



CITY OF WATERTOWN, NEW YORK

CITY PLANNING BOARD
ROOM 302, WATERTOWN CITY HALL
245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601-3380
(315) 785-7730

MEETING: August 6, 2013

PRESENT:

Sara Freda, Chair
Larry Coburn
William Davis
Neil Katzman
Pat Fontana
Lori Gervera
Linda Fields

ALSO:

Kenneth A Mix, Planning and Community
Development Coordinator
Michael Lumbis, Planner
Justin Wood, Civil Engineer II

The August 6, 2013 Planning Board Meeting was called to order at 3:00 PM by Planning Board Chair Sara Freda. Mrs. Freda then called for a reading of the Minutes from the July 9, 2013 Planning Board Meeting. Mr. Fontana moved to approve Minutes as written. Mr. Katzman seconded the motion and all voted in favor.

SUBDIVISION FINAL PLAT APPROVAL 29 AND 31 PUBLIC SQUARE

The Planning Board considered a request for Subdivision Final Plat Approval submitted by City Staff for the two lot subdivisions of Parcels No. 7-01-116 located at 29 Public Square and 7-01-112.001 located at 41 Public Square.

Mr. Mix stated that the proposed subdivision was part of a parking lot project for the proposed Woodruff II and Iron Block sites on the north side of Public Square. He said the parking lot would be constructed to serve the residents of the Woolworth Building. He said as this is City property, staff is handling the application, and he explained the need to subdivide a portion of 41 Public Square that the City would retain for the J.B. Wise Parking Lot entrance drive and the subdivision of a small portion of 29 Public Square was needed to clear up an encroachment by the Cam's building.

Mr. Mix stated that the City Council has already completed the SEQRA Review for the project, completing a coordinated review of the entire Woolworth Building and parking lot project on July 1st. He said the SEQRA Review had to be completed prior to Site Plan documents being approved in order to accommodate the funding agencies. He said that the Planning Board was mistakenly left off the involved agency list, so the Planning Board in their

motion for approval should also state that they concur with the City Council being the lead agency for SEQRA and also concur with their negative declarations finding.

Mrs. Freda noted that a public hearing was scheduled for the proposed subdivision. She called the public hearing to order at 3:05 p.m. After reading the legal notice that appeared in the *Watertown Daily Times*, Mrs. Freda asked if there were any public comments. Hearing none, she closed the public hearing at 3:06 p.m.

Mr. Katzman asked about the possibility of providing a right-of-way or an easement for the owner of the Cam's building in the event the owner ever needed to do work on the east side of the building in the future. Mr. Mix stated since the plans have been drawn up, that issue has been discussed and they would be adding some type of easement to allow for work to be done on the side of the building. Mr. Katzman noted that he wanted to make sure there would be enough room for a lift and noted that a lift could possibly take away several parking spaces, thereby impacting the owner of the lot. Mr. Mix noted they would work out an agreement with the owner with regard to the width required. Erich Seber, the developer of the project with White Birch Enterprises, addressed the Board by stating that he had no issue with providing a work easement and that he would work together with the City Planning Department to come up with an acceptable solution. Mrs. Freda asked if the easement would be a requirement of the sale. Mr. Mix stated that it would.

Mr. Katzman then moved to grant Subdivision Final Plat Approval for the proposed two lot subdivisions of Parcels No. 7-01-112.001 located at 41 Public Square and 7-01-116 located at 29 Public Square contingent upon the following:

1. That an easement be provided along the western property line so that the owner of Parcel No. 7-01-116.001 can complete future maintenance work.

Mr. Katzman also included in his motion that the Planning Board concurs with the City Council acting as the Lead Agency for the purposes of SEQRA and further concurs with the negative declaration that was issued by the City Council for the project. The motion was seconded by Mr. Davis and all voted in favor.

**SITE PLAN APPROVAL – 163 BELLEW AVENUE SOUTH
PARCEL NO. 9-11-117, DR. GERALD SCHNEEBERGER**

The Planning Board then considered a request for Site Plan Approval submitted by Christopher Todd of Aubertine and Currier for the construction of a 3,624 square foot oral surgeon's office plus a parking lot and landscaping at 163 Bellew Avenue South, Parcel No. 9-11-117.

