

APPENDIX B
Highlights of Housing Commission Public Forum of 11/6/08
(revised 12/17/08)

(Note: E-mail and letter communications to the City are italicized)

Category of Commenter	Name	Thrust of Pertinent Comment(s)	Notes
<u>LANDLORD</u>	Allan M. Stern – business attorney from Long Island (Mineola, NY) – <i>family owns a number of student housing properties</i>	<p>1. Do you want to prevent homeowners in foreclosure from selling to a student landlord?</p> <p>2. Case law precludes treating unrelated tenants who function as a family differently from related family members (<i>citing: McMinn v. Town of Oyster Bay [New York Court of Appeals, 1985] and Baer v. Town of Brookhaven [Court of Appeals, 1989]</i>).</p> <p>3. <i>City of White Plains v. Ferraioli (Court of Appeals, 1974) rejected the City's efforts to enjoin the use of a single-family house in an R-2 zone as a "group home" based on the ordinance's narrow definition of biologically related family members. Noted in dictum that a group home is not a temporary living arrangement "as would be a group of college students sharing a house and commuting to a nearby school." Although the court distinguished the group home in Ferraioli from the 6-student group who were plaintiffs in the U.S. Supreme Court case of Village of Belle Terre v. Boraas [1974], where the Court upheld a narrow definition of "family," "that is not what Borass stated"—because the Village of Belle Terre had 220 homes inhabited by 700 residents and more than 96% of the residences were owner-occupied. The Borass decision noted that every property was subject to a provision that restricted land-use to one-family dwellings excluding lodging houses, boarding houses, fraternity houses, or</i></p>	<p><i>McMinn (involved a rental to four unrelated males) invalidated a local occupancy limit because it imposed a restriction on the number of unrelated persons residing together as a functionally equivalent family, but imposed no such restriction on related persons. The restriction imposed was that 2 unrelated residents could only occupy single-family housing if they were both 62 years of age or older. That is why the City of Binghamton's Zoning Ordinance imposes the same rules on unrelated tenants who meet functional family equivalent criteria as on biologically related family members.</i></p> <p><i>Baer (involved a rental to five unrelated women) invalidated the Town's definition of a "family" because it contained a restriction on the size of a functionally equivalent family [not to exceed four], but no restriction on the size of a traditional family. That is why the City of Binghamton places the same limits on traditional families and functional family equivalents.</i></p> <p><i>Ferraioli, in fact, indicated that an ordinance restricting group homes might have been upheld if not for an overly narrow definition of a biological family. Although Binghamton is not Belle Terre, Ferraioli's interpretation of the Borass decision clearly indicates that occupancy limits can legitimately set different occupancy limits for transient tenants as</i></p>

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		<p><i>multiple-dwelling houses. Binghamton is not Belle Terre. Borass also recognized that, in creating zoning ordinances, a municipality may not unlawfully discriminate.</i></p> <p><i>4. The NY Human Rights Law (§296(5)(a)) makes it unlawful, among other things, to discriminate against any person because of "familial status." If a restrictive "functional family" definition is adopted by Binghamton, landlords and real estate agents will be presented with a 'Hobson's Choice' of either complying with the zoning code and violate the HRL, or vice-versa.</i></p> <p><i>5. Binghamton cannot arbitrarily prohibit group or student housing, even in R-1 areas, if such prohibition is not reasonably related to a legitimate governmental purpose—but the cases empower Binghamton with the broadest discretion with respect to controlling R-1 development.</i></p> <p><i>6. In an R-2 district, for Binghamton to demonstrate that zoning regulations are reasonably related to a legitimate zoning purpose, the City must identify the criteria to be used in determining which R-2 areas lack the utilities, access roads, or have the extreme topographic conditions ("overburdening standards") requiring the City to restrict the intensity or type of development. The Code does not authorize the City to conclude that a 6-bedroom house can be built in an R-2 district, but that the property cannot be used as a residence for six students—absent findings pursuant to overburdening standards.</i></p> <p><i>7. Since Binghamton created R-3 districts to achieve the "highest concentration of housing opportunities," it is hard to understand how some are asserting that the City should limit group housing even in R-3 areas.</i></p>	<p>for a more permanent group—as long as a plausible basis is given for the different occupancy limits.</p> <p>"Unlawful discrimination" is by definition unlawful. But there is a much higher standard for discriminating against a "suspect class" (such as a racial minority) than for treating a class (e.g., students) which is not "suspect" differently.</p> <p>A presumptive limit on unrelated tenants will not violate the Human Rights Law as long as traditional family equivalents and traditional families are treated similarly.</p>
<u>LANDLORD</u>	Mark Lysczek – grew up in Westchester; decided to stay here to develop a real estate portfolio of	1. BU is one of the greatest assets of the community. Students feel oppressed. Why sock it to students when there are other large groups? You might have a	

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	student housing	<p>worse problem with large families than with 1 student per bedroom.</p> <p>2. The best people to buy homes are BU graduates. You need to keep the brightest minds in the State here in Binghamton.</p> <p>3. R-1 and R-2 neighborhoods have some very large houses occupied by students. How are you going to convert them to family ownership?</p> <p>4. You shouldn't be allowed to pack students into a house like sardines.</p>	
<u>LANDLORD</u>	<i>Stephen Lysczek – some of his properties were vacant before he purchased and refurbished them. His tenants are mindful, respectful, and helpful to their neighbors.</i>	<p>1. <i>Current tax liability and utilities, coupled with the lack of good paying jobs in the area, make it very difficult to sell large, older homes which are often in need of expensive repairs, as a primary residence.</i></p> <p>2. <i>Many houses have been remodeled and used as rental properties by quality landlords who care about the neighborhoods these homes are located in.</i></p> <p>3. <i>Investors and students are the golden arm which is keeping Binghamton alive. Do we really want to continue discouraging investors and responsible landlords from repairing houses in Binghamton?</i></p> <p>4. <i>Restricting the use of large homes with 4 or more bedrooms to no more than 3 unrelated people would negatively impact many landlords' ability to operate profitably.</i></p> <p>5. <i>It is the respect and integrity of the individuals who live in a house that makes the difference in a neighborhood. No one should be singled out because they belong to a specific group. The focus should be on eliminating crime, drugs, and gang activity.</i></p> <p>6. <i>My hope is that City council will understand how important it is that students have a safe place to live, work, and study.</i></p> <p>7. <i>Binghamton must promote an environment that supports small business growth by encouraging investors to buy and renovate large</i></p>	

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<u>LANDLORD</u>	Isaac Levitt/Levin? – Father of two daughters that went through BU. Lives on Long Island	<p><i>homes for student housing.</i></p> <ol style="list-style-type: none"> 1. Binghamton is neglected, corrupt, and has devastated housing. "This City has nothing to offer anymore except student housing." 2. Healthy children like to party. They should not be put in concentration camps. 3. People who come back here, come back because of student housing. 	
<u>LANDLORD</u>	Ellie Farfaglia – President of Landlord Association	<ol style="list-style-type: none"> 1. We're against legislation to force out smaller student landlords. 2. Sanfilippo's plan was to force students out of neighborhoods and into downtown to encourage big developers to develop there. This is bad for Binghamton. 3. All of his work is coming to fruition due to Ken Kamlet's efforts. Will present the Mayor with a request for an investigation of Ken Kamlet's role on the Commission. 4. The City is creating a mini-Wall Street bailout. Not to benefit students. 5. It will benefit illegal drug-users. We can look forward to more of that as desperate landlords look to fill their rentals. 6. The draconian measures being planned are unfair and inequitable. 7. If large houses (in residential neighborhoods) are not made available to students, who will live in them? <hr/> <ol style="list-style-type: none"> 1. <i>After careful consideration of the issues for more than a year, the LA agrees that "The R1 zone should limit unrelated person[s] living together in a unit to no more than 3 or 4."</i> 2. <i>"In all other zones, including, but not limited to R2, unrelated groups over 4 should be allowed to occupy a unit. The determining factor of occupancy should be the NY State Housing Laws which mandate[] the square footage of bedrooms and amount of common space needed per person."</i> 3. <i>"We support the stringent enforcement of existing local CODE laws for all properties including non-</i> 	

