.5	\$355,500	1958		Complete Reno
4137 UNIVERSITY CT,	PHILIP M AKEL & BRIDGET AKEL	0.5	\$415,000	1962		Complete Reno
4124 UNIVERSITY CT	JARED C CAMPBELL & MERIDEE A CAMPBELL	0.5	\$325,200	1964		
716 BUNN HILL RD,	ERNEST WEISSER & MARYAM WEISSER	0.65	\$128,100	1965		
812 BUNN HILL RD,	DUSTIN M MCCARTNEY	0.05	\$154,300	1965		
891 BUNN HILL RD	ED R POLCYN & JULIA ANN POLCYN	0.25	\$170,800	1965		
217 HORAN RD	JAMES J KOEHLER & MARY T KOEHLER	0.87	\$236,900	1967		
851 BUNN HILL RD,	LINDA M GIAMMARINO	0	\$153,200	1969		Complete Reno
235 BROWN RD,	CHRISTOPHER P VANHOUSEN & MEGAN GILL	1	\$193,050	1973		
673 BUNN HILL RD,	ELIZABETH NEWMAN	0.5	\$268,900	1973		
173 BROWN RD, 13850	SANFORD E GELLER & MARILYN GELLER	1	\$387,600	1973		
750 JENSEN RD,	NORMAN D GEBLER & MARTHA N GEBLER	0.5	\$302,400	1980		
36 ARARAT DR	MISBAHUDDIN QIDWAI	0.66	\$469,900	1983		
790 BUNN HILL RD,	JUDY MCCARTNEY & THOMAS MCCARTNEY	0.05	\$192,200	1984		
822 BUNN HILL RD,	DORIS L JOHNSON & KENNETH J JOHNSON	0.05	\$149,050	1985		
765 JENSEN RD	MICHAEL G MCCLURE	0.4	\$670,500	1986		
927 JENSEN RD	RENUKA MOHAPATRA	0.4	\$403,100	1989		
808 BUNN HILL RD,	MICHAEL M ECHAN & JOAN K ECHAN	0.05	\$237,800	1990		
884 JENSEN RD	JOHN C FISH & JUDITH L FISH	0.5	\$332,300	1990		
3909 FULLER HOLLOW RD,	RITA L BLEIER	0.95	\$405,000	1990		
894 JENSEN RD,	VENKATESH & ASSOCIATES LL	0.43	\$495,000	1990		
467 FOSTER RD	DCH FAMILY TRUST NO. ONE	0.8	\$512,100	1990		
904 JENSEN RD,	JOHN R MAY & MAUREEN K MAY	0.7	\$337,500	1991		
245 HORAN RD,	MICHAEL S FORAN & MARILYN R FORAN	0.81	\$537,000	1991		
558 BUNN HILL RD,	MICHAEL A GANCE & SUZANN GANCE	0.9	\$400,900	2000		
553 BUNN HILL RD,	PETER A HATALA & ERICA L HATALA	0.95	\$477,000	2001		
495 FOSTER RD,	FINTAN D FLEMING & MEREDITH J FLEMING	0.6	\$634,500	2001		
1000 FULLER HOLLOW RD,	AFZAL UR REHMAN & RAMLA REHMAN	0.5	\$774,900	2003		
534 BUNN HILL RD,	FRANKLIN A GRUBER & SUZANNE F GRUBER	0.95	\$468,000	2004		
79 DODD RD	LAURA LEE INTSCHER & PATRICK MADDEN	0.8	\$378,300	2005		
774 BUNN HILL RD	AUBREY THOMSON CLARK & JOHN E THOMSON	0.5	\$399,100	2007		
230 BROWN RD,	MONTE MCCOLLUM & ARIANA GERSTEIN	0.8	\$178,200	2010		
608 JENSEN RD	JUSTIN PETCOSKY	0.4	\$357,800	2013		
11 DODD RD,	RONALD HADSELL & MARGARET HADSELL	0.55	\$422,100	2013		
477 FOSTER RD,	AMANKE ORANU & UZOMA ORANU	0.7	\$559,000	2018		
			\$15,063,900	TOTAL		

