

MEETING MINUTES

JEFFERSON COUNTY PLANNING BOARD

June 28, 2016

MEMBERS PRESENT: David Prosser, Chairman, Dean Gillan, Vice-Chairman, Art Baderman, Lisa L'Huillier, Dwight Greene, Bill Ferguson, Cliff Schneider, Jon Storms,

OTHERS PRESENT: Kate Johnson & Andy Hart, Mercy Heights; Matthew Duffany, Town of Orleans; Michael Clary, Town of Orleans; Joseph Eberle, Town of Watertown

STAFF PRESENT: Michael Bourcy, Senior Planner
Andy Nevin, Senior Planner
Sara Freda, Community Development Coordinator

CALL TO ORDER AND ESTABLISHMENT OF QUORUM: Chairman Prosser opened the meeting at 4:05 p.m. and stated that a quorum was present.

APPROVAL OF THE MAY 31, 2016 MEETING MINUTES: Chairman Prosser asked members if they had any comments or changes to the May 31, 2016 meeting minutes. A motion to accept the meeting minutes was made by Dean Gillan seconded by Cliff Schneider, and carried unanimously.

COMMUNICATIONS: Chairman Prosser asked if there were any communications. There were none.

PUBLIC COMMENTS (OTHER THAN AGENDA ITEMS): Chairman Prosser asked if there were any public comments (other than on agenda items). There were none.

NEW BUSINESS:

A. General Municipal Law, Section 239m Referrals:

- 1&2. City of Watertown, Site Plan Review & Area Variance, COR Development, JCDP File # C 6/7 - 16. Andy Nevin presented this project to the Board stating the applicant is proposing to construct three multi-family residential buildings, two office buildings, a community center, and interior parking areas. They are also requesting an area variance to locate most of the buildings closer to the street than the Commercial District front setback allows. The Board is reviewing this due to its proximity to the Jefferson County Office Buildings.

Andy showed the location with a 2015 aerial photo of the block between Stone Street, Sherman, Arsenal and South Massey Streets and indicated the position of the 6 proposed buildings on the site. He explained the area variance is being requested because the applicant is requesting the front setback on Arsenal Street to be 10 feet instead of 20 feet and the setback on South Massey to be 10.5 feet.

Bill Ferguson asked for clarification if the setback is from the end of sidewalk and Andy clarified that it's from the right of way. Representatives for the applicant, Kate Johnson & Andy Hart, were in attendance and Ms. Johnson clarified that the right of the way and the

curb don't line up. She further explained they were hoping to have no setback at all on Arsenal St., but are trying to accommodate the City's concerns that they may want to expand that road in the future. Because the opposite side of the street has no setback, the City maintains there needs to be a setback on this side to give them options in the future. Dean Gillan, thinking of snow storage, asked for the distance from the curb to the building and Mr. Hart stated +/- 22 feet.

Andy reviewed the proposed site plan which consists of (2) three-story residential buildings along Stone Street, (1) three-story residential building on the corner of Stone and South Massey, (2) two-story office or commercial buildings along Arsenal Street, and a 5,600 square feet community center on Sherman Street. The residential buildings will be 36,000 square feet and 36-units each. Bill Ferguson asked if they were all yearly rentals and Ms. Johnson stated they were, and all are one and two bedrooms with the current plan being 80% market rate and 20% affordable (not subsidized) housing. The community center will consist of a leasing office, workout room, kitchen, library, and a large gathering area. All the buildings will have interconnecting parking on the interior of the site and each building meets the parking requirements. Andy reviewed the access points for each street and stated there are currently three access points onto Arsenal Street, while the proposed plan will limit that to one to help with traffic flow.

St. Patrick's church will remain as it is, but the applicant has been working with the Church to swap some land to accommodate the commercial property on Arsenal Street. The Church parking along Arsenal Street will be replaced with more side parking along South Massey Street and some rear parking with a rear drop-off area. The residents and the Church will have mutual use of the community center for their events and gatherings as well.

The Board asked the representatives if they believe there is a market for more housing and it was stated in response that a market study was completed and it supports that there is a market for their project and for people wanting to live within the city that wish to be able to walk to work and downtown. They are proposing to build the two residential buildings on Stone Street and the community center as Phase One and filling those before constructing the third residential building. Clif Schneider expressed an interest in reviewing the market study if it is available to the public.