In attendance to present the proposed project to the Planning Board was Matthew R. Morgia of Aubertine and Currier. Mr. Morgia began by stating that they are proposing the new dental office and parking lot on Bellevue Avenue South across from the Social Security Administration Building. He noted that Water and Sewer had been stubbed out to the site during the construction of the road back in the early 1990's. He said that a test hole performed earlier this week had verified the location of the water and sewer connections. Mr. Morgia reviewed some of the items that had been listed in the Planning Office review memo. He said that the parking lot lighting consists of three lights and that there was also a light over the rear door located in the soffit. He said that a photometric plan has now been provided showing that there is no light spillage off of the property. He said that the update to the topographic plan would be made and that a wet-stamped copy of the boundary map would be provided as soon as they could obtain it from the surveyor who performed the work.

Mr. Morgia then discussed the proposed landscaping plan. He said that they had initially proposed landscaping in two existing gaps in the rear property line consisting of several spruce trees. He said that after receiving the City's comments on the proposed landscaping plan, they have also added additional plantings along the sidewalk and the parking lot. He said this consists of trees planted approximately 60' on center along the entire length of the front of the property. He said that when coupled with the existing City-owned street trees on Bellevue Avenue South, the front tree line will consist of trees approximately 30' on center.

Mr. Morgia then addressed the comment about providing a new stockade fence. He said that their revised plan showed a new stockade fence in the area of the new landscaped plantings, but he noted that his client wished to utilize the existing vegetation along the rear of the property line to provide a buffer and screen for the neighboring residential properties. He said that they would rather leave the existing vegetation than rip all of that out only to put in a new fence and additional landscaping.

Mr. Katzman asked Board Members if they felt a fence was really needed given the fact that the open areas would be planted with new trees. He said he felt that the trees would be sufficient to provide a buffer to the residential properties. Mr. Morgia noted that the homes are a few hundred feet back from the property line and much of the area on those properties is also covered with brush and small trees.

Mr. Katzman noted that he would rather see the trees in the front of the property than requiring an additional fencing and trees in the rear. Mr. Morgia clarified that additional trees have been added along the front of the property as well as on the east side of the proposed parking lot. He further noted that they had originally proposed nine trees and now they are proposing to plant seventeen. Mr. Davis agreed that a stockade fence was not needed at the rear of the property and that the landscaping would provide an adequate buffer.

Mrs. Freda asked whether or not Aubertine and Currier or Dr. Schneeberger had contacted any of the neighbors regarding the proposed project. She specifically wondered

whether or not a proposed fence at the rear property line had been discussed with the neighbors. Mr. Morgia stated that his office had not contacted the neighbors, and he did not think the dentist had either. Mrs. Freda noted that she was in favor of providing a fence along the rear property line to ensure an adequate buffer between the new commercial use and the residential homes.

A general discussion then followed the proposed landscaping, fence and buffer zone. Mrs. Fields noted that she was okay with having the applicant just plant the trees. Mrs. Gervera noted that the fence is not an absolute requirement and that the suggestion for it came from the guidelines. She felt that because of the existing vegetation and the rather large distance between the proposed building and the neighboring homes that front Smith Street, it was not needed and that the trees would be an adequate buffer. Mrs. Freda noted that the consensus of the Board was that a fence along the rear property line was not needed and that the existing and proposed landscaping would provide an adequate buffer.

Mr. Katzman then moved to recommend that the City Council grant Site Plan Approval for the request submitted by Christopher Todd of Aubertine and Currier for the construction of a 3,624 square foot oral surgeon's office plus a parking lot and landscaping at 163 Bellew Avenue South, Parcel No. 9-11-117, contingent upon the following:

1. The applicant shall depict and provide photometric information for any lights installed on the rear (east) side of the building.
2. The applicant shall delete the dashed border from the topographic layer on the Site Plan.
3. The applicant shall provide a detail of the connection between the proposed HDPE storm sewer line and the existing PVC stub.
4. The applicant shall provide a revised landscaping plan that includes trees along the entire length of the front property line spaced approximately 60' on center and trees along the east side of the parking lot.
5. The proposed landscaping shall be installed prior to the issuance of a Certificate of Occupancy.
6. The applicant shall provide a wet-stamped copy of the property survey. The survey must depict existing topography.

