

MEETING MINUTES

JEFFERSON COUNTY PLANNING BOARD

July 26, 2016

MEMBERS PRESENT: David Prosser, Chairman, Dean Gillan, Vice-Chairman, Art Baderman, Lisa L'Huillier, Dwight Greene, Bill Ferguson, Clif Schneider, George Yarnall

OTHERS PRESENT: Matthew Owens, JCC student

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

CALL TO ORDER AND ESTABLISHMENT OF QUORUM: Chairman Prosser opened the meeting at 4:00 p.m. and stated that a quorum was present.

APPROVAL OF THE JUNE 28, 2016 MEETING MINUTES: Chairman Prosser asked members if they had any comments or changes to the June 28, 2016 meeting minutes. A motion to accept the meeting minutes was made by Dean Gillan seconded by Art Baderman, 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. It was discussed that the Board of Legislators have changed their meeting times to 5:30 pm and so staff proposed that the Board think about whether they wish to change their meeting time as well. Chairman Prosser asked that the members think about this and it would be discussed at the August meeting.

NEW BUSINESS:

A. General Municipal Law, Section 239m Referrals:

1. Town of Clayton, Zoning Amendments, JCDP File # T Cl 6 - 16. Sara Freda presented this project to the Board stating the Town of Clayton is proposing amendments to both the zoning ordinance and the zoning map. The Board is reviewing this due to its proximity to the municipal boundaries.

Sara stated the zoning map changes include shifting the boundary of the Industrial zoning district from a setback boundary of 250 feet from East Line Road and Black Creek Road to 700 feet from the roads.

Highlights of the zoning amendments include:

- Amending the definitions for farm winery/distillery/brewery/cidery, agricultural processing plant, and inns.
- Use restrictions table is amended to allow farm winery/distillery/brewery/cidery in the

MD and A-IR District with site plan review; taverns, restaurants & bars are now permitted in MD2 District with site plan review.

- Clarifying parking requirements.
- New regulations are added for farm wineries/distilleries/breweries/cideries.
- Non-conforming uses and structure regulations are being changed.

Sara stated that the only County comment is that New York State Town Law requires zoning amendments to be made in accordance with a Comprehensive Plan. The local board should ensure that the proposed amendments are consistent with goals and objectives in the Joint Town & Village of Clayton Comprehensive Plan (2000), and the Local Waterfront Revitalization Plan.

Sara then discussed the following:

The amendments include the regulation of a farm winery, distillery, brewery and or cidery's hours of operation through an approved site plan. The local board should seek advice from their attorney regarding regulating hours of operation through the site plan review process. Chairman Prosser questioned if the hours of operation should be regulated through a special use permit instead of a site plan review process. Michael Bourcy stated there is a question whether hours of operation can be regulated under either review process and that's why they are recommending it be reviewed by the Town's attorney.

The amendments include a provision allowing non-conforming uses to be replaced by other non-conforming uses that are similar in nature. The Town should consider that a planning process was used when the districts were created and it was then determined what types of uses were appropriate and allowed in each district. Typically, non conforming uses are allowed to remain in place but are not allowed to expand beyond the scope and use that existed when the regulations were adopted. The Town Board should consider if they want to encourage the continuation of nonconforming uses by allowing replacement with similar nonconforming uses.

The proposed changes to the zoning map include a new boundary line for the Industrial District that is setback 700 feet from a road as opposed to following property lines. As a result of this action, some parcels will have split zoning. Clif Schneider asked if the Board should comment that the Town should consider new setbacks that would minimize any split zoning and Michael stated that would be difficult in this case because the parcels are so large. Their intention is to preserve the residential housing along the roadways in the Industrial District.

George Yarnall asked if the farm wineries were classified as agricultural, and if so, then how can they regulate the hours of operation as you can't do that with any other farming operation. Michael stated that, in general, it is considered agricultural but the Town has defined it as a specific type of agriculture. The hours of operation is more to do with any type of outdoor event. Michael clarified that just because a farm winery might be in an agricultural district does not mean it is automatically immune from zoning regulations.

2. Village of Clayton, Special Use Permit, Watertown Savings Bank, JCDP File # V CI 2 - 16
Sara Freda presented this project to the board stating the applicant is proposing the demolition of existing bank building and the construction of a 2,800 square foot, two story,

bank. The Board is reviewing this due to its proximity to NYS Route 411.

Sara showed the location of the project with an aerial photo as the northwest corner of Jane Street and James Street. The project consists of the demolition of the existing bank and construction of a two-story bank with four drive-through lanes. Sarah displayed the proposed site plan and site renderings. The lane closest to the building will be an ATM and drive up teller; the two interior lanes are for automated drive through banking and the far left lane is a pass-thru lane for vehicles exiting onto Jane Street. The bank will purchase an 18 foot by 159 foot strip of land from the adjacent parking lot owned by the Antique Boat Museum to accommodate the expanded lanes.

She stated that presently there are two vehicular access points onto James Street, which will be combined into just one. The existing parking area will be reconfigured to accommodate a new circulation path and 10 dedicated parking spaces. The existing monument sign will be removed and new signage is proposed on the building along James Street and the main entrance.

The Board questioned the room for employee parking and Sarah stated that according to the zoning restrictions for that district, parking is not mandatory. However, there will be additional parking that employees can use in the rear after they acquire the strip of land from the Antique Boat Museum.

Sara discussed the following County wide issues identified by staff:

A NYS DOT highway work permit is required for the new access onto James Street. Early coordination with local DOT staff is highly recommended as they are currently planning a capital improvement project encompassing this portion of James Street.

