CITY OF WATERTOWN, NEW YORK

CITY PLANNING BOARD
ROOM 304, WATERTOWN CITY HALL
245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601-3380
(315) 785-7740

MEETING: April 7, 2015

PRESENT:
Larry Coburn, Acting Chairperson
Michele Capone
Neil Katzman
Anthony Neddo
William Davis
Linda Fields

ALSO:
Kenneth A. Mix, Planning and Community Development Coordinator
Michael A. Lumbis, Planner
Geoffrey Urda, Planner
Brian Drake, Civil Engineer II

ABSENT:
Sara Freda

The April 7, 2015 Planning Board Meeting was called to order at 3:00 PM by Planning Board Acting Chair Larry Coburn. Mr. Coburn called for a reading of the Minutes from the March 3, 2015 Planning Board Meeting. Mr. Katzman made a motion to accept the minutes as written. The motion was seconded by Ms. Capone, and all voted in favor.

SUBDIVISION FINAL PLAT APPROVAL
603 PROSPECT STREET WEST – PARCEL # 7-14-101.000

The Planning Board then considered a request for subdivision final plat approval submitted by Timothy F. Titus on behalf of Jane Morgia Thomas for a two-lot subdivision of Parcel # 7-14-101.000, known as 603 Prospect Street West and located at the corner of Prospect Street West and Cedar Street. Mr. Titus was in attendance to represent himself and Ms. Thomas before the Planning Board.

Mr. Titus began by giving an overview of his request and noted that he had brought revised plans and descriptions that more clearly illustrated the parcel being divided than the document originally submitted with his request. Mr. Titus said that the parcel in question was at the corner of Prospect Street West and Cedar Street. He said that the lot was vacant and that he and Ms. Thomas intended to subdivide the lot.

Mr. Titus said that once subdivided, he intended to purchase the northwestern half of the parcel and assemble it with 609 Prospect Street West, which he currently owns, and that Ms. Thomas would assemble the southeastern half with her property at 187 Cedar Street. Mr. Titus said that since the lot had been vacant for some time, that he and Ms. Thomas have been mowing the grass on it jointly for years. Mr. Titus also noted that he had addressed all

comments provided on the Memorandum from Staff, including obtaining an authorization from Ms. Thomas to apply for the subdivision.

Mr. Coburn then asked if there were any questions regarding the request. Ms. Fields inquired about a response on the State Environmental Quality Review (SEQR) Short Environmental Assessment Form (EAF) that indicated that the parcel was located in an archeologically sensitive area.

Mr. Mix responded that the new online SEQR application program automatically fills in a "Yes" answer to certain questions based on addresses. He said that with a subdivision, we are just talking about a line on a map, and that we are not doing anything to the property. Mr. Mix said that he did not see where any further archeological analysis was necessary since the action would not include any building.

Ms. Fields said that she was simply confused by the "Yes" answer. Mr. Mix reiterated that the SEQR program automatically does that that now.

Mr. Katzman asked if there was any possibility of water or sewer problems arising and made a reference to a previous case on Arsenal Street. He also asked if the Planning Board should add a condition to approval not allowing any new building on the site.

Mr. Mix responded that after subdivision and both assemblages are completed, that such a condition would be unnecessary because each lot will already have a house.

Mr. Katzman noted that he was somewhat "gun shy" because of the utility problems at another property. Mr. Titus responded that the assemblage would just be an addition to his lawn and nothing more.

Ms. Fields said that as she understood it, that Mr. Titus was buying the land in question because he had already been using it for a long time. She then asked Mr. Titus if he could show the Planning Board exactly what he was buying. Mr. Titus unfolded a copy of the Subdivision request and indicated to Ms. Fields on the map what he intended to purchase from Ms. Thomas.

Mr. Davis inquired whether the surrounding property owners had any issues with the request. Mr. Titus responded that none of the neighbors had any problems with what he and Ms. Thomas wanted to do.

