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: June 2, 2015

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

ALSO:
Michael A. Lumbis, Planner
Jeffrey Polkowski, Planner
Brian Drake, Civil Engineer II

ABSENT:
Sara Freda
Linda Fields

The June 2, 2015 Planning Board Meeting was called to order at 3:02 PM by Planning Board Acting Chair Larry Coburn. Mr. Coburn called for a reading of the Minutes from the May 5, 2015 Planning Board Meeting. Ms. Capone made a motion to accept the minutes as written. The motion was seconded by Mr. Davis and all voted in favor.

SITE PLAN APPROVAL
748 STARBUCK AVENUE – PARCEL # 4-09-102.000

The Planning Board then considered a request for site plan approval submitted by Timothy Titus of Aubertine & Currier on behalf of New York Air Brake (NYAB) for the construction of a 6,500 square foot building addition at 748 Starbuck Avenue, Parcel Number 4-09-102.000. Mr. Titus and Joseph Dephtereos were in attendance to represent NYAB before the Planning Board.

Mr. Titus began by giving an overview of his request. Mr. Titus said that the expansion will include an addition of an engineering testing lab with bathrooms and more offices. Mr. Titus said that the proposed addition will involve the relocation of a water main approximately 100 feet from the expanded building. Mr. Titus also explained that there will be no increase in impervious surfaces as the area is already asphalt and concrete.

Mr. Coburn then asked Mr. Titus if there is a fire truck turnaround. Mr. Titus replied that there is a looped drive from Pearl Street that leads behind the building to Starbuck Avenue, but it is mostly for cargo. Mr. Titus said that the area has no genuine traffic from visitors or employees and that all access is from the existing parking and building. Mr. Titus also explained that because the area is zoned as heavy industrial, there is no setback requirement.

Mr. Coburn then asked Mr. Titus to address each summary item in the staff report. Since Mr. Titus had already discussed the traffic circulation portion of Summary Item #1 he went on to explain that the southern area will be utilized for snow storage. Mr. Coburn then asked if Mr. Titus had submitted a traffic circulation pattern. Mr. Titus replied that he can submit an overall traffic circulation pattern, but has not as of yet.

Brian Drake then commented on how the plans include a proposed garage door. Mr. Drake asked if the proposed garage door was for access deliveries. Mr. Titus explained that the proposed garage door is mostly for forklifts.

Mr. Coburn then addressed Summary Item #2 by asking Mr. Titus to clarify the location of the proposed wall mounted lights to the east of the addition. Mr. Titus explained that they will be placed on an overhang that is included in the site plan.

Mr. Titus then addressed Summary Item #3 in staff report by clarifying how the tracer wire will be connected to the relocated fire hydrants and the proposed connections to the existing water main. Mr. Titus then stated that this will be clarified in the revised detail sheet.

Mr. Titus then addressed Summary Item #4 from the staff report and explained that he will provide a fire protection plan as requested. Mr. Titus said that, due to the location of the relocated fire hydrants, there will be more than adequate coverage of new building addition.

Mr. Drake explained that his concern for fire coverage is not in regards to the new building addition but that he is concerned with the coverage of the existing building once the fire hydrants have been relocated. Mr. Titus understood and stated that he will make sure that there is at least 350 feet of coverage for all buildings.

Mr. Coburn then addressed Summary Item #5 in the staff report and asked Mr. Titus if he has performed fire flow tests and sprinkler design calculations for the new addition. Mr. Titus stated that tests and calculations for the sprinkler system have not been performed as of yet but they will be provided.

Mr. Titus then addressed Summary Item #6 in the staff report and agreed that he will add to the utilities plan the note "All water main and service work must be coordinated with the City of Watertown Water Department. The Water Department Requirements supersede all other plans and specifications provided."

Mr. Titus then went on to address Summary Item #7 item in the staff report and explained that locating the existing sewer lines within the expansion area is an ongoing process. Mr. Titus said that once these sewer lines are located, he plans to add them to the utility plan.

Mr. Titus then went on to address Summary Item #8 in the staff report and explained how he has no intention of adding any foundation drains. Mr. Titus said that the roof will be sloped to the east for water to drain into the existing storm system and will be included in the revised plans.