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		<p><i>rental properties."</i></p> <p>4. "We insist on the enforcement of all civil law[s] for law-breaking university students especially in matters related to disturbance of the peace and drunkenness."</p> <p>5. <i>The LA believes that the Kamlet addendum is "rife with anti-student sentiment." [There then follow excerpts from the City's Comprehensive Plan, as quoted in the Kamlet addendum.] "I find Mr. Kamlet's recommendations to be very inflammatory and discriminatory to students and their landlords."</i></p> <p>6. <i>We purchased an investment property at 160 Oak Street over 20 years ago. At that time the neighborhood was blue collar, with many owner-occupied houses. As the economy changed, these people moved out of the area. Most of the houses were then rented to "an undesirable element" which considerably changed the entire make up of the street. A criminal aspect was present, houses fell into disrepair, the neighborhood became unacceptable to families seeking to purchase or rent. Students were concerned about safety and we struggled to keep our house rented. A huge turnaround occurred in the neighborhood when student landlords purchased a number of the houses, repaired them, and kept them rented to university students. A number of these houses have since been sold in the last 2 years and once again we are facing deterioration, crime, unsavory characters, and loss of peacefulness. There can be no doubt that the student factor kept the neighborhood healthy.</i></p> <p>7. <i>Our city cannot afford to lose one good student housing landlord. Our neighborhoods cannot absorb another unmaintained or empty house.</i></p> <p>8. <i>We ask that Ken Kamlet be relieved of his position on the Commission and that Victor Salcedo, a member of the LA, be approved as a member of the Commission. "We request that the</i></p>	

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		<i>controversial findings and proposals in Mr. Kamlet's document be scuttled and that the Commission start over."</i>	
<u>LANDLORD</u>	Sal Farfaglia – husband of Ellie. A landlord for over 25 years.	1. Asks that City follow State law regarding housing (i.e., allow any number of rentals, as long as housing meets minimum dimensional and housing code requirements)	
<u>LANDLORD</u>	Shirley Woodruff	<ol style="list-style-type: none"> 1. When she bought her rental houses, she didn't outbid any families. 2. When she remodeled those houses, she did so with the full knowledge of the City. 3. Friends don't always come in groups of three. 4. She couldn't afford the upkeep for these houses without the ability to rent to larger groups. 5. Why not use state law that defines the minimum size of rooms? 	
<u>LANDLORD</u>	David and Susan Lindsey (letter) – landlords for nearly 20 years, but don't rent to students	<ol style="list-style-type: none"> 1. <i>There is a big difference between students and common types of renters. Students are more stable.</i> 2. <i>They don't support legislation that would restrict student housing.</i> 3. <i>If student housing is limited, most landlords will be forced to rent to "the irresponsible types that are taking over the city." It would be the downfall of our neighborhoods.</i> 	
<u>LANDLORD</u>	Deborah Lysczek – Vestal resident; Binghamton landlord	<ol style="list-style-type: none"> 1. Students need affordable, safe housing. 2. Rules that limit the number of students in large homes cannot be affordably maintained. If a home has five bedrooms, 5 adults should be allowed to live there. 3. Students should be valued and welcomed. 4. People who leave here cannot afford to purchase homes. 5. "We can blaze the path, rather than follow the pack." 6. If a small number of students cause a problem, we should address the problem with those students. 7. We should not single out any element of our population. If students are encouraged to stay in this community, 	

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		<p>maybe they will form new businesses that will pay salaries to support the purchase of homes by families.</p> <p>8. <i>Understands and supports most of the tenets of the Housing Commission's interim report, but is extremely concerned about the items listed as "Other Proactive Regulatory Measures," especially the issue relating to the definition of a household. "I believe the need for such a definition and the need to limited unrelated persons living in a rental property is irrelevant."</i></p> <p>9. <i>It is not possible to legislate the character of a neighborhood and the energy invested would be better spent addressing behaviors that threaten neighborhoods.</i></p> <p>10. <i>Investment homes that cannot be profitably rented will either go vacant or will be rented to lower income individuals. In either case, landlords will not have the capital to keep the homes in good repair. If an owner cannot rent the home to at least cover the mortgage, it leaves open the possibility of foreclosure.</i></p> <p>11. <i>Communities who wish to preserve their neighborhoods by encouraging owner-occupied home ownership must work with the sellers and realtors to ensure that home are sold to people who plan to live in them. Try to get City Council to do this job for them is not the answer.</i></p> <p>12. <i>It is the behavior of residents that will preserve the character of our neighborhoods. City Council should implement programs that address the behaviors of all our residents.</i></p> <p>13. Parking is a separate issue.</p> <p>14. Inappropriate behavior is also a separate issue and should be addressed on an individual basis in a way that applies to all residents.</p>	
<u>LANDLORD</u>	Victor Salcedo – resident of Binghamton for the past 21 years—more than 11 of them as a property	<p>1. Sees a glaring absence of student representation on the Commission.</p> <p>2. The City must recognize the glaring impact of marginalizing 12-1/2% of the</p>	

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	manager, homeowner, and taxpayer	<p>City's population.</p> <p>3. Student landlords have invested in the stability of neighborhoods. The property next to my home was an infamous crack den. I purchased it and converted it to student housing.</p> <p>4. Good things we should embrace; bad things we should address.</p> <p>5. The same limitations must apply to biological families and unrelated tenants.</p> <p>6. A (fiscal) impact study should be done based on demographic data. There has been no consideration of the "welfare economics" that defines a significant part of the City's lifeblood.</p> <hr/> <p>7. <i>Downtown Binghamton is now on the cusp of "urban revival" anyway—without the need for any agenda-driven legislation.</i></p> <p>8. <i>Many of the West Side's large homes would be in ruin today, probably carved up into low-income, Welfare-subsidized housing—without university occupants.</i></p> <p>9. <i>Some of the worst and most offensive eyesores in the City are family-occupied, such as infamous Copp family on Murray Street. This is now a quiet and uneventful home occupied by at least 6 college students who exhibit good manners.</i></p> <p>10. <i>If there is a legitimate purpose to this Commission, it should be to intelligently and specifically focus on those clearly objectionable behaviors and misconduct that violate everyone's enjoyment. This is not a function of biological affiliation, or the number of bedrooms, but rather of human behavior. Bad behavior is not discriminatory.</i></p> <p>11. <i>If someone is loud and obnoxious and violating the quiet enjoyment of neighbors, immediate relief should be provided and subsequent sanctions entertained. All of this could be integrated into a punitive point-by-point system.</i></p> <p>12. <i>Perhaps we should be formulating legislation that provides for larger bedrooms in functional</i></p>	

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		<p><i>family or quasi-family equivalent homes, eliminating smaller, substandard bedrooms by making the Building Code governing minimum allowable bedroom sizes more restrictive in the City. Perhaps a 10 x 10 bedroom should be the bare minimum allowed. Such legislation focuses on the merits of the underlying dwelling, not on the DNA of its occupants.</i></p> <p><i>13. Perhaps we should also reward with tax credits certain façade and landscaping improvements carried out by conscientious landlords.</i></p> <p><i>14. Or, even consider a sliding scale of occupancy limitations corresponding to all three residential districts—such as limits of 4 bedrooms maximum per dwelling in R-1, 6 in R-2, and 8 or more in R-3—with possible variances and historic grandfathering mechanisms for longstanding, pre-existing non-conforming dwellings operating beyond these parameters but within the State Building Code.</i></p>	
<u>LANDLORD</u>	Bill Bernstein – local real estate broker and landlord since 1979	<p>1. The problem is that zoning hasn't been enforced here for 70 years. Current zoning puts all districts in the same category (i.e., in terms of treatment of unrelated renters).</p> <p>2. The Abel Bennett tract includes many multi-family houses.</p> <p>3. It is tough to go back and redo things after the fact.</p> <p>4. People have the right to quiet enjoyment.</p> <p>5. Over roughly 6,000 rental-years, only 3 student groups have been evicted.</p> <p>6. Students who do bad things should be arrested and the word will get around.</p> <p>7. No one has built student housing in Downtown Binghamton, because it is not economically feasible. Such a project couldn't work without a PILOT program and retail income. Such a project couldn't make it on its own merits</p>	