Mr. Coburn stated that a Public Hearing was required for the subdivision. He then called the Public Hearing to order at 3:08 PM. He began by reading the legal notice that had been published in the *Watertown Daily Times*. Mr. Coburn then asked for public comments on the request. Hearing no comments, Mr. Coburn closed the Public Hearing at 3:09 PM.

Mr. Coburn then stated that the Planning Board would have to answer the questions on Part II of the SEQR EAF, since the Planning Board was acting as the Lead Agency in this matter. The Planning Board answered "No" to all questions.

Mr. Lumbis then said that a Planning Board Member would have to make a motion for a Negative Declaration, indicating that the Planning Board determined the proposed action would not result in any significant adverse environmental impacts.

Mr. Neddo made a motion to issue a Negative Declaration for the proposed subdivision. Mr. Davis seconded the motion and all voted in favor. Mr. Neddo then indicated that he was ready to make a motion to approve the subdivision.

Mr. Mix asked if the Planning Board intended to make it a condition of approval for Mr. Titus and Ms. Thomas to combine the respective halves of the subdivision with their adjacent parcels. Mr. Mix said that Mr. Titus had provided an aggregate description of what his own lot would consist of following assemblage and inquired if there was an aggregate description of Ms. Thomas's assemblage. Mr. Titus replied that there was no description for the other assemblage yet. Mr. Mix then suggested that the Planning Board make it a condition of approval that a description for the assemblage of Ms. Thomas's remaining property will be provided to the City.

Mr. Neddo then moved to grant subdivision final plat approval for the request submitted by Timothy M. Titus on behalf of Jane Morgia Thomas for a two-lot subdivision of Parcel # 7-14-101.000, known as 603 Prospect Street West and located at the corner of Prospect Street West and Cedar Street, contingent upon the following:

1. A subdivision plat shall be submitted that clearly identifies the parcel being divided on the drawing and in the title with appropriate line weights, labeled boundary lines, correct areas and correct street names.

2. The applicant shall combine the northwestern half of the subdivided parcel with 609 Prospect Street West, Parcel Number 7-14-133, owned by Timothy M. Titus, by way of a new metes and bounds description that is filed with the County Clerk.

3. The applicant shall combine the southeastern half of the subdivided parcel with 187 Cedar Street, Parcel Number 7-14-102, owned by Jane Morgia Thomas, by way of a new metes and bounds description that is filed with the County Clerk. A copy of the metes and bounds description shall be submitted to the Planning Office before the plat is signed.

4. The words **"Subdivision Final Plat"** shall be added as the title of the drawing and the certification language noted above shall be included on the drawing.

5. The applicant shall submit a letter of authorization or executed purchase agreement allowing the applicant to apply for a subdivision.

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

SITE PLAN APPROVAL – NICE N' EASY/TIM HORTON'S/GAS STATION
1622 WASHINGTON STREET – PARCEL # 14-26-102.000

The Planning Board then considered a request for site plan approval submitted by Patrick Scordo of GYMO P.C. on behalf of Edward Valentine for construction of a 5,896 square foot gas station, convenience store and restaurant at 1622 Washington Street, Parcel Number 14-26-102.100. This is a reconsideration of a previously tabled request, which was originally submitted by in November 2014.

Mr. Scordo, along with Jim Hagan, the project architect, and Edward and John Valentine, were in attendance to present the project to the Planning Board. Mr. Scordo began by introducing himself, Mr. Hagan, and Edward and John Valentine. Mr. Hagan then provided color copies of all of the plans to the Planning Board.

Mr. Hagan said that their group last appeared before the Planning Board in November to discuss the proposed store and gas station and that the major issue at that point was the traffic impact. He continued by saying that the Valentines had subsequently hired GTS Consulting to conduct a traffic analysis of the site, its facilities and the surrounding roads.

Mr. Hagan then said that GTS Consulting published their report on February 3, 2015 and concluded that there would be no notable impact on traffic in the vicinity. He said that the report is on file with City Staff and that the City Engineering and Jefferson County Planning departments have reviewed the analysis and concurred.