Mr. Titus then went on to address Summary Item #9 in the staff report and explained that there have been many utilities mapped throughout the history of the NYAB building and he is doing the best he can to verify all utilities.

Mr. Titus then went on to address Summary Item #10 in the staff report and explained that he intends to include an easement to the Watertown Industrial Center property.

Mr. Titus then went on to address Summary Item #11 in the staff report and acknowledged that there were several legend discrepancies and they will all be clarified in the next submittal. However, Mr. Titus explained that there is no combined sewer linetype in the legend because they have not verified any combined sewers as of yet.

Mr. Titus then went on to address Summary Item #12 in the staff report and explained that because the area is zoned as industrial that there is no requirement for landscaping and there is little to no room for additional landscaping. Mr. Titus then requested that we move to the next discussion item.

Mr. Davis stated that the current lack of landscaping in the area of the addition looks horrible. He said that landscaping in this area can be used to define the adjacent property line in addition to improving it aesthetically. Mr. Titus said that he did not think trees or shrubs in this area would last as the space is only 3' wide. He said he would not know what to plant in this area. Mr. Davis asked the applicant to be creative as there are plants that could survive the harsh conditions that are present. Ms. Capone said that NYAB has done well with landscaping in the front and sides of their property and did not think it was necessary to require any in the back.

Mr. Katzman suggested that the addition of decorative grass in the strip of land between the NYAB property and the General Signal property would be a simple addition to improve the site plan. Mr. Dephtereos then said he would have to take soil samples if they excavated in that area as the property is a Superfund site. He said a $200 tree could become a $50,000 tree if testing is involved. He said he would rather not spend money foolishly for something that will not be seen. He also mentioned that they had planted a considerable amount of trees and shrubs on the Pearl Street side of the property. Ms. Capone stated that requiring landscaping in this case does not make sense.

Mr. Davis said that the Planning Office report states that the landscaping is a requirement. Mr. Lumbis clarified that there is nothing in the Zoning Ordinance that would require the applicant to install landscaping in this particular case. He said the report points out that the Planning Board's Landscaping and Buffer Zone Guidelines recommend landscaping, but in the end it is up to the Planning Board to evaluate the given site and determine whether landscaping is appropriate and whether or not to recommend landscaping as part of a project.

Mr. Katzman brought up the idea that decorative crushed stone could be placed instead of landscaping for aesthetic value. Ms. Capone again stated that it does not make sense to require anything in that area.

It was suggested that plantings could be placed in the existing grass area located to the north and west of the building. Mr. Titus said that he wanted to avoid planting in the grass areas located to the north and west of the addition as this would likely be only a temporary solution as that area is the likely area for another building expansion. Ms. Capone said requiring landscaping in this particular location would be useless and the planning board should move on to the next summary item. A brief discussion assessing the needs of landscaping followed. The majority of the board agreed that landscaping would not be necessary.

Mr. Titus then addressed Summary Item #13 from the report and agreed that he must acquire a Building Permit, Water Supply Permit, Sanitary Sewer Connection Permit, and a Storm Sewer Connection Permit.

Mr. Dephtereos addressed Summary Item #14 in the staff report and stated that he would be willing to obtain a letter from the Jefferson County Industrial Development Agency authorizing the site plan approval. However Mr. Dephtereos explained that the JCIDA will no longer be the owners of the property by July and construction will not begin until July as well. The Planning Board agreed that a letter will not be necessary.

Mr. Titus then addressed Summary Item #15 in the staff report and stated that he will add street names and labels to the location maps within the site plans.

Mr. Titus then mentioned that comments on the submitted SEQR must be changed, he then submitted a revised SEQR to Mr. Lumbis.

At this time Ms. Capone disclosed that she is a member of the Watertown Industrial Center Local Development Corporation Board of Directors but that the outcome of today's decision would not affect her personally or financially.

Ms. Capone then made a motion recommending that the City Council approve the site plan submitted by Timothy Titus of Aubertine & Currier on behalf of New York Air Brake for the construction of a 6,500 square foot building addition at 748 Starbuck Avenue, Parcel Number 4-09-102.000 contingent upon the following:

1. The applicant must submit a plan showing the internal traffic circulation patterns to the City Engineering Department and submit revised plans that depict snow storage areas.