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<u>LANDLORD</u>	Francie Cook – Real estate agent who represents 3 investors who own about 120 student properties.	<p>without taxpayers paying the bills.</p> <ol style="list-style-type: none"> 1. She hasn't sold a rental house in 3 years without a Certificate of Compliance (from the City) and without letting both landlords and students know what their responsibilities are. 2. Her investor clients make their student tenants (and their parents) sign a contract that commits them to a stepped-up schedule of increased rentals if there are verified complaints against them, and/or if the police are called in response to violations. 3. Property values are up a lot more due to student housing. 4. Increased demand for rental housing will increase property values. 5. The key to avoiding problems is to make sure that every student is educated. 	
<u>LANDLORD</u>	Michael Harris – <i>His family and he own several multi-family properties that they rent to students. All were in R-5 zones and are now in R-3 zones. They have not altered or modified the properties in any way.</i>	<ol style="list-style-type: none"> 1. <i>We treat our student tenants as adults and with the utmost respect. We expect them to handle themselves accordingly. Our properties are maintained to our high standards and we expect our tenants to treat them similarly.</i> 2. <i>We are providing student housing that is affordable and safe. Affordability is strongly tied to the ability to share expenses. Limiting the number of students to a fixed number will drive up the cost of housing beyond the capacity of some students.</i> 3. <i>On Edwards Street, where we own a student house, the neighbors welcome the students with open arms and are asking us to consider purchasing additional houses that we should rent to students.</i> 4. <i>Binghamton's economy is closely meshed with BU's success. To interfere in any way with the ability of students to find affordable housing would be economic suicide.</i> 5. <i>Our daughter is a BU student, who moved with several of her friends into a house shared by 8 students. It is a very</i> 	

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		<p><i>large house on the West Side. They were a very well behaved group of young women who developed a strong sense of independence, learned to set their own rules, made their own guidelines and lived together as a group sharing responsibilities and costs. If they had not been able to afford off-campus housing, several of them would not have finished college at BU.</i></p>	
<u>LANDLORD</u>	<p>Thomas Palma – A landlord who has invested thousands of dollars in housing repairs.</p>	<p>1. Our dollars support many businesses, help employ local residents, increase property value (and therefore the tax base). Without us, Binghamton will not improve, housing will continue to be in disrepair, and values will decrease. Properties will be abandoned as taxes are increased and more people will be unemployed and on social services.</p> <p>2. BU is one of the largest employers in Broome and that is because students and their families can afford it. Some students cannot afford the higher rental pricing that would be forced on them and this would prevent them from continuing their education.</p> <p>3. If you limit student housing beyond NYS housing laws just because they are not related, you are discriminating.</p> <p>4. Laws should be in place to eliminate possible dangers. But if housing was built with 4 or 5 bedrooms and it complies with the laws, then it should be allowed to have 4 or 5 people living there.</p>	
<u>LANDLORD</u>	<p>Steve Jensen – purchased a West Side house 10 years ago</p>	<p>1. The only actual trouble he ever experienced at a student rental house was when an actual family lived there.</p> <p>2. Police should be willing to arrest students who misbehave.</p> <p>3. What the City needs is perhaps an additional garbage collection.</p> <p>4. There should be home inspections prior to placement of social services clients.</p> <p>5. Wipe this Commission's slate clean and start all over again.</p> <p>6. <i>"Believe it or not, some of the college</i></p>	

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		<p><i>students living among us on the West Side are intelligent and can reason, when treated like adults."</i></p> <p>7. What the city needs is more and better code enforcement, a willingness by the police to make arrests for students whom break laws, perhaps an additional garbage collection day and ABSOLUTELY home inspections prior to placement of Social Services clients.</p> <p><i>8. Where the Commission will be in trouble is when it wades into the waters of what defines a "family." The Court of Appeals struck down ordinances that have limited the relationships in a family unit in terms of blood or adoption. For example, the court in Ferraioli and Group House of Port Washington [1978] ruled that single family ordinances excluding foster children or individuals in a group home were too restrictive and arbitrary.</i></p> <p><i>9. In determining the constitutionality of a zoning ordinance, the Court explained that the ordinance must (1) have been enacted in furtherance of a legitimate governmental purpose, and (2) be reasonably related between the end sought to be achieved and the means used to achieve that end. McMinn [1985].</i></p> <p>10. Place the onus on enforcing our existing housing laws and on even further elevated code sweeps, and in zero-tolerance policing.</p> <p><i>11. Ask the people on Edwards Street if they'd prefer to have their block inundated by groups of unrelated college students, versus having things stay as they have been for a year or more with their street and surrounding blocks known as home base for The Bloods gang, with drug sales happening at both ends of the block.</i></p>	
<u>STUDENT</u>	Adam Shamah – Student and Editor of Binghamton Review	<p>1. I admit that there are bad students, but most students are good neighbors. Bad students should be punished.</p> <p>2. Look at all the good that students at</p>	

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		<p>BU do.</p> <p>3. Many people have said that students aren't welcome in their neighborhoods. If we're not welcome, we have no reason to stay (after graduation).</p> <hr/> <p>4. <i>Students don't want to be warehoused downtown. It is not good for students. We cannot afford it. It is not good for the city. While it might add to the economic activity downtown, it would blight the rest of the city if students lived only away from the west side. There is a reason downtown projects have failed in the past. They are not feasible in the free market.</i></p>	
<u>STUDENT</u>	Andrew/Daniel(?) Rabinowitz	<p>1. I cannot afford to live in University Plaza housing or on Campus.</p> <p>2. You're considering a policy that discriminates against students.</p> <p>3. My friends are my "family."</p>	
<u>STUDENT</u>	Matt Landau – Student Association President	<p>1. It is unfortunate that the City doesn't represent students.</p> <p>2. The Commission report breaks up the partnership that should exist between the City and students.</p> <p>3. If you want students to contribute, don't kick them out of their housing.</p> <p>4. It's about respect. Respect students as adults, as equals.</p> <p>5. There should be a student representative on the Commission.</p> <p>6. We spend two-thirds of our time here with other students. What more should it take to make us a "functional family"?</p> <p>7. You need to get students more involved with the City and the City more involved with students. The University should give students academic credit for community service—cleaning streets, painting houses, etc. Proactive things to spruce up neighborhoods.</p>	
<u>STUDENT</u>	Michael Lombardi – from Long Island	<p>1. This City is not a lost cause.</p> <p>2. Students are not enemies of the City.</p> <p>3. A lot of proposed Commission recommendations are discriminatory and won't accomplish desirable objectives.</p> <p>4. University Plaza is too expensive.</p>	

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		<p>5. Houses that don't meet Code should be closed down or brought into compliance.</p> <p>6. Only a minority of students don't respect their neighbors.</p>	
<u>STUDENT</u>	Rod Alzman(sp?) – from Long Island	<p>1. Binghamton is an interesting City.</p> <p>2. Almost 5,000 students live off campus.</p> <p>3. The Commission needs to consider everyone's opinions and needs.</p> <p>4. We need to keep everyone safe.</p> <p>5. The Commission needs to talk more to members of the community.</p> <p>6. It's good for the community to incorporate students.</p> <p>7. The Commission should seek ways to get students and homeowners involved.</p>	
<u>STUDENT</u>	Mark Dela Stritta(sp?)	<p>1. The definition of a "student" is the biggest issue.</p> <p>2. Newman Development Group seems to imply that students are disruptive and destructive.</p> <p>3. BU students are people as well as students.</p> <p>4. It is unjust to punish all students for the acts of a few.</p> <p>5. It is not just a student issue. Many BU workers are paid barely a living wage.</p> <p>6. These "terrible" students will eventually be professionals in this community and the world.</p> <p>7. Look beyond the label and the stereotype of students. Consider us as citizens and people. Not just as transient academics.</p>	
<u>STUDENT</u>	Anthony – BU Junior.	<p>1. <i>I will be looking for a house with some of my friends during my senior year.</i></p> <p>2. <i>Limiting all students to a certain number of house-mates because of disturbances in a few student-houses, really puts us at a disadvantage.</i></p> <p>3. <i>Respectable students should not be penalized because of problems caused by others.</i></p> <p>4. <i>There is not enough on-campus housing for all BU students. There are about 200+ forced triple rooms. If large off-campus houses that currently house 4+ students have to limit the number of</i></p>	