The motion was seconded by Mr. Davis and all voted in favor.

**SITE PLAN PPROVAL – 29-41 PUBLIC SQUARE
PARCELS NOS. 7-01-112.001, 7-01-113, 7-01-114 AND 7-01-116**

The Planning Board then considered a request for Site Plan Approval submitted by Ryan Churchill of GYMO P.C. on behalf of White Birch Enterprises, for the construction of a 28 space parking lot to serve a 50 unit multi-family residential renovation project at 29-41 Public Square, Parcels Nos. 7-01-112.001, 7-01-113, 7-01-114 and 7-01-116.

In attendance to present the proposed project to the Planning Board was Ryan Churchill of GYMO P.C. Also in attendance was Erich Seber of White Birch Enterprises. Mr. Churchill began by providing the Planning Board with an overview of the proposed project. He stated that they are proposing to construct a 28 space parking lot to serve the renovated Woolworth Building. Mr. Churchill noted that they are not proposing a handicapped parking space in the parking lot but that they are trying to locate a space somewhere on the Woolworth property. The parking lot would be a gated lot and would be for the exclusive use of the tenants of the Woolworth Building. He said that they had revised the plans based on the comments provided by City staff.

Further describing the project, Mr. Churchill noted that the existing site has a 10-15% grade which is too steep for a parking lot. In order to accommodate the lot, they are adding a retaining wall. They are also adding stairs in the southwest corner to provide access to Public Square. The proposed lighting plan consists of several light fixtures, all of which will match the style of the fixtures located in Public Square and in the J.B. Wise Parking Lot.

Mr. Katzman asked if there would be a fence along the top of the retaining wall. Mr. Churchill responded that there would be. Mr. Davis asked if that fence would be decorative. Mr. Churchill responded that it would be.

A discussion followed regarding the height of the proposed fence and whether or not it was tall enough to meet code. Mr. Seber noted that the proposed fence was 48" tall while code requires it to be 42".

Mr. Katzman asked if it would be possible to use some type of non-flammable mulch such as stone. Mr. Seber said that he would be fine with doing that.

A discussion then followed regarding the proposed handicap parking space. Mr. Churchill stated that the parking lot is not required by the zoning code for the building and that they are proposing it as a convenience for their tenants. He said however, that since they decided to build the parking lot, they are required to have a handicap parking space. As he noted previously, they are trying to locate that space on the Woolworth property itself, but the location proposed is in the area of a common right-of-way which limits the placement of it in that location. He said they are still trying to work out a solution to have the space on the Woolworth Building property as that makes the most sense.

Mr. Seber noted that if they are unable to find a solution for the handicap parking space on site, they may have to consider putting the handicap parking space within the proposed parking lot. Doing so would require the construction of a handicap ramp. He noted that the best location for the ramp would be along the south side of the property or the side of the property that faces Public Square. The ramp in this area would in essence eliminate the proposed green space. Mr. Churchill asked if the Planning Board would be willing to approve the existing plan and include wording that there may be a slight modification if the ramp had to be added at this site.

Mr. Katzman wondered if the existing sidewalk from Public Square to the J.B. Wise Parking Lot could be converted to an accessible ramp. Mr. Mix and others pointed out that the grade was too steep.

Mr. Davis then asked about the proposed lighting plan. Mr. Churchill noted that the light fixture located in the middle of the property along the retaining wall had been eliminated. He said that instead of this double crook light, two single crook lights will be added, one on the west and one on the east side of the lot. Mr. Davis was concerned that there might be a dead space in terms of light coverage with the revised plan. Mr. Churchill noted that the light fixture could be provided with a different type of refractor that would change the throw pattern of the light. He also noted that a revised photometric plan could be provided as well.