Mr. Hagan then said that one change that he had made since November was to move the driveway from Washington Street 12 to 15 feet to the north to avoid a catch basin. Otherwise, the configuration was the same. The site plan still had a convenience store and six gas pump islands. He also noted that it was similar to the Tim Horton's location on Coffeen Street, and that a driveway around the back of the site would provide a full circumference of the building.

Mr. Hagan then acknowledged that there were National Grid easements on the site for electricity and gas. He also stated that there was an 8-inch line that crosses Washington Street and that there is a gas marker for that line. He said that additional survey work must be done now that all the snow on the site has melted. Mr. Hagan also confirmed that GYMO P.C. was in ongoing discussions with National Grid regarding existing infrastructure.

Mr. Hagan said that the location of some National Grid infrastructure might affect storm drain locations. He said that the original submissions in November proposed a series of drainage structures from Washington Street to the midpoint of the site and then in an open ditch until it is piped under Howell Drive. These were proposed to be built at the expense of the Valentines and then turned over to the City. In the new submission, there is shared responsibility for the drainage structures, with the City only maintaining a certain part of them.

Mr. Hagan concluded by saying that in addition to traffic and drainage, there was a three-page list of comments prepared by staff in November and that with this submission, he felt that his group had addressed most of them. He then said on the Friday before this meeting,

that his group had received a new list from Staff that acknowledged the changes that were made and brought up new issues to discuss.

Ms. Capone asked if the new list is the same list that the members of the Planning Board had in front of them. Mr. Mix responded by saying that the Planning Board had the new list. Mr. Hagan then said that it was his goal today to go through the major issues with the Board and to resolve the remaining technical details with Staff.

Mr. Hagan then turned the discussion to the driveway from Hudson Lane and specifically, the paved bicycle trail to the south of Hudson Lane that crosses the driveway. He said that the applicants agreed to maintain the bicycle trail along the driveway and to add striping where it crosses the driveway. He then asked Mr. Drake about detectable warnings in the pavement, adding that they were prepared to put in either heavy duty pavement or concrete.

Mr. Drake replied that the bicycle trail needed to meet the requirements of the Americans with Disabilities Act (ADA), and as such the City was treating it as a sidewalk. Mr. Hagan said that he was not clear on what that meant and added that the slope on the driveway from Hudson Lane was steeper than the driveway from Washington Street.

Mr. Drake said that there was no need to change the grade, but that in order to be ADA compliant, the applicant must provide a detectable warning. Mr. Hagan responded by asking if an altered surface was enough to accommodate the vision impaired and that they were prepared to install detectable surfaces on either side of the driveway. Mr. Drake then said that detectable warnings would be sufficient to meet ADA requirements.

Mr. Hagan then said that another concern raised by Staff was the issue of constructing a sidewalk on Washington Street. He acknowledged that the initial plan in November included constructing a sidewalk on Washington Street through the property but that his clients wished to remove the sidewalk on this submission since it would not connect to any sidewalks to the south of the site.

Mr. Katzman said that he had a picture on his cell phone showing a hydrant in the way and asked why Staff wanted the applicants to install sidewalks. He then passed his phone around to the other board members so that they could see the picture. Mr. Hagan then introduced a picture of the area and noted that the space where the sidewalk would be was lower than the road. He continued by saying that in November, they discussed leaving an existing headwall and ditch in place and expressed concern that someone walking on the sidewalk could fall into the ditch. He asked if the sidewalk was really warranted.

Mr. Drake responded by acknowledging that an existing headwall is there, but the applicant has proposed to extend it as part of the drainage solution. Mr. Hagan then said that there was an existing sidewalk on the other side of the street.