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		<p>renters, they will have excess spaces. This will not only prevent students from moving off-campus, contributing to overcrowding of campus dorms, but it will increase the rent for students in these large houses (or cause the landlords to stop renting these houses).</p> <p>5. I hope you will come up with a compromise which will enforce behavioral rules in high-occupancy student houses, but will not ban these students from living with their friends.</p>	
<u>STUDENT</u>	<p>Teresa Florindi – President, BU Off Campus College Council (represents the views of all off campus students—and to provide them with fun and educational activities throughout the year)</p>	<p>1. We aim to promote a sense of community even though our students no longer live on campus.</p> <p>2. We try to bridge the gap between the Binghamton community at large and the BU campus, and to ensure that the views of off-campus students are represented.</p> <p>3. BU students who live off campus or are planning to do so are concerned about how plans to limit the number of unrelated renters would do, not only to their college experience, but to how they contribute to the livelihood of Binghamton as a whole. I believe students are a vital part of the City and add a unique aspect to the City. It would be a shame if they could not live in the areas where they currently reside.</p> <p>4. Bad students should not be punished for that fact alone.</p> <p>5. Some students are not financially able to live in other dwellings—so downtown housing is the most feasible, especially during their junior and senior years.</p> <p>6. Those who cannot afford to live on-campus or in the Newman properties would be forced to move into downtown or the City's East Side, where crime rates are high and student safety would be jeopardized.</p>	
<u>STUDENT</u>	<p>Ryan Saluzzi – BU Escort Program, Student Supervisor.</p>	<p>1. I have lived on campus for 3 years with my friends and this year we all decided to try to find a place together off campus that would be more affordable.</p> <p>2. It is a great part of the college experience to live off campus, not to get</p>	

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		<p><i>away from RAs bothering us about loud music, but to get a taste of what it is like living in the real world.</i></p> <p><i>3. Living off campus would make me more independent and would add a much more realistic feel to living away from home and having to pay bills, etc.</i></p> <p><i>4. BU students provide this area with a lot of its business, so why inconvenience us?</i></p> <p><i>5. It is unfair and unjust to assume that all college students act the same when we all aren't doing bad things—and we shouldn't all be getting punished for it.</i></p> <p><i>6. I see this as a ploy for businesses and land owners to make more money off of students.</i></p> <p><i>7. Please reconsider passing this law which may leave some students, who may not be able to continue living on campus, with no place to go other than to other schools in other places.</i></p>	
<u>STUDENT</u>	Randal J. Meyer – President of College Libertarians; Managing Editor of Binghamton Review	<p><i>1. The vacant properties in residential districts will not be purchased by single-family dwellers. They are expensive and the demand from the single-family market does not meet the supply, which is why students moved in. Binghamton's economy took a nosedive over a decade ago and since then homeownership has decreased 10%. This is not because students are forcing buyers out; it's because there are no buyers. People sold their homes because they lost their jobs and didn't have the income to maintain such properties.</i></p> <p><i>2. Binghamton needs to focus on bringing in new businesses to provide steady jobs to its citizens. That is the only solution to this economic crisis.</i></p> <p><i>3. The zoning codes were made at a time when Binghamton had a much larger population and single-families with the white picket fence and the two kids lived here in large numbers. These people are gone and are not coming back until there are better jobs in Binghamton. Until then, the only significant demand is from students and they have the money.</i></p>	

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<u>STUDENT</u>	Andrew Epstein – Student renter on the West Side (arrived in 2005).	<ol style="list-style-type: none"> 1. People who live in multi-unit rental housing are not automatically disrespectful of the neighborhood. 2. Increased crime is a direct result of the economic downturn and won't go away by putting more cops on the block or running the "undesirables" out of the neighborhood. 	
<u>STUDENT</u>	Andrew Leavey – student looking to move off campus next year.	<ol style="list-style-type: none"> 1. Currently lives with 5 other guys in Hinman, a suite style community. Consider themselves a "family" and are looking to move off campus together next year. 2. A group of students who consider themselves a family should not have to have their definition challenged by the City. 3. Unless students are actively disruptive to a neighborhood or violate any laws, we should be allowed to choose where we live—in keeping with current law. 	
<u>ELECTED OFFICIAL</u>	Joe Sanfilippo – Broome County legislator and former City Council member	<ol style="list-style-type: none"> 1. Urges the Commission not to be intimidated. 2. The idea he put forth in 2002-2004 was to protect single-family neighborhoods from deterioration due to uncontrolled, unenforced student housing. 3. There was a landlord on Leroy Street with regular wiring who rented to 10 students. The wiring couldn't handle all the hairdryers. Something did happen (a fire?). The potential is there for a disaster. 4. Favors a presumptive limit, registration, and periodic inspections. Poughkeepsie, Albany, and Oneonta all do this. 5. He also put forth the idea of "common interest households" to allow higher occupancy limits where appropriate. 6. His proposed legislation was defeated by 1 vote. 7. There is a legal basis for setting a presumptive limit of three. 8. Right now, 2 unrelated tenants could be viewed as illegal. 9. Many units are not up to Code. 10. In the R-2 district, the 	

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		Commission should look to a qualified waiver approach. If there are complaints, you can lose your waiver.	
<u>ELECTED OFFICIAL</u>	Matt Ryan – Binghamton Mayor	<ol style="list-style-type: none"> 1. The debate is between protecting a family's investment in an R-1 district and student housing. 2. My Administration will never be against students. 3. Some people don't just take 5-bedroom houses and just put 5 students in them. Some of them convert 5-bedroom houses into 10 bedrooms. 4. At the end of the day, we need to protect the integrity of our neighborhoods. 	
<u>HOMEOWNER</u>	Mary Anderson – West Side homeowner, who lives on Lincoln Ave.	<ol style="list-style-type: none"> 1. The Code should be enforced. But there needs to be a way to "make connections" among violations to hold landlords accountable. 2. The issue is not students. The issue is that outside landlords know they can charge students more. So, they force out existing renters. 3. Favors a partnership with BU. 4. The landlord at 8 Lincoln Ave., knew that the Binghamton ordinance is a "complaint-driven" ordinance and that what he was doing was wrong, but he knew he could get away with it. 5. A functional family has 2-3 vehicles at most—not 5. 6. It's about affordable, reasonable housing for everyone. 	
<u>HOMEOWNER</u>	Ute St. Clair – 22-year resident of the West Side and BU professor	<ol style="list-style-type: none"> 1. Walnut Street used to be all owner-occupied. Then, owners started renting to students. One by one, that block deteriorated because the owners didn't take care of it. 2. The Commission needs to define what it means by "student housing." 3. Some landlords have insisted on using R-1 and R-2 homes as multi-family residences. 4. Multi-family dwellings are a commercial use and should be treated as such and should be restricted to certain zones. 	