Appendix C – 2 years of home sales in RR zoning Town of Vestal

MLS#	Address	SqFt	Price
218076	832 Powderhouse Rd VESTAL, NY 13850	895	\$10,000
218359	1232 Echo Rd VESTAL, NY 13850	1,590	\$21,000
222433	2961 Nys Rte 26 VESTAL, NY 13850	1,115	\$29,000
219693	2876 Glenwood Rd VESTAL, NY 13850	1,104	\$40,000
217918	895 Jensen Rd VESTAL, NY 13850	1,220	\$41,000
215437	161 Powderhouse Rd VESTAL, NY 13850	1,260	\$48,000
300504	617 S Jensen Rd VESTAL, NY 13850	1,464	\$52,000
214546	818 Bunn Hill Rd VESTAL, NY 13850	1,260	\$65,000
211066	552 Tracy Creek Rd VESTAL, NY 13850	1,942	\$65,000
216373	736 Tobey APALACHIN, NY 13732	2,242	\$66,665
222101	326 Knight Rd VESTAL, NY 13850	2,096	\$72,000
212499	570 Tracy Creek Rd VESTAL, NY 13850	1,128	\$79,787
221462	785 Jones Rd VESTAL, NY 13850	1,664	\$82,400
215149	2601 Glenwood Rd VESTAL, NY 13850	1,469	\$89,000
212101	1727 Main St APALACHIN, NY 13732	1,602	\$90,000
220922	316 Powderhouse Rd VESTAL, NY 13850	960	\$94,500
214132	593 Ross Hill Rd VESTAL, NY 13850	1,450	\$100,000
217319	409 Ross Hill VESTAL, NY 13850	1,408	\$102,000
214836	563 & 555 Castleman Rd VESTAL, NY 13850	1,836	\$111,702
216049	1072 Tracy Creek Rd VESTAL, NY 13850	2,060	\$113,000
214617	268 Brown Rd VESTAL, NY 13850	1,300	\$113,402
212202	500 Midland Dr VESTAL, NY 13850	1,379	\$115,900
214780	569 Bunn Hill Rd VESTAL, NY 13850	1,544	\$125,500
215199	133 Sunset Ave VESTAL, NY 13850	1,350	\$127,659
214561	166 W Hill Rd VESTAL, NY 13850	1,233	\$130,000
217698	532 Skyline Dr VESTAL, NY 13850	1,905	\$132,500
215480	620 Tracy Creek Rd VESTAL, NY 13850	1,250	\$134,900
217097	155 Nelson Rd VESTAL, NY 13850	1,412	\$135,000
220808	1221 Echo Rd VESTAL, NY 13850	1,627	\$139,900
221678	895 Jensen Rd VESTAL, NY 13850	1,220	\$145,000
215806	898 Tracy Creek Rd VESTAL, NY 13850	2,014	\$145,000
221711	301 Meeker Rd VESTAL, NY 13850	1,440	\$146,000
220697	1775 Nys Rt 26 VESTAL, NY 13850	1,650	\$151,000
215072	325 Powderhouse Rd VESTAL, NY 13850	1,769	\$154,000
216281	2142 State Route 26 VESTAL, NY 13850	1,728	\$155,000
221407	20 Horan Rd VESTAL, NY 13850	2,118	\$156,000
221285	640 Tracy Creek Rd VESTAL, NY 13850	2,265	\$157,000
213235	2045 Route 26 VESTAL, NY 13850	2,240	\$160,638
216291	832 Tracy Creek Rd VESTAL, NY 13850	1,886	\$164,900
220484	124 Ridge Rd VESTAL, NY 13850	2,151	\$168,100
218588	648 Jensen Rd VESTAL, NY 13850	2,410	\$168,500
215086	129 Bunn Hill Rd VESTAL, NY 13850	2,064	\$169,900

218642	2000 Galaxy Dr VESTAL, NY 13850	1,660	\$170,000
218969	3224 Knapp Rd VESTAL, NY 13850	2,100	\$170,900
215626	2899 Route 26 South S VESTAL, NY 13850	2,575	\$172,500
214796	13 W Hill Rd VESTAL, NY 13850	2,106	\$174,900
222850	196 Brown Rd VESTAL, NY 13850	5,468	\$175,678
221848	262 Ridge Rd VESTAL, NY 13850	2,250	\$177,500
220390	437 Bunn Hill Rd VESTAL, NY 13850	2,048	\$195,000
210175	29 Grippen Hill Rd VESTAL, NY 13850	2,020	\$198,000
222452	205 Meeker Rd VESTAL, NY 13850	1,965	\$216,300
213617	157 Ridge Rd VESTAL, NY 13850	2,133	\$220,000
220613	3401 Fuller Hollow Rd VESTAL, NY 13850	1,680	\$225,000
219979	199 Brown Rd VESTAL, NY 13850	2,042	\$225,000
216008	190 Knight Rd VESTAL, NY 13850	2,454	\$231,900
215950	49 Noyes Rd VESTAL, NY 13850	2,620	\$240,000
214788	63 Oconnell Rd VESTAL, NY 13850	1,999	\$242,000
214917	581 Ross Hill Rd VESTAL, NY 13850	2,675	\$248,000
215239	183 Brown Rd VESTAL, NY 13850	2,352	\$249,775
214313	232 Noyes Rd VESTAL, NY 13850	3,172	\$255,319
215886	987 Tracy Creek Rd VESTAL, NY 13850	2,916	\$260,000
215479	171 Noyes Rd VESTAL, NY 13850	2,880	\$270,000
216446	141 W Hill Rd VESTAL, NY 13850	2,394	\$271,000
220384	48 Horan Rd VESTAL, NY 13850	2,374	\$275,000
217565	61 Brown Rd VESTAL, NY 13850	3,611	\$277,500
216913	116 Rock Rd VESTAL, NY 13850	2,464	\$277,500
222117	219 Noyes Rd VESTAL, NY 13850	3,286	\$280,000
219917	741 Echo Rd VESTAL, NY 13850	2,604	\$282,500
218227	123 Ridge Rd VESTAL, NY 13850	2,901	\$290,000
221458	328 W Hill VESTAL, NY 13850	3,758	\$309,000
212442	35 Andrews Rd VESTAL, NY 13850	2,844	\$325,000
212809	175 Foster Rd VESTAL, NY 13850	3,070	\$335,000
215614	7 Andrews Rd VESTAL, NY 13850	2,900	\$336,750
214998	450 Ridge Rd VESTAL, NY 13850	2,950	\$349,000
221171	581 Jones Rd VESTAL, NY 13850	2,884	\$355,000
205330	414 Castleman Rd VESTAL, NY 13850	3,626	\$360,000
214069	303 Crumm VESTAL, NY 13850	5,422	\$360,000
216374	1923 Cole Pl VESTAL, NY 13850	2,878	\$362,500
216507	142 Underwood Rd VESTAL, NY 13850	3,246	\$375,000
216051	175 Mason VESTAL, NY 13850	4,305	\$385,000
217092	36 Ararat Dr VESTAL, NY 13850	4,888	\$395,000
222119	15 Noyes Rd VESTAL, NY 13850	3,455	\$400,000
220460	461 Castleman Rd VESTAL, NY 13850	3,972	\$455,000
219474	225 Meeker Rd VESTAL, NY 13850	3,396	\$460,000
220730	373 Pierce Hill Rd VESTAL, NY 13850	3,890	\$474,226
220893	237 Pierce Hill Rd VESTAL, NY 13850	4,377	\$484,350
214392	373 Pierce Hill Rd VESTAL, NY 13850	3,890	\$515,000