Mr. Mix then said although a new sidewalk at the site would not connect to any sidewalks to the south, it would, however, connect to the entire City sidewalk system to the north. He recalled that the same arguments had been made when the Coffeen Street Quicklee's Convenience Store/Dunkin' Donuts was before the Planning Board for approval. He reminded

everyone that there was a gap at that location, and that the Planning Board required new sidewalks there anyway. That gap is now being filled with a CDBG project. Mr. Mix then reiterated that Staff was not concerned with sidewalks to the south, but with connecting to the entire system to the north.

Mr. Coburn then asked if this was a "wish list" item or a requirement. Mr. Mix responded by saying that the City had the authority to require new sidewalks. Mr. Coburn then asked if there was a mandate. Mr. Mix responded by saying that while there was no mandate, that the City's general policy was that when site plans come in, to require sidewalks, because too many previous site plans had come in without sidewalks and now the City has gaps in the system.

Ms. Capone asked what the estimated cost of installing sidewalks was. Mr. Scordo replied that the estimated cost was approximately $15,000. Mr. Hagan then asked how often a new sidewalk would be utilized. Mr. Katzman then said that he did not see the need for a new sidewalk.

Mr. Lumbis then pointed out on a picture of the area that there was a well-worn path along the side of Washington Street where pedestrians were walking. Ms. Fields pointed out to the rest of the Planning Board that there was a precedent from the Coffeen Street location of requiring sidewalks. Mr. Katzman responded by acknowledging that while the City does have the right to enforce a sidewalk requirement, until the City enforces that requirement with everyone, that the Planning Board should leave it alone.

Mr. Davis said to the applicants that the City wanted sidewalks for compliance with the policy that Mr. Mix referenced earlier and acknowledged that it would cost more money but that you can either fulfill the requirement or not.

John Valentine then asked if he could make an agreement to build the sidewalk in the future if the missing section is ever built. He continued to say that the trade-off has to be a reasonable amount of money for one person to use the sidewalk. Mr. Drake responded by saying that the City could ask the New York State Department of State to install sidewalk there as the land with the missing segment is owned by the State Department of Corrections.

Mr. Lumbis then said that it is within the Planning Board's right to impose reasonable conditions on an approval. Ms. Capone asked the likelihood of the Department of Transportation (DOT) installing sidewalks. Mr. Drake reminded the Planning Board that the Department of Corrections owns the land in question. Mr. Neddo said that if one landowner does it, then they all do it, and went on to ask if the Department of Corrections is not installing sidewalks, then why should the applicant be required to install them. Mr. Davis replied that an area with a convenience store will need a sidewalk.

Mr. Katzman then directed a question to Mr. Drake regarding the City's authority to force the applicant to install sidewalks. Mr. Mix answered the question by saying that there is an authority, but that it has not been used. Mr. Katzman then asked Mr. Mix and Mr. Drake what the City wanted to do. Mr. Coburn then said that it says in Staff's memorandum, in Summary Item 4, that the City wants a sidewalk.

Mr. Mix said that the City has been making efforts to fill in sidewalk gaps. He added that it is the right of the applicant to argue why they don't want to install sidewalks and that the Planning Board can recommend to City Council whether they want sidewalks or not.

Mr. Coburn asked his fellow Board Members about the difference of opinion among the Board. Mr. Katzman then read Summary Item 4 of Staff's memorandum aloud, "A sidewalk along Washington Street shall be added to the plans." After a brief discussion among the Board members, Mr. Coburn said that the Planning Board was going to recommend sidewalks. Mr. Hagan said this would affect details at the entrance regarding flares. Mr. Drake agreed to work out those details with Mr. Hagan.

Mr. Hagan then moved on to the issue of landscaping. He said that an existing tree on Hudson Lane would be removed to make way for the driveway, but that two trees would be planted elsewhere on the site to take its place.

Mr. Hagan then said that GYMO P.C. had taken storm drainage design to the next level. He said that they had verified runoff and treatment of water and that all runoff would be directed to the stormwater management basin on the south side of the site, and then piped to a discharge point.