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<u>HOMEOWNER</u>	Timothy Perry – West Side resident and BU professor	<ol style="list-style-type: none"> 1. The City needs to deal with landlords and students who are “serial offenders.” 2. Students are making housing unaffordable for families. 3. There is no reason to doubt “best practices” that have worked elsewhere. 4. We need to build housing values. We have far too much non-owner-occupied housing. The City should find people to buy housing. 5. Density should be related to adults, whether students or otherwise. We should not adopt a lowest common denominator solution. 6. Commercial property (multi-family dwellings) is used until it is used up. 7. How does the Commission’s work relate to the City’s Comprehensive Plan? 	
<u>HOMEOWNER</u>	Marilynn Desmond – lives at 10 Lincoln Ave. on the West Side	<ol style="list-style-type: none"> 1. The family that wanted to buy the house next door was outbid by a student landlord. 2. Numerous visitors came endlessly to this addressing, using up all available on-street parking. 3. We were publicly demonized and subject to threats—based on complaining to the City (as required under the current complaint-driven process). No homeowner should ever be subjected to this again! 4. Has never encountered unpleasant <i>non</i>-student neighbors. 5. The choice is keeping single-family houses owner-occupied. 6. High-density housing does not belong in single-family residential neighborhoods <hr/> <p>From 11/16/08 email from Marilynn Desmond to Teri Rennia:</p> <ol style="list-style-type: none"> 1. Last Friday night I returned home from Cornell at 11 pm and encountered a MASSIVE party going on at 1 Lincoln Ave. There were numerous drunk people on the porch, shouting and running around. They were yelling about smoking pot and trying to jump into the dumpster in the driveway. At 11:45, 	

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		<p>after being unable to go to sleep, I called the police. Two neighbors also called the police, and a third neighbor went over to the party and asked them to be quiet. The police did not show up until an hour and a half later. By then, the party had apparently moved on. My neighbors counted at least 80 people leaving the house by limo and cab after the other neighbor asked them to quiet down.</p> <p>2. At the Public Forum, the landlords kept saying that there were laws on the books to protect residents from noise. This incident shows that those laws can only be enforced if there are police officers free to come out and shut down parties when they are called. Also, why can't the police shut down parties and record that fact on the record without residents having to go out and be "interviewed" at 1:20 am?</p> <p>3. The back door at 1 Lincoln is closed off. That means there were 80 people in that house without only exit. Also, there were people in the attic, which definitely does not have a second exit. Also, men were going down the driveway out of sight into the neighbor's backyard, presumably to urinate. There are all sorts of public health issues.</p> <p>4. There is also the issue of the burden that the "let the police enforce the laws" approach puts on the long-term residents on the block. The idea that simply enforcing the laws on the books would make it possible for us to get to bed at reasonable hour is patently false.</p> <p>5. We don't want to be in a position of having to call the police every weekend just to get a good night's rest. The only way to ensure that these parties don't occur in the first place is to keep landlords from converting single-family dwellings into high-density housing, as Issac Anzaroot had done at 1 Lincoln Ave.</p> <p>6. The party last Friday is the fourth time</p>	

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		<p>that the group of four female students have had a large, loud party at this address that has disturbed us. We made an initial complaint in September and followed it with a letter signed by every household at the end of Lincoln Ave., but no action has been taken.</p> <p>7. If there were an occupancy limit of three in an R-1 zone, it would probably not be profitable for the landlord to keep this house as a student residence.</p> <p>8. However, even without an occupancy limit, it would appear to be illegal to rent a house that is assessed as a 3-bedroom to four unrelated adults.</p> <p>9. And why can't the city deal with the building code violations—number of exists, the possibility that someone is living in the attic with only one exit, garbage kept on the porch, etc.</p>	
<u>HOMEOWNERS</u>	<i>Christopher and Sue Tracy, Helen Malory, and Donna Karcher</i> — live on Lincoln Ave. (##6 and 7) on the West Side	<p><i>1. Look at 8 Lincoln Avenue before and after the City's intervention. Effects were immediate and very positive. Parking spaces were freed up and late-night disturbances came to an end.</i></p> <p><i>2. A streamlined enforcement process is needed.</i></p> <p><i>3. We are hopeful the Commission will agree with our argument for strengthening the vague definitions and supporting the strict regulations that govern zoning particularly in the R-1 areas on the West Side.</i></p> <p><i>4. It is frustrating to repeatedly hear the argument that landlords can only choose between students or "undesirable elements" when looking for tenants. If the rents charged were not so unbelievably inflated, families would be able to afford to live in these neighborhoods. We saw many families and individuals show an interest in the apartments at 9 and 9-1/2 Lincoln Ave. which were once rented to students. Those apartments now house two nice families who have become a part of the neighborhood.</i></p> <p><i>5. Students need to be educated about</i></p>	

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		<p><i>the serious issues facing all the residents of the West Side. They will never understand that we are not interested in getting rid of them if people in positions of authority continually fail to explain that to them.</i></p> <p><i>6. Parking and noise disturbances are the two main problems facing us when it comes to high density housing, especially in R-1 zones. Lincoln Avenue has been full of cars since the beginning of the semester. This results in blocked driveways, illegal parking by a hydrant, and a lack of spaces for the many homes with no driveway. When alternate-side-of-the-street parking is in place, the situation is impossible. If the law isn't changed, our already narrow streets will be left insufficiently plowed and impassable.</i></p> <p><i>7. The constant traffic and late night disturbances is a major problem, not just for the residents who are inconvenienced, but for the police department which is often called upon to ticket the cars, quiet down the keg parties and break up the fights which so often occur in the streets or on our front lawns.</i></p> <p><i>8. There are too few police officers already to handle the masses of drunk students that can flood our streets. Officers are forced to tread softly hoping to avoid the riot that might break out if they try to impose order on uncooperative and unruly students. If crowds of this nature are dangerous for the police, they are even more dangerous to simple residents.</i></p> <p><i>9. The numerous other "little" grievances homeowners regularly face must be considered when counting the cost of having high density student housing in the neighborhood: dangerous drunk driving, public urination, red cups</i></p>	

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		<p><i>and garbage left everywhere, discarded condoms and wrappers on the sidewalk, and the midnight funnel chant accompanied by high-pitched screams from girls who want the world to know they party.</i></p> <p>10. Going by the number of bedrooms when determining acceptable occupancy would do nothing to remedy any of these problems and which daily threaten the West side. There has to be another solution, like residency restrictions.</p> <p>11. In the case of 8 Lincoln Avenue, the courts ruled that three residents was a reasonable number of unrelated individuals to rent there and neighbors agree that this situation is much improved.</p> <hr/> <p><i>From email by Sue Tracy to Council Member Rennia on 11/16/08:</i></p> <p><i>1. This is the fourth time we have called the police on the house at 1 Lincoln Ave. What has happened to our formal complaint?</i></p> <p>2. Landlords and students bring in a lot of cash, but let's be honest, they cost a lot too.</p> <p>3. Homeowners are here to stay. We're not here for the quick profit. We're working, raising our families and looking for some stability and protection from the city. I don't think it's too much to expect.</p>	
<u>HOMEOWNER</u>	Melanie Thomas (letter) read by Deb Lysczek (a landlord) – West Side resident	<p><i>1. Has been struck by the almost anti-student sentiment.</i></p> <p><i>2. Students are not a blight to the neighborhood. The opposite is true.</i></p> <p><i>3. Neighbors I've had who were students, were the best neighbors I've ever had. They have shoveled my walk and alerted me to their parties ahead of time.</i></p> <p>4. The Geni is already out of the bottle. Student rentals already exist.</p> <p><i>5. Ask for a positive discourse to make SUNY students feel welcome in our Town.</i></p>	