Mr. Davis noted that there were two different styles of period lighting shown in the submittal package. He said he was concerned that the different fixtures would have different light patterns, and he wanted to ensure that adequate lighting was provided. Mr. Lumbis noted that the light fixture shown on the plans did not match the Public Square and J.B. Wise Parking Lot light fixtures while the light fixture shown in the Engineering Report did. He noted that the plan should be modified to show the correct lighting detail.

Mr. Churchill was then asked to discuss the list of comments found in the City staff report. Mr. Churchill began by stating that the handicap parking space had been discussed quite a bit and that they were still working on a solution to that issue. Regarding Item No. 2, he said that the curb transition detail is shown on the revised plans. He also noted that the pre- and post-development drainage calculation and drainage area maps have also been provided. He noted that the southernmost light pole has been shifted as discussed previously and that a revised photometric plan would be provided. Finally, Mr. Churchill noted that the retaining wall was shifted slightly to provide five feet of clear distance to the sanitary sewer line located on the northwest corner of the property.

Further discussion then followed regarding the proposed handicap parking space. Mr. Davis questioned whether one handicap parking space would even be enough for a 50-unit building. Mr. Seber said he was not sure how many handicap parking spaces would be needed but that there were other options for handicap parking available in the downtown area.

Discussion also occurred about the proposed ramp which would need to be constructed if an alternative solution to the handicap parking space was not found. Mr. Mix asked the Planning Board whether or not they would like to see revised plans if the ramp has to be constructed on site. He wanted to know whether or not the Planning Board wanted to review the project again or whether that is something that would be a minor enough change that could be handled by staff. Mr. Churchill asked the Planning Board to consider approving the Site Plan with a condition that the issue of the handicap parking space is worked out. Mrs. Freda noted that she is most comfortable approving the plan as submitted and that if there are any changes such as the addition of a ramp, she would like to have the applicant come back with a revised plan.

Mr. Seber asked if they could approve an alternate plan just in case. Additional discussion followed regarding the ramp and the layout of the proposed parking lot. Mr. Lumbis

suggested that the entire parking lot be shifted back in order to accommodate both a ramp and a buffer along the front of the property. He said that some of the green space at the rear might be lost and that possibly a parking space outside of the gated area would also be eliminated, but it would provide additional spaces in the front. Mr. Churchill noted that the decrease in space would limit their snow storage capabilities. Mr. Davis said that it is his feeling that the applicant could accomplish both objectives if they were creative in their design.

Mrs. Freda again noted that she felt it was not appropriate to approve some type of alternate plan. The recommendation needed to be made on the plan that was before them. She said that if any changes were to occur, such as the addition of the ramp, the applicant would need to come back to the Planning Board. The Board agreed with her.

After further discussion regarding the ramp, Mr. Katzman moved to recommend that the City Council approve the site plan for the request submitted by Ryan Churchill of GYMO P.C. on behalf of White Birch Enterprises for the construction of a 28 space parking lot to serve a 50-unit multi-family residential renovation project at 29-41 Public Square, Parcels Nos. 7-01-112.001, 7-01-113, 7-01-114 and 7-01-116, contingent upon the following:

1. The applicant shall provide a handicap parking space for the project that includes an accessible route to the subject building.
2. The applicant shall add a label Sheet C-101 noting the removal of the existing curb and a transition to the existing curb to remain.
3. The applicant shall provide a detail of the curb transition.
4. The applicant shall remove the southernmost light pole from the plan and instead install lights on the west and east sides of the parking lot.
5. The applicant shall provide a junction box on the retaining wall in the event that an additional wall mounted light is needed to illuminate the parking area.
6. The applicant shall provide pre- and post-development drainage calculations and drainage area maps.
7. The applicant shall shift the retaining wall to provide five feet clear distance to the sanitary sewer line. Test holes shall be performed on the sewer line to confirm adequate depth.
8. The applicant shall depict the proposed subdivisions of 29 and 41 Public Square on the Site Plan, and label them with "proposed subdivision by the City of Watertown."

The motion was seconded by Mrs. Fields and all voted in favor.

Mr. Fontana then moved to adjourn the meeting. The motion was seconded by Mrs. Gervera and all voted in favor. The meeting was adjourned at 4:10 p.m.