The discussion then returned to the issue of the existing National Grid easements. Mr. Hagan related to the Planning Board that GYMO P.C. has had extensive discussions with National Grid regarding grading under a high-voltage line as well as cuts and fills adjacent to a gas line. He said the area that construction infringed upon was on the north side of the site, near the driveway from Hudson Lane.

Mr. Hagan then said the he was caught in a "Catch-22" of sorts. He said that he had received no definitive answer from National Grid because National Grid wants to see City site plan approval first. He then said that conversely, the City was asking for National Grid approval. Mr. Hagan said that the main conflict was between a gas main and the proposed storm lines.

Ms. Capone asked if the ground in that location was rock. Mr. Hagan replied that it was mostly rock and that it would require further field investigation. Regarding the National Grid issue, Mr. Scordo said he could put the Planning Board at ease because GYMO P.C. completed the engineering for Howell Drive and that they knew what hoops they had to jump through and could solve the issues.

Mr. Hagan then said that all of the remaining comments from Staff were regarding technical issues such as sewer, water pressure, etc. Mr. Katzman asked what Summary Item 11 meant. Mr. Scordo responded by saying that he had confirmed with DOT that the driveway from Washington Street was within the City of Watertown, so the City has the responsibility for issuing permits. However, some cones and signage that would be used during construction would be in the Town of Watertown, which is DOT jurisdiction, and that a highway work permit might be necessary.

Ms. Capone then asked if all 14 Summary Items would still stand then as conditions of approval. Mr. Mix replied that they should remain until the revised plans are reviewed, unless there are some the Planning Board wanted to take off. Ms. Capone followed up by asking if there was an agreement between the applicant and the City about the headwall and outlets. Mr. Drake responded by saying that they are working together, but that site plan approval was contingent upon continuing to work together. Ms. Capone then said that she was fine with these 14 conditions.

Mr. Scordo then said that Mr. Mix would soon be receiving a letter from Thomas Boxberger representing the Town of Watertown conferring final site plan approval to the City.

Ms. Capone then asked if there was a lead agency on SEQR. Mr. Mix replied that the City Council will have to complete the SEQR form before they approve the site plan and that it was up to the Council if they were satisfied or not.

Mr. Coburn asked if there was anything left to discuss. Mr. Drake replied that Staff was satisfied that the applicant and already fulfilled Summary Items 2 and 9 and that the Planning Board could eliminate them from the list. Ms. Fields then asked if the Planning Board needed to address the section of the memorandum labeled "Additional Engineering Items." Mr. Mix replied that those were provided for the benefit of the applicant and required no Planning Board action. Ms. Capone acknowledged Mr. Mix and said that she was prepared to move to recommend approval contingent on all Summary Items, excluding 2 and 9.

Ms. Capone then moved to recommend that City Council approve the request for site plan approval submitted by Patrick Scordo of GYMO P.C. on behalf of Edward Valentine for construction of a 5,896 square foot gas station, convenience store and restaurant at 1622 Washington Street, Parcel Number 14-26-102.100, as submitted on March 24, 2015, subject to the following conditions:

1. A statement shall be included on the site plan and in the engineering report that the entrances/exits have been designed in accordance with the latest (2011) version of AASHTO's Geometric Design of Highways and Streets.

2. The applicant shall provide crosswalk details for the bicycle trail, including detectable warnings, curb terminals, drop curb ramps, etc. and a detail of the proposed bike trail signage.

3. A sidewalk along Washington Street shall be added to the plans.

4. The applicant shall acquire approval for work within the National Grid easements and provide copies of correspondence to the Engineering Department.

5. The applicant shall provide the City an easement for the maintenance of the proposed stormwater infrastructure that will be dedicated to the City. Acceptance of the stormwater infrastructure by City Council is required.

6. The applicant shall revise the grading plan so that accessible parking spaces and the loading zone have a slope no greater than the maximum permitted 2%.