215355	389 Meeker Rd VESTAL, NY 13850	5,047	\$515,000
219486	553 Bunn Hill Rd VESTAL, NY 13850	6,200	\$525,000
220472	755 Jones Rd VESTAL, NY 13850	5,100	\$541,500
222658	182 Brown Rd VESTAL, NY 13850	7,464	\$557,750
214655	278 Bunn Hill Rd VESTAL, NY 13850	6,464	\$690,000

Total	
Value	\$20,704,201
Average	\$225,046

The Grove at Binghamton

Site Investigation Report

Revised 03/12/08

D. Public Utilities and Solid Waste Disposal

1. Sanitary Sewer Service: The closest sanitary sewer line is located approximately 5,000 feet north of the project site. It is an 8" gravity sewer line. Assuming private construction, the cost to extend the sewer line up to and all the way across the frontage of the project site which is a total distance of approximately 5,950 feet is estimated at \$661,000.00, as tabulated below:

<u>Item</u>		<u>Cost *</u>
8" Gravity Sewer (SDR 35): 5950 lf @ \$85.00/lf	=	\$505,750.00
Manholes (Max. 400 foot spacing): Est. 18 @ \$2,500.00 ea.	=	\$45,000.00
Subtotal	=	\$550,750.00
20 % Contingency	=	\$110,150.00
Total Estimate	=	\$660,900.00
	Say	\$661,000.00

* This cost does not include pricing for an on-site pump station with generator and 4" force main which is required to convey the wastewater from the project site to the 8" gravity sewer main.

2. Water Service: There is no municipal water service in the vicinity of the project site and a water main will need to be extended from the Jensen Road water tank. The new water main would extend from the Jensen Road tank southward along Jensen Road for approximately 1,150 feet. From this point an easement across private property will be required to gain access to the back side of the project site. Approximately 650 lineal feet of easement will be required.

Although there is sufficient water supply, the Jensen Road tank is not at an elevation high enough to provide enough water pressure to service the project. Two potential options to increase the water pressure at the project site include: Installation of a booster pump station (Option 1); and installation of an elevated water tank or standpipe on the project site (Option 2).

Option 1, the construction of a booster pump station, would be the least expensive option. However, Ten States Standards which the Health Department adheres to does not allow private operators to use booster pumps. As such, the responsibility for operation and maintenance of the facility would have to fall upon the Town. The Town Engineer and Water Superintendent are both opposed to Option 1 because of the additional operation and maintenance requirements. Assuming private construction, the total cost for Option 1 including water main, easements and booster pump station is estimated at \$690,000.00 as tabulated below:

Cost Estimate: Option 1 – Booster Pump Station

Item		Cost
Booster Pump Station w/ generator & Utility Bldg. (Factory Built)	=	\$220,000.00
Installation (Foundation, Crane, Piping & Elec. hookups)	=	\$88,000.00
8" DIP Water Main: Road ROW: 1,200 l.f. x \$85.00/ l.f.	=	\$102,000.00
Not in ROW: 2,200 l.f. x \$60.00/ l.f.	=	\$132,000.00
Easement Acquisition: 650' x 30', single owner, est.	=	\$10,000.00
Clear & Grub: 1.5 acres x \$10,000.00 / acre	=	\$15,000.00
Creek Crossing:	=	\$5,000.00
Subtotal	=	\$572,000.00
20% Contingency	=	\$114,400.00
Total Estimate	=	\$686,400.00
Say	=	\$690,000.00