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		<p><i>It would create an influx of new businesses that will benefit the whole area.</i></p> <hr/> <p>6. <i>Concerned that, in this housing market, landlords will find themselves unable to properly keep up and even worse cover their expenses—potentially resulting in rundown properties or worse, foreclosures.</i></p> <p>7. <i>Landlords should be allowed to realize the most return on their investment as possible.</i></p>	
<u>HOMEOWNERS</u>	<p>Bob and Ann Montgomery – live on the corner of Grand Blvd and Annette Ave. in an R-2 district. It is the only single-family house on that side of Grand Blvd. in the immediate area. Ann is a teacher. Bob has owned and operated his own consulting business since 1982 and serves on the Boards of the United Methodist Homes and the Family & Children's Society. t</p>	<p>1. We need your help to protect our homes values and the peacefulness of our neighborhoods.</p> <p>2. <i>We have no complaint with SUNY students. Most of them are pretty nice people. Our concern is with absentee landlords and the terrible effect their disregard for zoning laws have had on our neighborhood, our city, and our quality of life.</i></p> <p>3. <i>In 1984, when Bob moved to Binghamton, all the homes on Annette Ave. were owner-occupied. It was a great neighborhood. In 1993, when a SUNY professor bought #5 (1 2-family house) and rented to 8 unrelated students, we immediately had serious problems, with noise, late partying, litter, and parking all over sidewalks and backyards and often illegally on Annette Ave. In 1997, the landlady rented to 9 unrelated students, who then sublet to a tenth student. The disturbances rose to a new level. In 2000, after WSNA won a case on Leroy Street, we complained to the City about 5 students living in one apartment. The 2002 group of students was particularly difficult and threatening. The 2003 group was even worse. One night, while waiting for the police to respond to a complaint, one of the tenants was upset that the neighbors wouldn't allow them to do what they hadn't been allowed to do in a dorm. In April 2004, after pursuing legal action again, we were successful in forcing the eviction of 10+ students. The landlady</i></p>	

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		<p>soon decided to sell her properties throughout the City.</p> <p>4. Over the past 15 years, more than 130 people, mostly unrelated students, have lived at ##3 and 5 Annette Avenue. This has hurt our property values and homeowners have moved off the street. When #3 was offered for sale, it was on the market for years. Several of the potential purchasers told Bob that they would not buy it because of the students living next door. It finally sold twice to absentee landlords who do obey City code.</p> <p>5. We were ready to move from the City in 2003. But with the successful eviction in 2004, we decided to stay and have since invested a lot of money in our property.</p> <p>6. Since the eviction of 2004, we have reclaimed our neighborhood. #3 is now rented to students, but the current landlords rent to only 3 students per unit. Several of the students have told us that their landlords have warned them to behave in the neighborhood. The students now in ##3 and 5 (3 per unit) are good neighbors.</p> <p>7. We are asking you to protect our home values and the peacefulness of our neighborhoods by restricting occupancy in R-1 and R-2 zones to no more than 3 unrelated tenants. We especially ask you to not ease the restrictions in R-2 as this zone is already more crowded with 2 family housing. A maximum of 3 unrelated tenants does seem to be the magic number. When housing units are rented to more than 3 unrelated tenants, problems start. We also ask you to consider the concept of "rebuttable presumption" that more than 3 unrelated tenants are presumed to not be the functional equivalent of a family. With students changing every year and sometimes every semester, it takes</p>	

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		<p><i>far too long for the city to go through the process of finding they are in violation and then having them evicted.</i></p>	
<p><u>HOMEOWNERS</u></p>	<p>Art Ospelt and Mary Webster – Co-Chairs, Safe Streets Association (founded in 1995 to confront the influx of the drug trade on the West Side; membership district is bounded by Front Street to the east, Main Street to the south, Jarvis Street to the west, and the railroad tracks to the north— one of the earliest and most architecturally significant areas in the City). Live on Edwards Street (in an R-3 district).</p>	<p>1. In recent years (since the late '90s) we have seen young families move away because they feared to raise their children here. We have seen students avoid the area "north of Main" because of its negative reputation. Uncaring landlords have found it easy to buy up cheap housing and rent the rooms to undesirable tenants, for whom Social Services guarantees the rent.</p> <p>2. This past summer, Safe Streets has started meeting again to confront alarming new gang-related developments in the Edwards Street area, as well as neighborhood problems involving code issues that the city has allowed to fester for years.</p> <p>3. With the help of the police, Code Enforcement, and Corporation Counsel, we are already having small victories.</p> <p>4. The Planning Commission was persuaded to turn down an application by a local landlord to move 14 homeless women into a house on Crandall St., deeming it "inappropriate for our area."</p> <p>5. If we give us this enterprise and sell our houses, this cancer will spread quickly to other areas. Main Street will not hold it back. Our battle is for the West Side as a whole.</p> <p>6. We believe that strict enforcement of the laws already on the books will go a long way to alleviate the problems that have been making life so difficult in our neighborhood.</p> <p>7. We applaud the Commission's interim findings, with their emphasis on code enforcement, noise level enforcement, landlord education, DSS inspections, and use of the lockdown law to drive criminal elements out of the city.</p> <p>8. Owner-occupied housing is important to the viability of all neighborhoods and we need to encourage it. Of the 32 properties</p>	<p>Mary Webster, in an 11/16/08 email, sent the following additional views:</p> <p>1. I believe that any positive changes in the R-3 districts of the West Side will ultimately benefit the whole area. And, without them, the R-1 and R-2 districts will continue to decline along with us.</p> <p>2. Nuisance-type impacts should not be tolerated in any of the City's residential areas. Stepped-up law enforcement is important in all three districts.</p> <p>3. Steady deterioration of non-owner-occupied dwellings is a serious problem in R-3 as well as the lower density districts.</p> <p>4. The Edwards Street neighborhood has become a disgraceful example of how an area of the City can be a drain on city resources. If the City were to put two or three disreputable local landlords out of business, it would save thousands of dollars a year.</p> <p>5. One way to improve our neighborhood that we have discussed in our Safe Streets meetings is the idea of establishing a Revitalization Grant program, that would encourage people to buy up these historic houses to restore and live in them. Our neighborhood, with its proximity to downtown and its rich architecture, would be the perfect area to pilot such a program.</p>

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		<p><i>on Edwards Street, only 9 are presently owner-occupied. But, as evidenced by 2 of these properties, even ownership does not guarantee good neighbors. Responsible landlords are another important component of a healthy neighborhood.</i></p> <p><i>9. It is important for the Commission to develop strategies to attract new residents to the City of Binghamton. Anecdotal evidence suggests that nowadays real estate agents don't even show houses in Binghamton to newcomers. How are we going to persuade realtors to put Binghamton back on their recommended lists? How are we going to bring new businesses to Main Street to make it an attractive shopping area?</i></p> <p><i>10. For the area we represent north of Main Street, the City needs to create incentives that will encourage families to invest in property and to renovate these aging houses, where they can live in spacious surroundings, or, alternatively, rent out the upper floors to students and professionals. The City also needs to encourage responsible landlord development.</i></p> <p><i>11. One need only look to the Perry/Frank/Balcom/Crandall Street area to know that wise investment and active resident participation can turn a neighborhood from one in which people feared for their safety into a healthy mix of owner-occupied and student housing.</i></p> <p><i>12. If the Commission develops a viable strategy that can bring our neighborhood back to life, we will see families move here to raise their children, students adding their energy to our diverse population, and landlords receiving a welcome return on their investment with responsible long- and short-term tenants. The Safe Streets area, with its proximity to downtown, and with its irreplaceable architecture and history,</i></p>	

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		<i>has the potential to be come a viable part of the downtown Binghamton resurgence.</i>	
<u>HOMEOWNERS</u>	Arthur and Ruth Levy – Homeowners on Bennett Ave. (in an R-1 district) for 43 years.	<ol style="list-style-type: none"> 1. Our property is our largest investment, as it is for many others. An R-1 district protects that investment and establishes a certain type of neighborhood. Keep R-1 as intended. 2. Landlords who buy and rent illegally are nothing but predators on law-abiding owners. They debase our neighborhoods and diminish our property values. They know what they are doing before they buy and deserve no consideration for their specious arguments. 	
<u>HOMEOWNER</u>	Michael O'Connell, Jr. – lives on Bennett Ave., right at the crossroads of student housing and single-family homes.	<ol style="list-style-type: none"> 1. Sees additional committees or new laws as obstacles. 2. The creation of a law to limit the number of unrelated persons in a single dwelling is unwise. It is inimical to freedom and may be detrimental. 3. The City has only two positive qualities. They are Binghamton University and the low cost of living. The proposal to limit housing numbers damages both qualities. 4. BU is an economic boon to the City. Making housing options less desirable makes BU less desirable. 5. The proposed legislation raises the cost of living by requiring consumers to consume more housing than they would in a free market. 	
<u>HOMEOWNERS</u>	Gail and John Wilson – Have been homeowners on the West Side since 1970. Live at 30 Lincoln Ave. in an R-1 zone.	<ol style="list-style-type: none"> 1. What was once an area of one- and occasionally two-family homes has seen an increase in numbers, both of units and of people within those units. 2. Our neighborhood has a few two-family homes grandfathered in. 3. Just under 20 years ago, there was an effort to turn a two family home into 3 apartments. It took complaints and a hearing to achieve zoning compliance. 4. Zoning is a protection for homeowners, promising them that their investment in home ownership will be protected from predatory zoning changes. If Binghamton wishes to encourage an increase in 	