No County issues were identified. Local issues to consider include the following:

The local board should utilize the traffic study (which was required by the City) to minimize any potential traffic impact on adjacent intersections and traffic flow. While it is proposed to close two access points on Arsenal Street, the peak hour traffic increases should also be mitigated by the interior connections and alternate street accesses around the site.

With the number of units proposed and the potential number of families with children living within the project, a tot lot, small playground, or some formal open space should be considered. Outdoor active open space, passive open space with benches, or a combination of thereof should be considered to serve the new residents.

Fire truck access to building entrances should be verified with the Fire Department. Adequate fire truck circulation through the parking areas and access to building entrances should be incorporated to avoid the possibility of parked vehicles blocking fire-fighting equipment to the residential buildings.

The number and size of the snow storage areas shown may not be adequate considering the amount of consistent snowfall the area receives. Additional or larger areas may be necessary to maintain the number of parking spaces desired. The Board did express a consensus that this will be a real concern during snowy winters. Clif Schneider asked if there was an excess of parking spots. It was stated that between the community center and the residential buildings there was 16 extra spaces.

The photometric plan indicates some light spillage across the property line exceeding 0.5 light candles. Light fixtures may need to be moved slightly to lower the light levels in that area to reduce glare onto the neighboring property.

In reviewing the area variance request, the local board should consider and weigh the five tests for an area variance, as stated in NYS General City Law.

Staff recommends the County Planning Board pass a motion that the project is of local concern only, with comments as stated above.

Motion: Lisa L'Huillier stated she would be abstaining from the area variance vote so two separate motions were conducted.

To accept staff recommendation of Project of Local Concern with comments as stated above for the site plan review was made by Dean Gillan, seconded by Jon Storms, and unanimously carried.

To accept staff recommendation of Project of Local Concern with comments as stated above for the area variance was made by Jon Storms, seconded by Clif Schneider, and unanimously carried with one abstention.

3. Town of Orleans, Site Plan Review, Matthew Duffany, JCDP File # T Or 8 - 16 Sara Freda presented this project to the board stating the applicant proposes a 73-unit self-storage facility. The Board is reviewing this due to its proximity to NYS Route 411.

Sara showed the location of the property on the indicator map as the corner of NYS Route 411 and Hagen Road. It is zoned business. The applicant proposes a total of three storage buildings – 20'x150', 30'x150', and 20'x70' in size. There will be a total of 73 units of varying sizes ranging from 5'x10' to 10'x20'. Using recently taken site photos, Sara showed an existing outbuilding located in the rear of the site and a chain link fence located along the northern property line. The site plan was reviewed showing the layout of the three buildings and the new access point from Hagen Road. It was stated that crushed stone will be utilized throughout the site. Two signs are proposed; one free standing sign located in the front and one wall sign located on the building closest to NYS Route 411.

Dean Gillan asked if the driveway is all the way to the fence in the rear. The applicant was in attendance, Matthew Duffany, and stated there is 20 feet from the fence to the nearest building, but the crushed stone is flush with the fence line. He has been in discussion with the neighbor on what he wishes to see for a buffer – the existing fence or shrubs or some combination thereof. There will be no office on site and no lightning at this time as the area is very well lit with neighboring structures.

County related issues include: a Storm Water Pollution Prevention Plan (SWPPP) is required to be submitted to NYSDEC if the overall site disturbance is one acre or more and a Jefferson County building permit is required.

Local issues identified by staff:

The local board should ensure that vehicular circulation and dedicated parking is adequate for the proposed use as the ordinance does not identify parking requirements for self-storage facilities. The local board should evaluate the intended use of the existing building and determine its parking needs, if applicable.

The local board should ensure the landscaping and buffering requirements of the zoning ordinance are met since the proposed commercial use abuts a residence.

All signage shall conform with local zoning regulations which state, "each use is allowed one free standing sign and one wall sign as long as the maximum square feet allowed is not exceeded". The Town should determine how the maximum square footage is determined and calculated.

Chairman Prosser reviewed the staff recommendation that this is a Project of Local Concern Only.

Motion: To accept staff recommendation of Project of Local Concern with comments as stated above was made by Art Baderman, seconded by Bill Ferguson, and unanimously carried.

4. Town of Orleans, Site Plan Review, Glider Oil Company, JCDP File # T Or 7 - 16 Sara also presented this project to the Board and stating the applicant proposes one free standing sign and two LED wall signs to be located on each end of the terminal building. The Board is reviewing this due to its proximity to NYS Route 12.