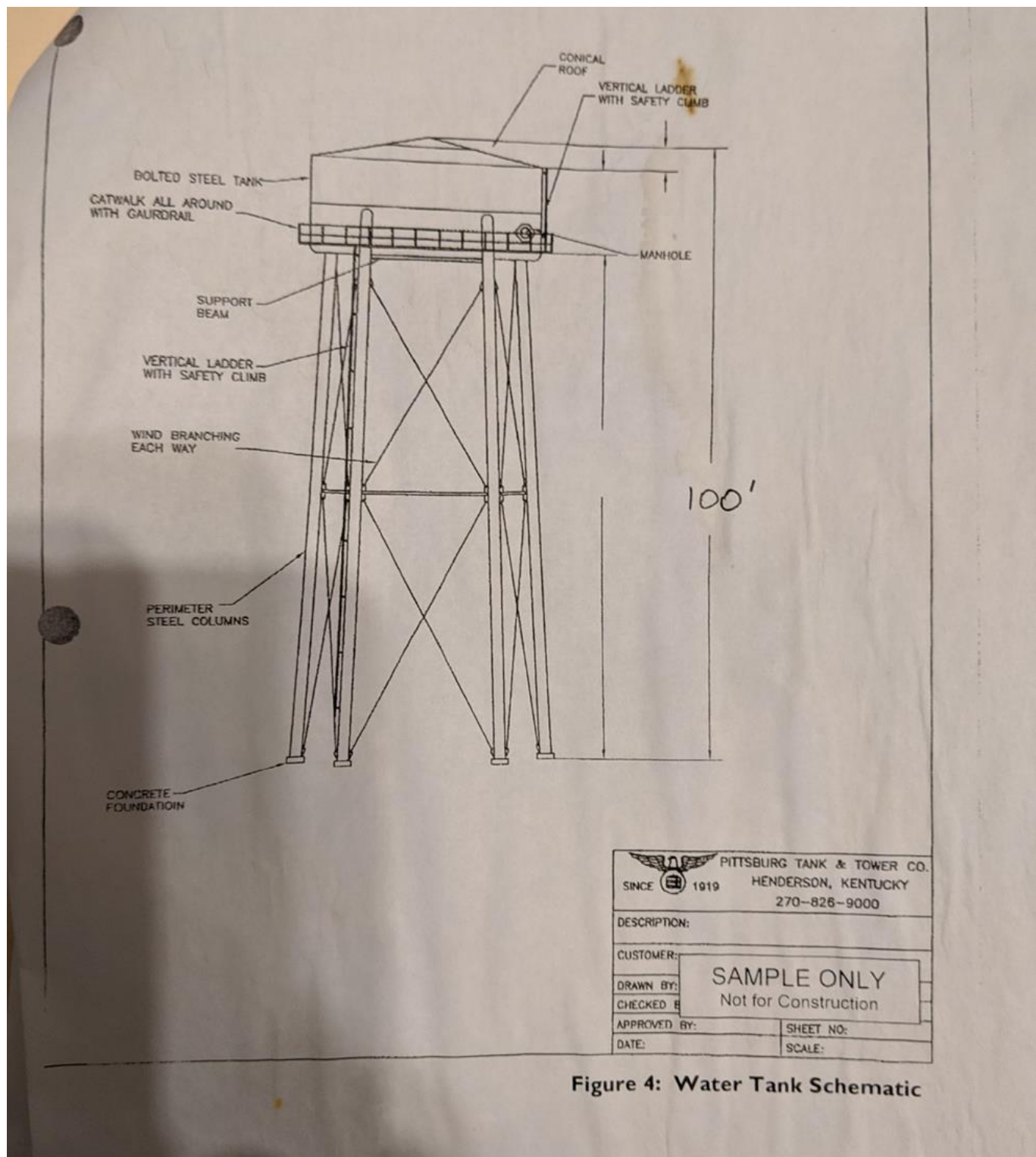
Under Option 2 water can be delivered to the project site from the Jensen Road tank but will require a new pump station to fill the on-site elevated storage tank or standpipe. Based upon preliminary domestic and fire flow calculations, a 300,000 gallon storage capacity for the tank has been assumed. This is the option favored by the Town Engineer and Water Superintendent because the Owner would be responsible for the construction, operation and maintenance of the standpipe. This option is considered to be a more reliable means of providing and maintaining adequate water pressure. This would also be a more expensive option. Assuming private construction, the total cost for Option 2 including water main, new pump station, easements, tank and associated controls is estimated at \$1,260,000.00.