7. The applicant shall submit the required SEQRA documentation before the City Council makes a determination.

8. The applicant shall depict the updated underground utilities on the east side of Washington Street on the plan.

9. The applicant shall provide the referenced tables for the Maintenance and Protection of Traffic Plans. Coordination of traffic control plans and lane closure with the New York State Department of Transportation (D.O.T.) will be necessary and a D.O.T. permit may be required. The applicant shall provide correspondence from the D.O.T. indicating their acceptance of the plan to the City Engineering Department prior to the issue of any permits.

10. The applicant shall obtain a letter from the property owner or provide an executed purchase agreement authorizing the applicant to apply for a site plan approval.

11. The applicant shall provide documentation from the Town of Watertown indicating their acceptance of the site plan.

12. The applicant shall address all concerns of the City Engineering Department prior to the issue of any permits.

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

SITE PLAN APPROVAL – RENZI FOODSERVICE BUILDING EXPANSION
901 RAIL DRIVE: PARCEL # 9-43-101.008

The Planning Board then considered a request for site plan approval submitted by John Walsh of Paradigm Design and Bob Ross of FoodTech, Inc. on behalf of MLR Realty, LLC Mr. Walsh was in attendance to present the project to the Planning Board.

Mr. Walsh began by introducing himself and noting that Paradigm Design was involved in the 2011 expansion of the same building. He said that Paradigm Design are cold storage experts. He continued by saying that the building was originally constructed in 2000 and that since the 2011 expansion, business has continued to grow. Mr. Walsh added that some operations from the north side of the City would be consolidated to this site. He said that the bulk of this project would be the warehouse expansion. There is a small office expansion proposed for the west side of the building and plans to add gravel parking for small trailers. He also said that the gravel road had been extended from original plans to provide fire access.

Mr. Walsh then said that the building's use would stay the same and that traffic into and out of the site would also essentially stay the same, with perhaps a few more trucks entering and leaving the site. Mr. Walsh added that he had met with Staff two weeks earlier for a pre-application meeting and said he was confident that all of Staff's conditions would be met. He said that the bigger challenges were going to be the checked boxes on the SEQR form.

Mr. Walsh disclosed that one of the "hits" on the SEQR form was that the project took place in an endangered species habitat, specifically that of the Indiana Bat. He then said that the New York State Department of Environmental Conservation (DEC) gave permission to cut down trees in the expansion area. Mr. Davis interjected to note that April 15 is the deadline for such cutting, because the bats are typically still in caves for the winter before this date.

Mr. Walsh then said that the SEQR form also flagged the project for technically having wetlands on the property, specifically Beaver Meadows. Mr. Walsh stated that he hoped to receive a non-jurisdictional letter that would dismiss this concern, and said that his clients feel that all activity is within the confines of a previously graded area.

Mr. Walsh then moved on to address Staff's comments on the memorandum. He first asked about the requirement to extend the fire apparatus road, at a minimum, to the rear northeast corner of the addition and asked if anyone present could clarify the intent of that comment.

Mr. Drake then stood up and pointed out a place on the site plan. Mr. Walsh then said that there was a lot of rock in that location and that his team had hoped to minimize their contact with rock. Mr. Drake responded by saying that the City Code Enforcement Bureau had noted that there are two doors in the rear of the building that need fire vehicle access from somewhere. Mr. Walsh agreed to work with the Engineering Department on this requirement. Mr. Drake agreed to this and said that he would forward any future submissions to City Code Enforcement Supervisor Shawn McWayne for comments.

Mr. Walsh then moved on to Staff's request to clarify a discrepancy as to whether or not new parking lights would be installed. Mr. Walsh noted that although the engineering report that was submitted with the application said that there would be no new lights, that at the 11th hour, they found that they really did need extra light, but did not have the opportunity to update the report prior to the submission deadline.

Mr. Walsh then moved on to Staff's requirement to provide a letter from the New York State Department of Health (DOH) granting approval for a new hydrant. Mr. Drake responded by saying that DOH would likely provide a "no comment" letter and that this would be sufficient to satisfy the requirement.