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		<p>home ownership, the preservation of R-1 and R-2 areas is essential to protect such investments.</p> <p>5. No one wishes to deny landlords their profits or students decent housing. However, landowners are or should be aware of zoning when they purchase properties and should not purchase and then complain. If they charge rents commensurate with the property values of the neighborhood, they will realize a decent return when they rent to functional families of no more than 3 unrelated individuals and homeowner values can be maintained.</p> <p>6. Three unrelated persons living together has been assumed to be the size limit of a functional family in R-1 and R-2 zones, and it should be clearly defined as such by the Commission if home ownership is to be encouraged in the City. Students who desire to live within such neighborhoods are welcome IF they meet a functional family definition that fits the zoning designation of the neighborhood. Such small groups tend to live responsibly within family neighborhoods.</p> <p>7. Please do not let poor zoning, or a lack of enforcement, discourage the home ownership that is vital to Binghamton's future.</p>	
<u>HOMEOWNER</u>	Tom Klensk – resident of the West Side for almost 17 years.	<p>1. The current unchecked conversion of single-family homes in R-1 and R-2 zoning districts to rental properties is diametrically opposed to any attempts to maintain or increase the level of home ownership in Binghamton. This is most prevalent on the West Side, where large numbers of rental properties are continually being created for student housing.</p> <p>2. The typical approach is to buy up single-family homes that are for sale and rent these on a per-room basis to as many students who will fit (and then some), essentially creating illegal student dormitories or rooming houses.</p> <p>3. Once this happens to enough houses</p>	

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		<p><i>on a block, the remainder of the owner-occupied homes become undesirable for families, causing a domino effect that can lead to complete blocks of student housing.</i></p> <p><i>4. I would like to see the City either enforce its current laws with regard to occupants of dwellings (i.e., must be a family or functional equivalent) or implement new laws which are less ambiguous and more enforceable.</i></p> <p><i>5. The current complaint-driven process involves residents spending inordinate sums for legal fees and enduring the wrath of rental property owners and occupants over an extended period of litigation.</i></p> <p><i>6. An example of a productive change would be the implementation of a rebuttable presumption law that allows up to three unrelated individuals to live together unquestioned.</i></p> <p><i>7. Coupled with this should be a strict rental registration and landlord licensing system that certifies both legal occupancy of a dwelling and its conformance to code.</i></p> <p><i>8. I would urge the Housing Commission and City Council to pursue the rebuttable presumption change, preferably for all zoning districts, but especially for R-1 if that is the only acceptable compromise. And, of course, any new laws must be enforceable, making rental registration and landlord licensing a must.</i></p>	
<u>HOMEOWNER</u>	Patricia Creighten – Schubert Street	<p><i>1. The West Side is seeing increased crime, graffiti, and single family homes being turned into rental properties, many being owned by absentee landlords who do not have a stake in what happens to our neighborhoods.</i></p> <p><i>2. In my block alone, I see trash on lawns and in the streets, houses with no exterior doors, gangs of young people pushing and shoving each other while cursing and screaming.</i></p> <p><i>3. The house next door recently changed hands from parents to adult children who</i></p>	

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		<p>rented to 6 BU students for the past 2 years. Each student had a car which created a parking problem. The students collected garbage for weeks without carrying it to the street. The lawn wasn't mowed for 6 weeks until I called the landlord repeatedly. The house is now up for sale again.</p> <p>4. Recently, my sidewalk and that of my neighbor have been painted with graffiti.</p> <p>5. These are problems that need to be addressed before the West Side becomes a slum. Act promptly to save West Side neighborhoods (and all of Binghamton) from the blight that is slowly but surely taking over the area.</p>	
<u>HOMEOWNER</u>	Gary A. Lockwood – 8 Beethoven Street (R-1 District on the West Side)	<p>1. I have seen a gradual and steady degradation of the quality of my neighborhood over the last 10 years. The meeting of November 6th was yet another attempt by the money-makers to sidetrack the real issues which the Commission is trying to address.</p> <p>2. The goal of increasing the homeownership rate to 60% or more will not be achieved by making it easier for single- and two-family houses to be converted into higher density housing.</p> <p>3. We MUST adopt and enforce a registration process for non-owner occupied housing with penalties for non-compliance.</p> <p>4. Parking is a major problem along Johnson Ave. and Beethoven Street as the city has encouraged high density uses of houses in the R-1 area. As an example, the law requiring employers on Riverside Drive to provide parking just for customers and not employees has made it impossible at time for us to park anywhere near our house. This is what high-density usage in a residential area does and it certainly reduces the value of owner-occupied housing in an R-1 area.</p> <p>5. The irony is that the qualities that make the West Side a desirable place to live for students and other renters will be decreased by encouraging more of them to live there. It will decrease the value</p>	

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		<p><i>of the neighborhood as a place where we can feel comfortable investing in owner-occupied homes.</i></p> <p><i>6. I dread the constant efforts by businesspeople to try to make money on our housing by conversion and increasing density. They are constantly trying to stretch the boundaries of what they can do to make money at the expense of the long-term values in our neighborhoods.</i></p> <p><i>7. Let's define what a "family" is and take action on code enforcement now.</i></p> <p><i>8. Stop the R-1 areas from being converted into depreciable tax write-offs. Let's preserve the neighborhoods where the quality of life encourages long-term investment by homeowners.</i></p>	
<u>HOMEOWNER</u>	Amy Shapiro – Longtime West Side homeowner (lives on Leroy Street)	<p>1. Supports reasonable changes in the law that will keep residential neighborhoods from being overrun by conversions of homes to what are essentially rooming houses for unrelated individuals.</p> <p><i>2. Given Binghamton's large amount of housing stock, there is no need to increase density in residential neighborhoods.</i></p> <p><i>3. Supports the ordinance that is in common use and has been upheld by the courts, providing that if 3 or more unrelated people live together in a dwelling, there is a rebuttable presumption that they are not the "functional equivalent of a family."</i></p> <p>4. I also support rental registration.</p> <p><i>5. We are lucky to have the University nearby and students are welcome in the City. However, illegal landlords should not profit by providing them with substandard housing in a way that harms residential neighborhoods.</i></p> <hr/> <p><i>6. Clear, enforceable, reasonable zoning is an absolute necessity if Binghamton is to preserve, much less increase, the rate of homeownership. People need to know that when they buy into a family neighborhood, they can rely on the law to preserve their home values and</i></p>	

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		<p><i>peaceful surroundings.</i></p> <p><i>7. Absentee landlords want to buy properties in family neighborhoods precisely because they ARE family neighborhoods. This makes them attractive to tenants. But these neighborhoods may not remain that way for long if their integrity is continually under assault.</i></p>	
<p><u>HOMEOWNER</u></p>	<p>Sandra Haining – <i>Lives on Leroy Street. Has lived in Binghamton for a long time.</i></p>	<p><i>1. Supports proposals to change the zoning laws to limit the number of unrelated persons renting in R-1 and R-2 districts to 3 with a “rebuttable presumption” that 4 or more do not meet the definition of a “functional family.”</i></p> <p><i>2. The present zoning law is not well-understood and is not uniformly enforced. Any violations are usually driven by complaints from residents and prosecuted often at great cost to both the City and the frustrated residents. The definition of “good” legislation is that it be fair, well-understood and uniformly enforced. This law loses on at least two of these counts.</i></p> <p><i>3. If the present law is intended to support home ownership in R-1 and R-2 districts, it is not working very well. Homeowners have had to fight to keep the rented houses next door from turning into illegal boarding houses where 5-10 unrelated people bring noise, traffic, and other high density issues into their lives. Having to call code enforcement or police every time there is a problem just to defend one’s right to the R-1 benefits to which a homeowner is legally entitled is not a very good way to encourage homeownership or to maintain property values.</i></p> <p><i>4. As properties are turned into illegal boardinghouses, they often deteriorate, encouraging renters to move on to the next illegal conversion—turning whole neighborhoods into substandard housing and driving responsible homeowners out.</i></p> <p><i>5. Many residents, as well as some in government, already think that the</i></p>	