Sara showed the location on the aerial photo as 42702 NYS Route 12. Viewing recent site photos she highlighted the existing structure and stated it is a recently constructed fuel storage facility. They are proposing a total of three signs. The first is a 25" x 45" free standing sign, it is already erected and just under the permitted eight square feet. The other two are LED wall signs to be attached to the exterior of the building. Each wall sign is 2' x 8', 16 square feet in size.

Signage requirements under the zoning ordinance state, "each use is allowed one free standing sign and one wall sign as long as the maximum square feet allowed is not exceeded". The law also prohibits the use of mechanically moving, flashing, animated or otherwise in motion signs. The Town should determine if the proposed wall signs are flashing or moving and how the maximum square footage is calculated.

It appears a variance may be required for the installation of more than one wall sign.

Chairman Prosser reviewed the staff recommendation that this is a Project of Local Concern Only.

Motion: To accept staff recommendation of Project of Local Concern with comments as stated above was made by Dean Gillan, seconded by Jon Storms, and unanimously carried.

5. Town of Watertown, Site Plan Review, Joseph Eberle, JCDP File # T Wa 3 - 16 Sara Freda presented this project to the Board stating the applicant proposes to construct a 2,400 sq. ft. wood working shop. The Board is reviewing this due to its proximity to US Route 11.

Sara identified the location as 17306 US Route 11 and stated it was zoned Business. The site currently contains a single family home and a small workshop. The applicant proposes to construct a 40'x60' building to be used as a wood working shop which will be located between the existing shop and the road. Reviewing the site plan, it is shown that the site will be accessed from the existing driveway and an area identified as future parking is located adjacent to the driveway. The applicant has proposed a vegetative buffer of evergreen trees along the south side of the proposed building.

County issues include:

An Agricultural Data Statement is required as the project is adjacent to land located within a state certified Ag District.

A Jefferson County Building permit is required.

Local items to consider:

The Town of Watertown's zoning law does not specifically list a required parking ratio for Light Assembly uses. The plan depicts three "future parking spaces" for the proposed workshop. The local law allows the applicant to provide to the Planning Board evidence of the necessity of a lesser number of parking spaces than are required by the zoning law. The Board can then make the determination of the number of necessary spaces. At least some dedicated parking should be provided as opposed to delineating it as "future parking".

The Town's zoning law requires a ten foot wide planting strip of thick evergreen growth at least eight feet high when a non-residential use abuts a residential use. The site plan depicts some evergreen trees on the south side of the wood shop however it is not clear if this will meet the intent of the ordinance.

The local board should ensure any lighting complies with the Town's zoning law and signage with the Town's Sign and Billboard Control Law.

Chairman Prosser reviewed the staff recommendation that this is a Project of Local Concern Only.

Motion: To accept staff recommendation of Project of Local Concern with comments as stated above was made by Dean Gillan, seconded by Art Baderman, and unanimously carried.

6. Town of LeRay, Site Plan Review, Hye Son Montgomery, JCDP File # T Le 2 - 16 Sara presented this project to the Board explaining the applicant requests to build a 364 square foot addition to operate a beauty salon. The Board is reviewing this project due to its proximity to US Route 11.

The location was shown on the indicator map as 26298 US Route 11. Sara showed recent site photos taken that depict the existing structure and the paved driveway and entrance. The 20'x13' addition will be located at the rear of the building. Exterior improvements will include the addition of a new metal roof, siding, window replacement and the addition of some landscaping around the perimeter of the building. No signage is proposed at this time.

On the site plan, Sara showed the current entrance and highlighted their plan to relocate the existing driveway to the north; they are in the discussion phase with local DOT staff regarding the new driveway design and improvements to the drainage. They also plan to repair or replace the existing fence located along the southern boundary.

County issues to consider: a Jefferson County building permit is required for the proposed addition and a NYS DOT highway work permit is required for the relocated access and drainage changes onto US Route 11.

Local comments:

The design standards for the Commercial Corridor require a buffer area of at least 30 feet in depth and the installation of an opaque screen at least six feet in height where non-residential uses abut residential uses. The zoning law states a fence alone shall not be permitted as sole means of screening. Additionally, the existing fence does not meet the required setback and appears to be partially located on the neighbor's property.

Minimum landscaping requirements include one planting unit per 40 linear feet of road frontage and 500 square feet of gross floor area. The local board should ensure the site is reasonably screened from the adjacent residential property.