Mr. Walsh then addressed the issue of landscaping. He acknowledged that Staff had asked for additional parking lot trees in 2011, but that they were never planted. He then said that in acquiescence to Staff's current request, street trees would be extended the length of the driveway from Rail Drive to the beginning of the parking lot.

Mr. Walsh then said that the next step after today was to apply for a building permit, but that Renzi Foodservice still needed to give Paradigm Design permission to apply for it. Mr. Drake then said that Paradigm Design needed to have such permission before an application could be processed.

Mr. Walsh concluded his presentation by saying that the site today does not drain particularly well and that two new pocket ponds are proposed to handle the additional runoff. He acknowledged that because of the proposed ponds, some work still had to be done with SEQR. Mr. Walsh then asked the Planning Board if they had any questions.

Ms. Capone at this time disclosed that she works for the Development Authority of the North Country who is a lender to Renzi Foodservice. Mr. Davis then indicated he was ready to make a motion to approve the site plan. Mr. Lumbis said that the Planning Board could remove Summary Item 2.

Mr. Davis then moved to recommend that City Council approve the request for site plan approval submitted by John Walsh of Paradigm Design and Bob Ross of FoodTech, Inc. on behalf of MLR Realty, LLC for construction of a 38,819 square foot warehouse expansion, a 1,572 square foot office expansion and a 37-space parking lot expansion to the Renzi Foodservice Building at 901 Rail Drive, Parcel Number 9-43-101.008, as submitted on March 24, 2015, subject to the following conditions:

1. The fire apparatus road must be extended, at a minimum, to the rear northeast corner of the new addition and shall be designed to City specifications, approved by the City Engineer prior to construction, and must be properly maintained on a year-round basis to include snow removal and resurfacing and grading when required.

2. The applicant must address all of the Engineering Department's stormwater design requirements and comments prior to the issuance of any City permits.

3. The applicant must forward a copy of the letter it receives from the New York State Department of Health to the City that grants the approval for the new hydrant.

4. The following note must be added to the Utilities Plan, "All water and main service work must be coordinated with the City of Watertown Water Department. The Water Department Requirements supersede all other plans and specifications provided."

5. All utilities must be shown on the Utility Plan, including pipe inverts, pipe material, pond outlets, etc.

6. The applicant must make all of the required revisions to the Engineering Report and submit them to the Engineering Department prior to the issuance of any City permits.

7. The applicant must revise the plans to include all of the design details required and submit them to the Engineering Department prior to the issuance of any City permits.

8. The applicant shall create a separate landscaping plan or incorporate it into an existing plan sheet and provide a typical planting schedule that includes plant species, size and other standard information.

9. The applicant shall address and provide additional data for all of the identified SEQR issues prior to the City Council considering the site plan for approval.

10. The applicant must obtain, minimally, the following permits prior to construction: Building Permit and a Water Supply Permit.

11. The applicant shall obtain a letter from the property owner authorizing the applicant to apply for a site plan approval.

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

ZONE CHANGE – 535 OLIVE STREET – PARCEL 6-04-103
RESIDENCE B TO COMMERCIAL

The Planning Board then considered a request submitted by Ricky E. Frazier to change the approved zoning classification of 535 Olive Street, Parcel Number 6-04-103 from Residence B to Commercial.

Mr. Frazier was in attendance to represent himself before the Planning Board. Mr. Frazier began by stating that he requested the zone change so that he could convert a big house into little studio apartments. At this time, Mr. Lumbis clarified the parcel location on the City of Watertown Zoning Map for the benefit of the Planning Board. Mr. Davis then asked what level was Residence B. Mr. Mix replied that it allows up to a three-family dwelling on a single parcel.

Mr. Frazier then noted that he wanted to have 12 units in the building, but that he could only have 10 because of the lot size requirements. Mr. Davis then asked for the size of the house, adding that if the Board did not know what size the house was, they would have no reason to change the zoning. Mr. Frazier replied that it covered almost the entire lot. Mr. Mix then said that zoning covers the required sizes of lots, and that it was the applicant's intent to assemble this parcel with the neighboring lot. Mr. Frazier then pointed out on the zoning map the parcels that he wished to assemble.