There appears to be a directional sign located within the right of way of James Street which should be addressed with DOT.

Sara also discussed the following local items for consideration:

The local board should require the bank to combine the new property with its primary lot via a subdivision map and updated deed filed with the County Clerk.

The local board should address the overall lack of proposed landscaping.

At least three established trees and a four foot wide landscaped island will be eliminated between the Antique Boat Museum's parking lot and the west side of the bank property to accommodate the bank's additional drive through lanes. The loss of these established trees and the landscaped island should be mitigated by requiring the bank to relocate or replace them somewhere else within the immediate area.

There is an existing gravel strip, approximately six feet wide located along the north end of the bank's property. The local board should require some type of landscaping here to provide a buffer between bank parking and the adjoining property. At a minimum, grass could be provided and still used for snow storage, if needed.

New HVAC units will be located on the Jane Street side of the building. The local board should require they be adequately screened from Jane Street and the residence across

Jane Street.

The local board should require a sidewalk connection between the bank's proposed entrance and the existing sidewalk along James Street.

The local board should ensure the proposed lighting is adequate for its purpose, consistent with other lighting in the neighborhood, and does not negatively impact adjacent properties or streets.

The building elevation plans depict signage on the James Street side (24.18 square feet) and the rear elevation (17.70 square feet). On corner lots, the Village of Clayton Zoning Law allows signage on both the street sides of a building. The Riverwalk B district allows a total of 24 square feet of signage. A variance may be needed to accommodate size and location of the proposed signage.

The project site is located within close proximity to the Clayton Historic District. The local board should evaluate the proposed project's potential impact to the nearby historic district and the overall architectural heritage of the area.

The local board should ensure the proposed project is consistent with the Local Waterfront Revitalization Program's goals.

3. Town of Pamela, Site Plan Review, Mark Irwin, JCDP File # T Pa 2 - 16 Michael Bourcy presented this project to the Board and stating the applicant is proposing to place a 10 foot by 10 foot shed on his property, constructing a fence for goats and a small chicken coop. The Board is reviewing this due to its proximity to NYS Route 12.

Michael showed the location of the property on NYS Route 12 using the indicator map and an aerial photo and stated this is considered a hobby farm under the Town of Pamela Zoning Law. (Hobby Farm as defined by Pamela Zoning Law is basically keeping of animals for non-commercial use.) Using a recent site photo, the proposed locations of the shed and fence were shown as being located towards the rear of the property.

No County issues identified.

Michael stated that there are two local issues identified:

The specific regulations for Hobby Farms state that structures used to house animals shall be located a minimum of 100 feet from any lot line. The structure setback is not shown on the plan. The local board should ensure that this requirement is met or an area variance is obtained. Clif Schneider asked if there were any setbacks for fences and Michael stated there were not.

The local board should ensure that the animal waste is disposed of in an environmentally safe manner.

4. Town of Pamela, Site Plan Review, Scott Shoen, JCDP File # T Pa 3 - 16 Michael also presented this project to the Board and stated the applicant proposes to build a 50 foot by 100 foot garage to store trucks. The Board is reviewing this due to its proximity to NYS Route 37.

Michael showed the location on the indicator map and aerial photo and stated it is the Northstar Auto and Salvage. Recent site photos were shown highlighting the current structures on the property and the proposed site plan which shows the location of the proposed garage.

Michael stated that no County issues were identified, but he did identify the following local issues:

The local board should consider if the site plan provided meets the requirements of the Town of Pamela Zoning Law Section 615 – Application requirements.

Section 720 - Junkyard states that an eight foot high fence must be erected and maintained to prevent entrance by non-customers. This section also states that where a junkyard is visible from a public road it shall be screened from view. (Staff indicated that previously this site did have a fence.)

The site plan shows the proposed building on the lot line. There is a minimum 12 foot setback required from the side lot line, even if both parcels are owned by the same company. The applicant should move the building to meet the setback, combine both parcels into one or request a variance.

The site plan does not indicate if there will be lighting on the exterior of the building. The local board should request this information in order to determine if there would be an impact on neighboring properties or NYS Route 37.

George Yarnall asked if there was a public hearing held for this project to hear any neighboring homeowners concerns, and Michael stated that the Town is required to hold a public hearing for site plans, but he was unaware if it has been held yet.

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 #1-4 was made by Dean Gillan, seconded by Cliff Schneider, and unanimously carried.

B. Intergovernmental Reviews

1. Jefferson County, Federal Aviation Administration, JCDP File # 5 - 2016. Jefferson County is applying for funding through the Airport Improvement Program for the design phase of the reconstruction of the terminal apron at the Watertown International Airport. They are asking for \$194,766 in funding from the FAA, \$10,820 in funds from NYSDOT, and are contributing \$10,821 in funds for a project total of \$216,407.
2. Jefferson Rehabilitation Center, Empire State Development, JCDP File # 6 - 2016. The JRC is seeking a grant through the Consolidated Funding Application process for \$17,000 to assist in purchasing a \$85,075 direct to substrate printer (UV flatbed) for Production Unlimited on West Main Street. They are asking for \$17,000 in funding from the Empire State Development and acquiring other funds for \$68,075 for a project total

of \$85,075.

A motion was made by Dean Gillan, seconded by Clif Schneider, to send letters of endorsements.

C. Other Business

Reminder that next month's meeting will be at the Antique Boat Museum in Clayton at 4:00 pm.

Adjournment

A motion was made by Lisa L'Huillier, seconded by Dean Gillan, to adjourn the meeting at 4:48 p.m.