2. For the proposed PE water main, the applicant must clearly indicate how they plan to terminate the tracer wire at the hydrant and at the connections to the existing main.

3. The applicant must provide a fire protection plan indicating the proposed distances and hose lengths from existing and proposed fire hydrants for the existing and proposed building.

4. The applicant must provide an updated fire flow test and sprinkler design calculations for the building and update the engineering report to state

whether or not the proposed building and the renovated building will contain overhead sprinklers.

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

6. The applicant must provide additional design details for the sanitary sewer connection including depth of cover, profile of sewer alignment and proposed inverts and shall verify that minimum scouring velocity will be achieved within the new sewer.

7. The applicant shall clearly indicate any roof drain connections and/or foundation drain connections on the utility plan.

8. The applicant shall provide sufficient descriptions of the existing and proposed utilities within the vicinity of the proposed construction including pipe sizes, rim elevations, pipe inverts, and pipe material.

9. The applicant must provide an easement for installation of the sanitary sewer.

10. The applicant shall clarify all legend discrepancies including existing building lights and proposed fire hydrants.

11. The applicant must obtain, minimally, the following permits prior to construction: Building Permit, Water Supply Permit, Sanitary Sewer Connection Permit and Storm Sewer Connection Permit.

12. The applicant shall provide a zoning table in the plans to address zoning requirements of the site and shall add street names to and label the location map shown on CD100, CS100, CG101, and CU100.

13. PDFs of the entire drawing set shall be forwarded to the City Engineering Department anytime revisions are made to any one drawing.

The motion was seconded by Mr. Katzman and approved by a 4-1 vote with Mr. Davis casting the dissenting vote.

Mr. Lumbis then said that the application would go to City Council on June 15, 2015 for their consideration.

ZONE CHANGE
1445 WASHINGTON STREET – PARCEL # 13-22-208.000

The Planning Board then considered a zone change request submitted by Timothy Titus of Aubertine & Currier PLLC on behalf of 1445 Washington Street, LLC to change the approved zoning classification of 1445 Washington Street, Parcel Number 13-22-208.000 from Neighborhood Business to Commercial. Mr. Titus of Aubertine & Currier PLLC was in attendance to represent 1445 Washington Street, LLC before the Planning Board.

Mr. Titus explained that he would like to change the zoning of the parcel from a Neighborhood Business District to a Commercial District to match the surrounding area in order to construct additional examination rooms in the near future. Mr. Titus said that this is the only parcel in the immediate area that is not zoned as commercial.

Mr. Coburn then asked why this parcel was never changed to commercial before. Mr. Lumbis explained that this parcel was not part of other development projects located to the south that were to be changed to a commercial zoning. Because of this, the parcel remained zoned as a neighborhood business.

Mr. Lumbis then said that 1445 Washington Street, LLC intends to expand the animal hospital at 1445 Washington Street and construct an addition that includes a fourth exam room. Mr. Lumbis said that the current zoning in Neighborhood Business Districts states that animal hospitals shall be restricted to three examination rooms. Mr. Lumbis stated that in addition to the zone change, the applicant is also proposing to amend the text of the Zoning Ordinance to allow Animal Hospitals as an allowed use in Commercial Districts and have no limitation on number of examination rooms. The text amendment coupled with the zone change would allow the animal hospital to add a fourth examination room.

Mr. Lumbis said that he believes the Animal Hospital parcel was purchased from the neighboring property previously owned by the St. Patrick's Orphanage. He said the language in the Zoning Ordinance that restricts the exam rooms to three was added when the animal hospital was originally constructed. Mr. Lumbis continued that it is his belief that the property was sold by the St. Patrick's Orphanage with restrictions. It is possible that some of these restrictions were solidified through an amendment in the zoning ordinance.

Ms. Capone then asked if the current owners, the Sisters of St. Joseph, are opposed to this zone change. Mr. Lumbis said the Sisters of St. Joseph are not opposed to the zone change and have submitted a letter to that effect.

Mr. Katzman asked if the animal hospital is capable of storing an animal for an extended period of time. Mr. Titus replied that the animal hospital is capable of holding an animal over night but not for long term.