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		<p>legal limit on unrelated renters living in a single family house is 3 persons. At least this is easily understandable and clearly acceptable to many residents. It also works to maintain the quality of life issues that most R-1 and R-2 property owners expect from their zoning laws. Also the burden of proof for the existence of a functional family in a rental unit with 4 or more unrelated people would fall on the landlord and renters where it rightly belongs.</p> <p>6. The case can readily be made that, in an average rental property on the West Side, a comfortable return can be made with 3 renters at a rate consistent with local norms given the positive attributes of the neighborhood. If landlords are allowed to continue to rent to as many people as they wish in violation of the functional family rules of the current law simply to reap more financial benefit, then we homeowners are unfairly subsidizing their profits by putting up with high density population issues unnecessarily.</p> <p>7. Some renters say that they, too, deserve to live in "nice" neighborhoods at a low cost. However, homeowners invest a lot in their homes in order to keep a high quality of life in their neighborhood. Renters who benefit from that should expect to pay commensurate rents. Low rental rates mean that homeowners are unfairly being asked to subsidize the living costs of renters.</p> <p>8. There are many landlords in the City keeping their properties in good condition and renting to people who are good neighbors. Help them and us preserve our city's neighborhoods.</p>	
<u>HOMEOWNER</u>	Beverly Rainforth – Lives on Lathrop Ave. on the West Side	<p>1. I really don't care how many unrelated people live in a house or apartment if they are respectful neighbors—i.e., quiet at night, maintain their property, and park where they should.</p> <p>2. If the police and code enforcement would issue tickets, especially when neighbors complain repeatedly, it</p>	

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		<p><i>could resolve problems quickly AND bring revenue to the City!</i></p> <p>3. I have 3 concerns about my neighborhood—not limited to rental property: noise at night; unsightly appearance; and parking density.</p> <p>4. When the police are called in response to loud parties, they come, tell the partiers to quiet down, and leave. 30 minutes later it all starts up again. Tickets or fines are seldom issued (which prevents the property owner from evicting unruly tenants).</p> <p>5. Tickets should be issued for trash in yards, not mowing the lawn, or not shoveling the sidewalk.</p> <p>6. During the winter months, alternate side of the street parking is often ignored—preventing the street from being plowed and making it difficult to drive out. Please issue tickets! In the summer, it started to look like a car graveyard.</p>	
<u>HOMEOWNER</u>	Yvonne Newell – Facilitator, West Side Assembly	<p>1. Police statistics report that in the last year, 45% of crime committed in Binghamton happened on the West Side.</p> <p>2. Allowing people who don't care about the integrity of our neighborhood, who don't care about the peaceful manner in which we choose to live, and don't care about the wonderful architecture and history of our wonderful city – allowing such people to buy homes, convert them to multiple dwellings, and then RENT to people who care even less than they do—this is a travesty.</p>	
<u>HOMEOWNER</u>	Wendy L. Graham – West Side resident (Patricia Street)	<p>1. The areas that have been taken over by landlords renting to unrestricted numbers of people have become run down and dirty.</p> <p>2. The residents nearby are subjected to excessive vehicle traffic, noise and garbage.</p> <p>3. It is a nightmare that some of the beautiful old houses on the West Side have been chopped up and turned into rooming houses.</p> <p>4. I do not believe that having enforceable laws is oppressive to</p>	

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		<i>legitimate landlords. Please work to ensure the integrity of the West Side and support the homeowners who live and pay taxes in Binghamton. Unrestricted renting is having a very adverse effect on the area.</i>	
<u>HOMEOWNER</u>	David Duncan	<ol style="list-style-type: none"> 1. The decline of the area negatively affects everyone on the West Side, renters and homeowners alike. 2. The issues are complicated and reflect increases in poverty, increased tax burden on those with a fixed or declining income, some landlords who "milk" their property before abandoning it to the wrecking ball paid for by the taxpayers, some students who have no long term stake in the community, a lack of political will in the enforcement of housing codes (as demonstrated by a ride down Charlotte Street), and the lack of participation in the debate by those who only want to insulate our areas from the problems around us. 3. Maybe the Neighborhood Assemblies can help develop a long-term information program that can include the opinions of all who are interested in coming to some solution. 	
<u>HOMEOWNER</u>	Erich Schneider, MD – Riverside Drive	<i>Asks for the Commission's support on the issues concerning the west side residents.</i>	
<u>HOMEOWNER</u>	Jo Malin – Chestnut Street <i>[added 12/17/08]</i>	<ol style="list-style-type: none"> 1. Believes that the rule that more than 3 unrelated people are presumed not to be the functional equivalent of a family is sound and workable and it has survived legal challenges. 2. This number, combined with better code enforcement and rental registration, would enable honest landlords to recover a reasonable return on their investments, while preventing others from running their properties as "cash cows" to the harm of the neighbors (and even risking the safety of their tenants). 3. Chestnut Street residents are very concerned about their family-friendly and historic neighborhood's character, quality of life, and value. 	
<u>CONSULTANT</u>	James Bryden – principal of an	1. Everyone involved in local housing	

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<u>and LANDLORD</u>	<i>architectural firm who has been involved with all forms of housing in the Binghamton area for the past 38 years. Currently is a landlord on the West Side in an R-1 zone.</i>	<p><i>should be gathered together to collect the best information from all participants. Then create zoning which delineates where single-family houses appear to be the most appropriate and will support the success of sustainable single-family houses while being careful not to create any additional two-family houses in the same area.</i></p> <p><i>2. Studying college towns like Ann Arbor, Ithaca, and Oneonta may reveal some reasonable solutions.</i></p> <p><i>3. Groups of students in any housing situation is problematic. No neighbors, including others in a multi-family house should suffer from unruly students.</i></p> <p><i>4. Creating housing areas just for students and forcing evictions when necessary may be required as the rule of law.</i></p> <p><i>5. Similar zoning as regards multi-family and multi-unrelated tenants across the area could help show a consistent message of how we can best live together for the benefit of all.</i></p> <p><i>6. Creating a task force, including students, on where students should be encourage to live in groups as well as one or two students could help alleviate disruptions of neighbors quality of life.</i></p> <p><i>7. Local governments should be proactive by creating maps that specifically target where multi-family and student housing is appropriate. These maps should be dispersed to students, landlords, realtors, and others.</i></p>	
<u>ASSOCIATION</u>	<p>Jane De Hawhurst, Exec. Director, Preservation Association of the Southern Tier <i>[added 12/17/08]</i></p>	<p><i>1. PAST is concerned about maintaining the economic asset of historic housing stock in Binghamton.</i></p> <p><i>2. It is important to provide property owners incentives to take care of and upkeep their investments.</i></p> <p><i>3. PAST supports: reasonable zoning laws and tax incentives that encourage owner occupancy of multiple unit dwellings; grants and historic tax credits to upgrade and preserve homes; fair</i></p>	

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		<p><i>code enforcement to prevent eventual property demolition by neglect; landlord registration that provides the number of units rented and number of tenants per unit; and out-of-town landlord registration that provides proof of property management and complete contact information.</i></p> <p><i>4. It has been our experience that after an historic property has been divided and experienced long-term rentals, especially by students, the property becomes unsuitable for future sale as a single family residence due to abuse by tenants and neglect by landlords. We need to be proactive in turning this situation around.</i></p>	