Cost Estimate: Option 2 – Pump Station and Elevated Tank

Item		Cost
Pump Station w/ generator & Utility Bldg. (Factory Built)	=	\$130,000.00
Installation (Foundation, Crane, Piping & Elec. hookups)	=	\$52,000.00
Elevated Water Tank: 300,000 gallons, 100' overflow	=	\$600,000.00
Access Drive to Tank:		
900' x 12', 12" Item 4, 400 cy @ \$20.00	=	\$8,000.00
6" DIP Water Main (cl. 52):		
Road ROW: 1,200 l.f. x \$75.00 / l.f.	=	\$90,000.00
Not in Road ROW: 1,100 l.f. x \$50.00 / l.f.	=	\$55,000.00
12" DIP Water Main (cl. 52): 1,200 l.f. x \$65.00 / l.f.	=	\$78,000.00
Easement Acquisition: 650' x 30', single owner, est.	=	\$10,000.00
Clear & Grub: 1.7 acres x \$10,000.00 / acre	=	\$17,000.00
Creek Crossing:	=	\$5,000.00
Subtotal	=	\$1,045,000.00
20% Contingency	=	\$209,000.00
Total Estimate	=	\$1,254,000.00
Say	=	\$1,260,000.00

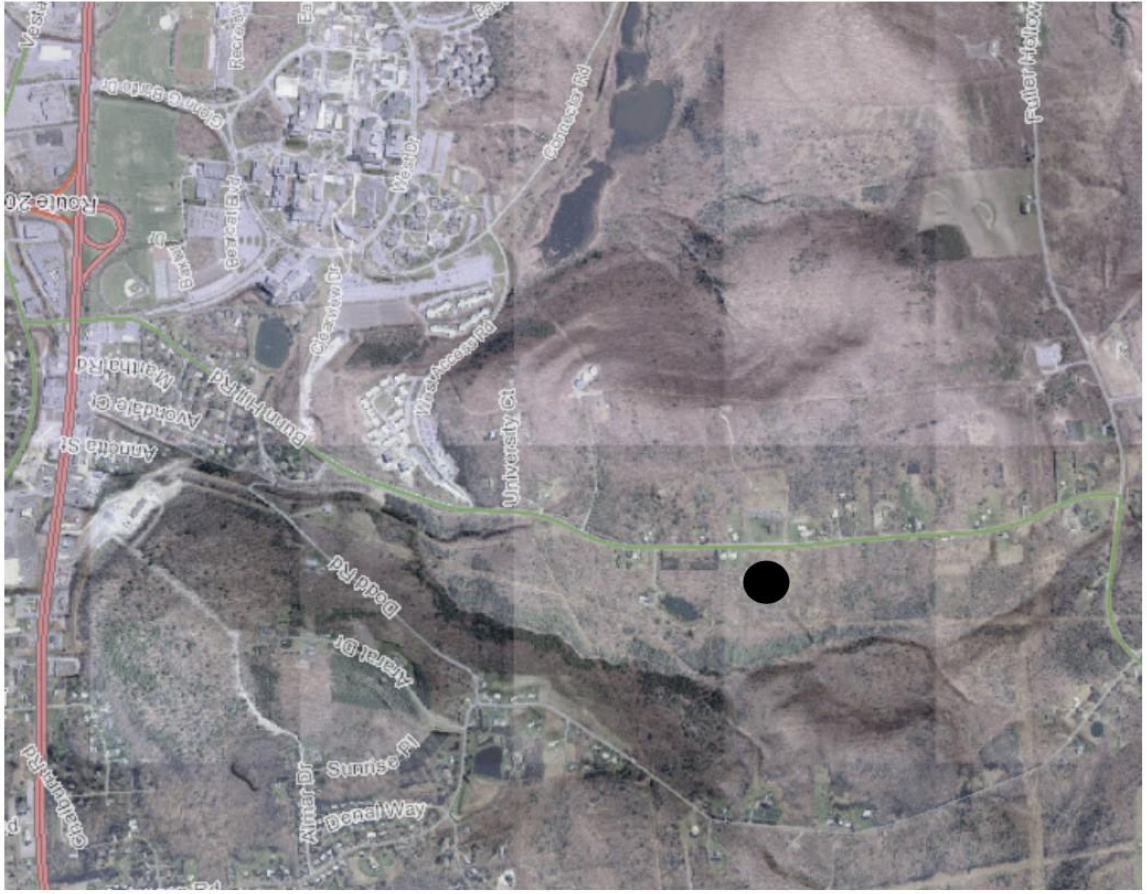
3. **Solid Waste:** Solid waste collection is handled by private waste haulers.