Parking regulations state, "no more than 20 percent of the required parking spaces shall be located between the front of the building facades and the primary abutting street." If parking areas are to be located in the front of a facility adjacent to a highway, appropriate landscaping or visual barriers shall be provided pursuant to the zoning law.

The zoning law requires there be an access lane to adjoining properties to facilitate internal circulation patterns and access to a signalized intersection along the four lane highway. The local board should consider requiring this interconnection.

The Town's zoning law allows the development of nonconforming lots provided the proposal does not exceed the maximum lot coverage. Currently the site exceeds the maximum lot coverage; however, the proposed project will exceed the maximum lot coverage by a smaller amount. The local board should determine if a variance is necessary to continue to exceed the maximum lot coverage.

7. Town of Orleans, Site Plan Review, Colleen Jo Kearney, JCDP File # T Or 6 - 16 Sara presented her last project to the Board stating the applicant proposes to use a mobile concession food trailer during the summer and early fall seasons. The Board is reviewing this project due to its proximity to NYS Route 12.

Sara indicated the project location on the indicator map and stated it is located at 42685 State Route 12. It is located on the north side of NYS Route 12, just west of the I-81

interchange. The concession stand and a tented area will be located in front of an existing storage building. Parking is shown on the site plan to be located on either side of the existing driveway.

No County related issues were identified.

Local items to consider:

The site plan submitted does not appear to accurately reflect the existing site layout. The local board should request a site plan drawn to scale reflecting the existing conditions and proposed changes to the site to enable the local board to review the project.

One parking space is required for each 50 square feet of patron space for restaurants. The local board should determine if this requirement is applicable to a temporary mobile concession stand. If so, the local board should request the applicant delineate the proposed parking as opposed to identifying a parking area for approximately 6-10 cars. The site plan should depict the location of the existing utility pole in relationship to the proposed parking area to minimize any potential circulation conflicts.

All signage shall conform with the zoning law which states, "each use is allowed one free standing sign and one wall sign as long as the maximum square feet allowed is not exceeded". Currently, there are two free standing signs on the property. The ZBA should determine if the proposed concession stand is allowed additional signage or be required to utilize the existing 4'x4' sign and keep the size within the permitted eight square feet.

Multiple principle uses are permitted on one lot with the issuance of a Special Use Permit. The local board should determine if a Special Use Permit is required for the addition of the concession stand with the existing uses.

The Board expressed their confusion as to why the local board is reviewing a mobile temporary facility. It is unclear how long the concession trailer will be stationed there beyond the season – and if it will be long-term, perhaps it should be classified as a restaurant and adhere to those requirements. If it is truly a mobile structure, perhaps it should be exempt from local review.

Chairman Prosser reviewed the staff recommendation that this is a Project of Local Concern Only.

Motion: The Board decided to take no action on this project, thereby sending it back to the local board for a clarification of what they are classifying this under their zoning ordinance.

8. City of Watertown, Zoning Amendment, Bryan J. Donegan/I-Site Realty, LLC, JCDP File # C 5 - 16 Andy Nevin presented this project to the Board explaining the applicant is requesting a zone change from Neighborhood Business to Commercial. The parcel is currently split between two zoning districts. The Board is reviewing this project due to its proximity to NYS Route 3. The parcel originally was two parcels, which were combined into one parcel in 2014.

No County related issues were identified.

Local related matter was that the local board should ensure that this amendment is consistent with current plans and the vision for the City.

Chairman Prosser reviewed the staff recommendation that this is a Project of Local Concern Only.

Motion: To accept staff recommendation of Project of Local Concern with comments as stated above for projects #6 and #8 was made by Clif Schneider, seconded by Dean Gillan, and unanimously carried.

B. Intergovernmental Review

1. Village of Evans Mills, USDA RD, JCDP File # 4 - 2016. The Village of Evans Mills is seeking funding for a Pre-Development Planning Grant to complete a comprehensive wastewater evaluation study throughout the Village. They are asking for \$30,000 in funding from USDA-RD, and are contributing \$10,000 in funds for a project total of \$40,000.

The Board agreed a letter of endorsement should be sent.

C. Other Business

Andy reminded the Board that next month's meeting (July) will be held at JCC and the Antique Boat Museum for August.

Adjournment

A motion was made by Dean Gillan, seconded unanimously to adjourn the meeting at 5:45 p.m.