Mr. Davis then asked again for the size of the house. Mr. Frazier said that it left about three feet around the edge of the lot. Mr. Davis then said that meant that the house was approximately 1,900 square feet. Mr. Frazier then said that it was his intention only to utilize the rooms that were already there.

Mr. Katzman then asked about the bathroom situation within the building as the applicant proposed to use it. Mr. Frazier replied that three rooms would share one bathroom and that each of the studios would have their own bathroom. Ms. Capone then said that most of this

would fall under the jurisdiction of the City Code Enforcement Bureau, not of the Planning Board.

Ms. Fields then brought up the fact that if the Planning Board changed the zoning, then they allow a number of other uses if the applicant changed his mind about how to use the property. Mr. Katzman asked if the Planning Board was approving anything else at this time other than the zone change. Mr. Coburn answered that they were not approving anything else and that the rest of the matter is under the jurisdiction of the City Code Enforcement Bureau.

Mr. Frazier then asked if he would need to appear before the Planning Board again in order to assemble the parcel with his neighboring property. Mr. Lumbis replied that he did not. Mr. Lumbis added that all of the other permitted uses in the Commercial District are by right.

Mr. Neddo then said that if the Planning Board changes the zoning, then they open the door to all other uses permitted in the Commercial District and that the Planning Board would need a rational reason to deny any of those uses in the future.

Mr. Katzman then asked if Mr. Frazier had obtained any of the neighbors' opinions on the matter. Mr. Frazier said that he had only talked to one neighboring resident and that resident did not have a problem. He could not speak for anyone else. Mr. Lumbis said that the Planning Department sent a notice of this meeting to anyone that owns property within 100 feet of this parcel and that it would do the same when City Council schedules a public hearing for this request. Mr. Urda then said that six neighboring property owners received such notices and that even though more than six parcels were within 100 feet, some individuals owned more than one of those parcels.

Mr. Katzman then asked if the Planning Board could table the request. Mr. Davis said that the Board had walked this path before and that the building is not big enough and that the property is not big enough. Ms. Fields then said that she had a problem with the request as well.

Mr. Frazier then asked if the Planning Board would like to know why he wants to change the zoning. Mr. Davis replied that he does not want to know any more about why Mr. Frazier wants to change it. Mr. Frazier then said that families are smaller than they once were and that a 4-bedroom house is difficult to rent because most people cannot afford that size of house today. He then added that he is not stuck on studio apartments and would be willing to change the building to a 4-family dwelling if that made the Board feel better.

Mr. Katzman then cited a lack of green space on the property. Mr. Coburn followed this by calling his fellow Board members' attentions to a specific paragraph in Staff's memorandum, and read it aloud, "The subject parcel is currently zoned Residence B, which allows for two-family dwellings and three-family dwellings as its most intense residential uses. Commercial Zoning specifically allows for multifamily dwellings. However, Commercial also allows for a variety of uses, including, but not limited to a gasoline sales station, an automobile sales lot, a restaurant and other uses."

Mr. Coburn then said reading that was a moment of clarity for him and that it should be for the rest of the Planning Board.

Mr. Katzman then moved to recommend that City Council approve the request submitted by Ricky E. Frazier to change the approved zoning classification of 535 Olive Street, Parcel Number 6-04-103 from Residence B to Commercial.

The motion was seconded by Ms. Fields and all voted in opposition.

Mr. Lumbis then informed Mr. Frazier that the Planning Board had made its recommendation to City Council, and that the matter would go to City Council at their next meeting, where Council would schedule a public hearing. Mr. Lumbis then told Mr. Frazier that the hearing will be at the first City Council meeting in May, where the Council will make a decision on his request.

Mr. Katzman then moved to adjourn the meeting. The motion was seconded by Mr. Coburn and all voted in favor. The meeting was adjourned at 4:20 PM.