Appendix E – Site Investigation Documents for “The Grove” in 2008 – Water Tank example



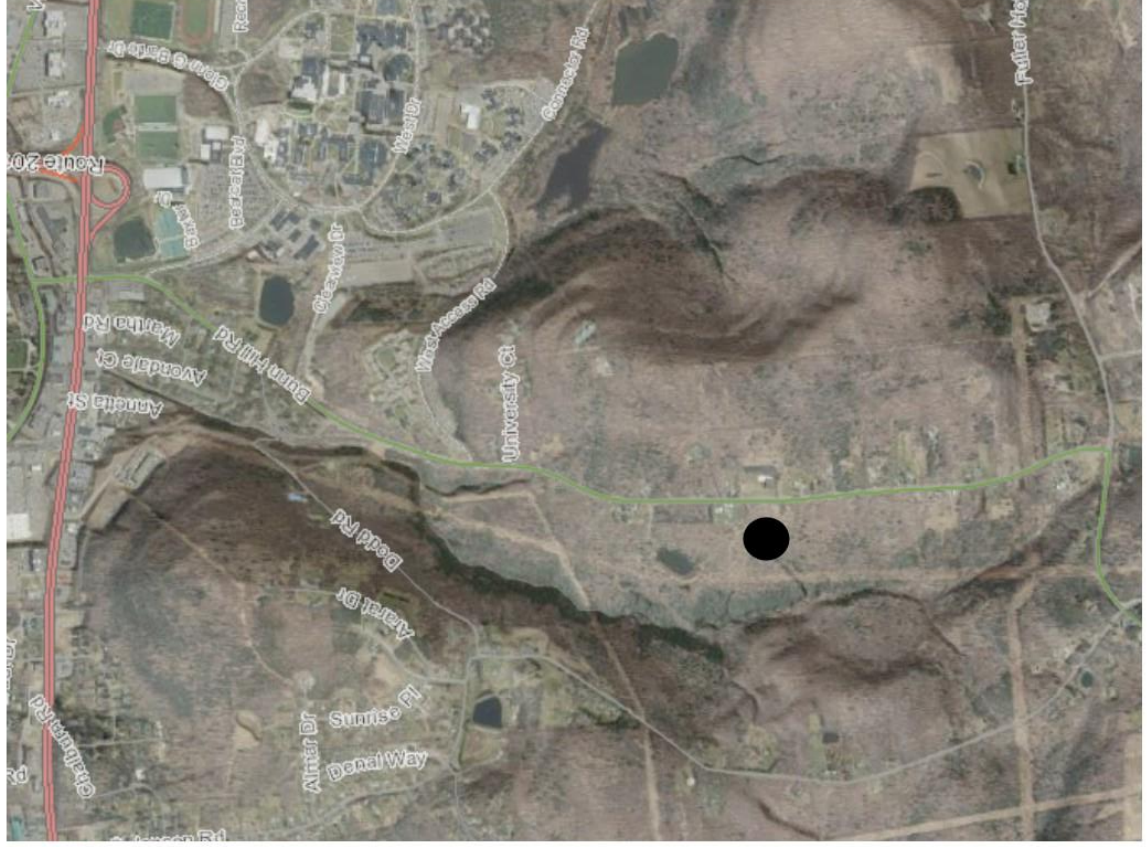
What has changed on Bunn Hill Road in the last 20 years to justify a zoning change?

You are right..... NOTHING.



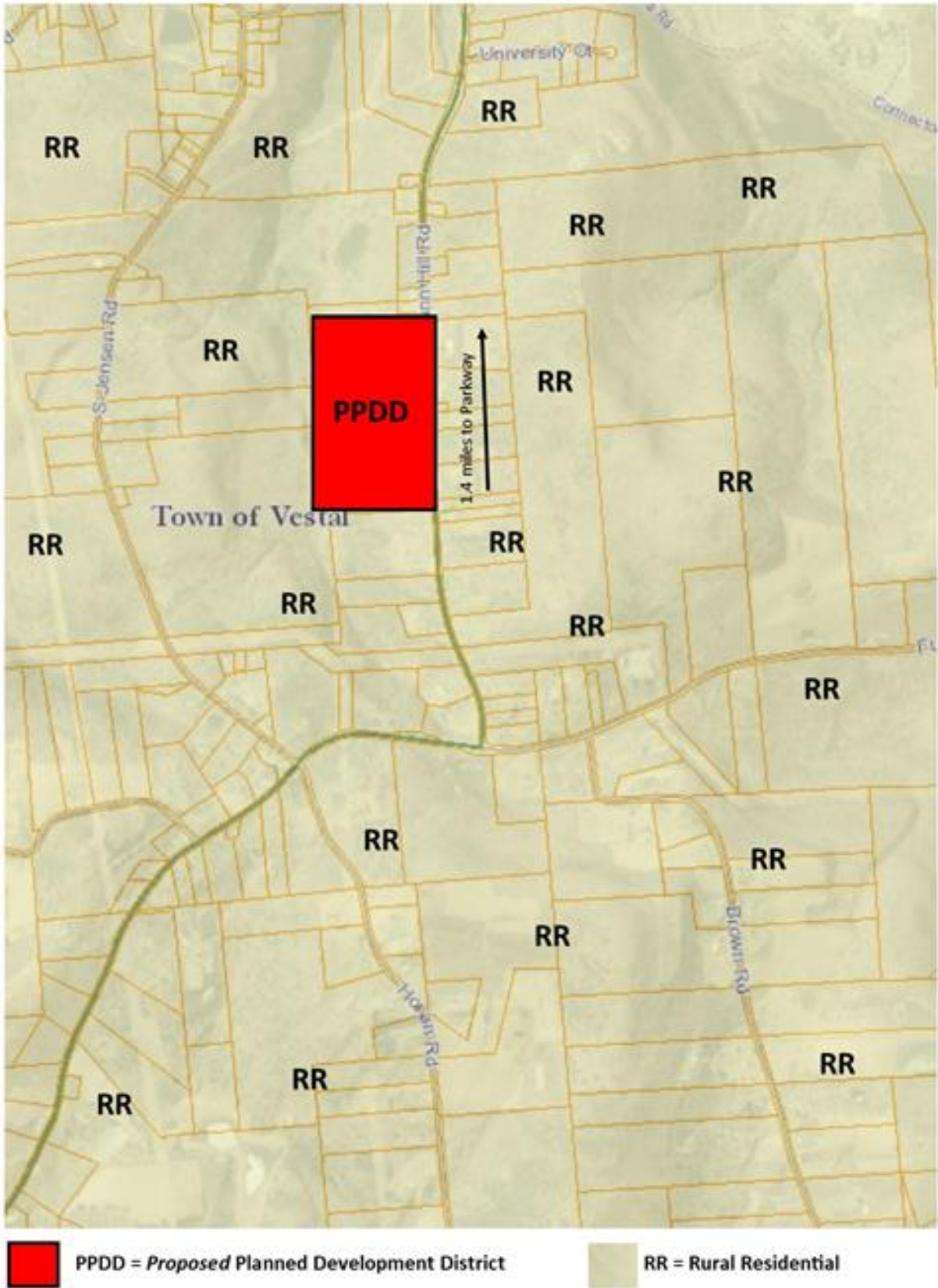
1999

Proposed Zoning Change Area

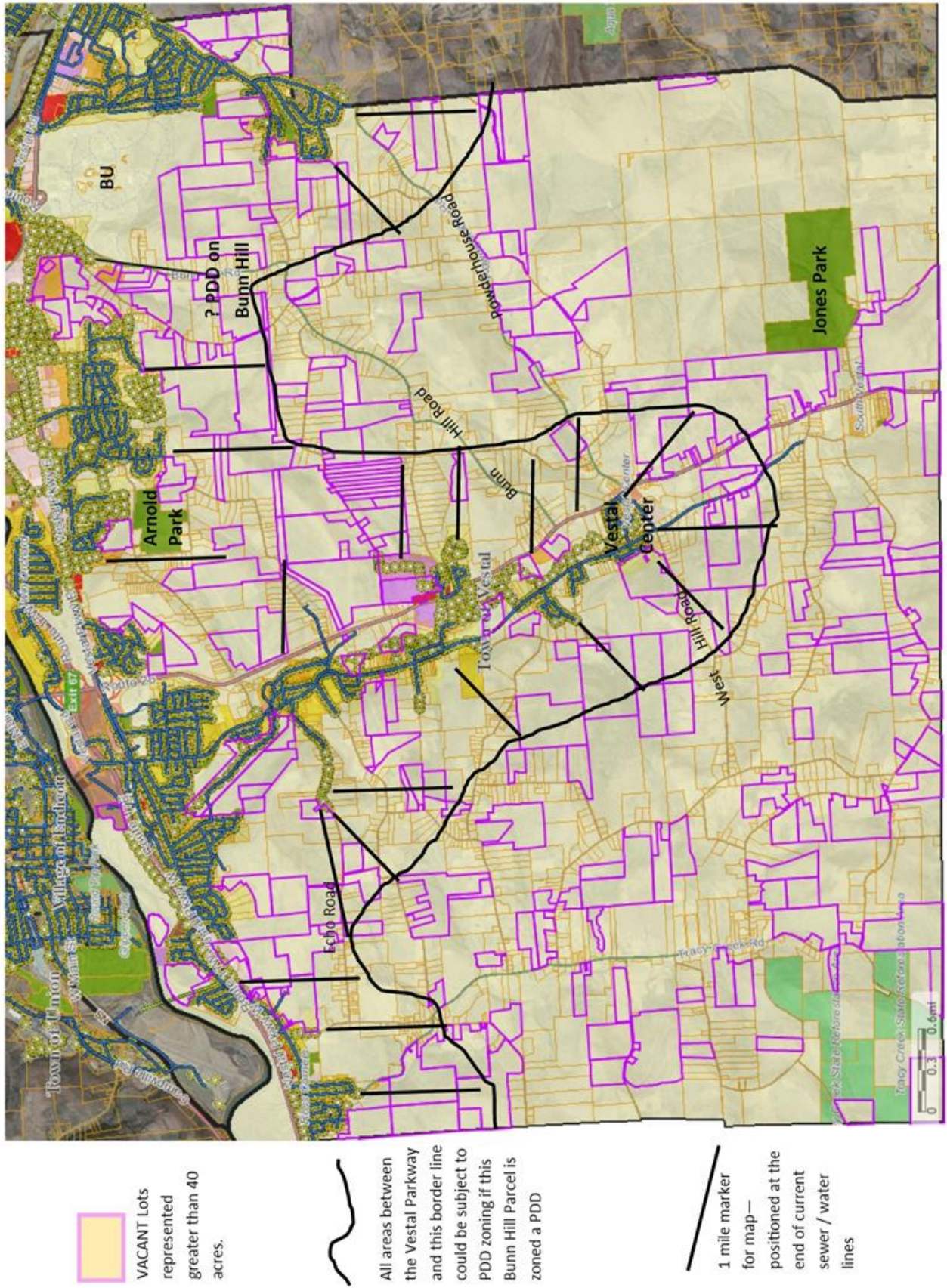


NOW

Would you classify THIS as a SPOT ZONE?

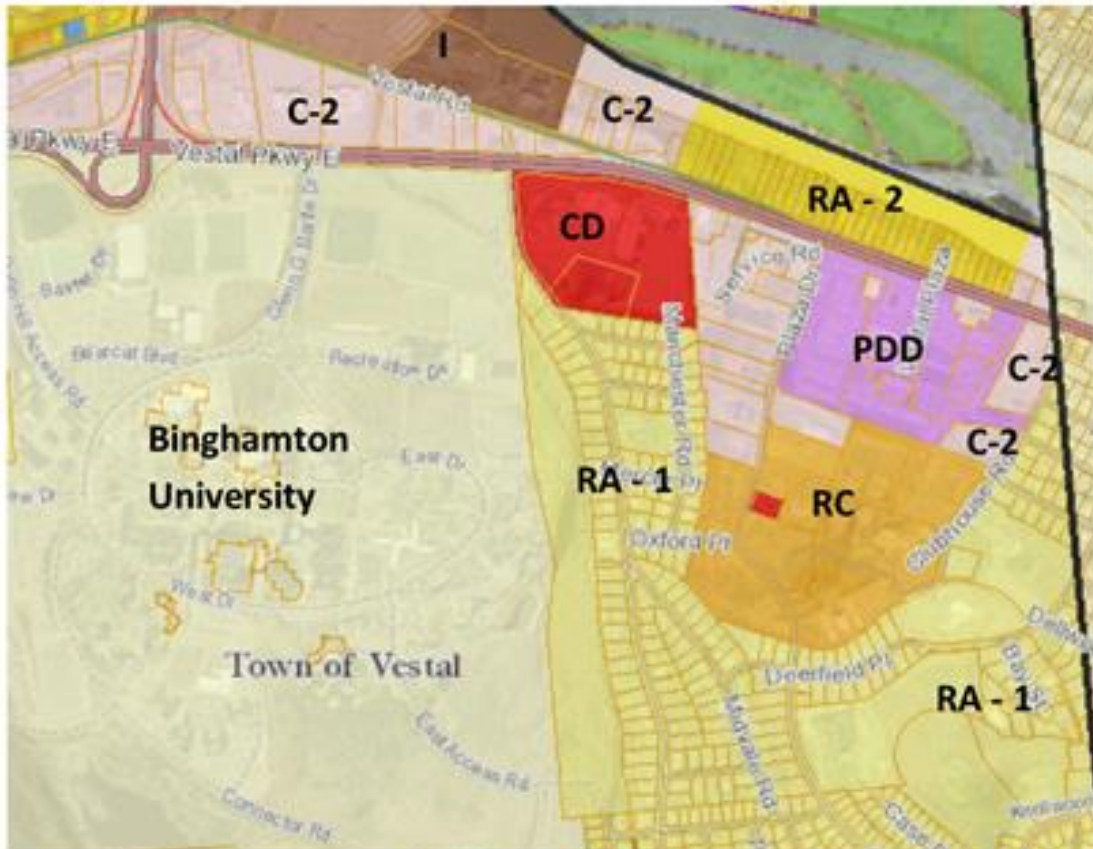


Additional Areas of Vestal eligible for the PDD designation based on 1 additional mile of sewer / water being run from current sewer / water lines.



Planned Development Districts (PDD) in the Town of Vestal

University Plaza



Route 26 PDD

KEY TO ZONING AROUND THE PDDs

- PDD = Planned Development District
- CD = Commercial Development
- C-2 = Community Business
- RC = Multiple Residence
- RA-1 = One family residential
- RA-2 = One and two family residential
- I = Industrial
- RR = Rural Residential



Does this look like a sensible way to build infrastructure? Is this cost effective? Will building infrastructure in this manner lower your tax bill? Besides the proposed development, who else in Vestal will “benefit” from this proposed infrastructure? Sewer and water only meet at the development.