Mr. Lumbis said that even if the City Council approves this zone change, it is still possible for them not to approve the zoning text amendment that will allow the animal hospital to construct a fourth examination room. Mr. Lumbis said that the two requests are independent of each other.

Mr. Katzman then moved to recommend that the City Council approve the zone change submitted by Timothy Titus on behalf of 1445 Washington Street, LLC to change the approved zoning classification of 1445 Washington Street, Parcel Number 13-22-208.000 from Neighborhood Business District to Commercial District.

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

ZONING ORDINANCE TEXT AMENDMENT
SECTION 310-9 AND SECTION 310-52

The Planning Board then considered a request submitted by Timothy Titus of Aubertine & Currier PLLC on behalf of 1445 Washington Street, LLC to amend the text of Section 310-9, Commercial Districts of the Zoning Ordinance to allow "Animal Hospital" as a permitted use and to amend Paragraph C of Section 310-52, Location of Certain Activities Restricted. Mr. Titus of Aubertine & Currier PLLC was in attendance to represent 1445 Washington Street, LLC before the Planning Board.

Mr. Titus began by reiterating that the request to amend Section 310-9 Commercial Districts of the Zoning Ordinance to allow "Animal Hospital" as a permitted use and to amend Paragraph C of Section 310-52, Location of Certain Activities Restricted is not site specific but affects all Commercial Districts in the City.

As the text amendment was discussed concurrently with the zone change request, Ms. Capone moved to recommend that the City Council amend the text of Section 310-9, Commercial Districts of the Zoning Ordinance to allow "Animal Hospital" as a permitted use and to amend Section 310-52, Location of Certain Activities Restricted, Paragraph C to remove the requirement for special approval of the City Council.

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

WAIVER OF SITE PLAN APPROVAL
VL-3 MARBLE STREET – PARCEL # 4-27-402.100

The Planning Board then considered a request for a waiver of site plan approval submitted by Ron England on behalf of Al's Siding for the construction of a 1,659 square foot building at VL-3 Marble Street, Parcel Number 4-27-402.100. Edward Olley of GYMO PC and Ron England of Al's Siding were in attendance to represent Al's Siding before the Planning Board.

Mr. Olley began by addressing actions of Mr. England. Mr. Olley said that Mr. England obtained the proper permits to erect a shed and to begin constructing his building, but later discovered that he must approach the planning board with the project. He produced a property survey and stated he had the proper building permits to begin construction although the Bureau of Code Enforcement had given them to Mr. England erroneously.

Ms. Capone then asked to confirm that Mr. England already received the proper permits to begin construction. Mr. Olley then confirmed that Mr. England did in fact receive the proper building permits. However, he received them in error. Mr. Lumbis agreed that the permits were given in error but the fact remains that site plan approval is still required for the project.

Mr. Davis suggested that the planning board approve the application as a site plan. Mr. Lumbis explained that this wouldn't be possible because the application was submitted as a site plan waiver and lacks the materials to be approved as a full site plan.

Mr. Lumbis then reviewed the criteria for a waiver of site plan approval as listed in the Zoning Ordinance. He stated that the Office of Planning and Community Development and Engineering Department does not recommend a site plan waiver because the structure is the first building on the parcel and therefore does not meet each of the four criteria.

Mr. Katzman then asked if City staff was likely to recommend approval if Mr. England submitted a full site plan. Ms. Capone interjected that Mr. England would have to submit a full site plan even if he didn't receive a building permit in error. Mr. Davis then said that it was not Mr. England's error that he received a building permit and he should not be punished for it.

Mr. Lumbis stated that if the Planning Board does not approve the request for a waiver of site plan approval then Mr. England will have to submit a Site Plan application at a later date. Mr. Lumbis then explained to the Planning Board that because the application was not a full site plan, City staff only reviewed and commented on what was presented. He said the full Site Plan would require a much more thorough investigation.

Ms. Capone then stated that the submitted application does not meet the criteria to waive the requirements of site plan approval and that a full site plan is required.

Mr. Neddo then moved to approve the site plan waiver for the request submitted by Ron England on behalf of Al's Siding for the construction of a 1,659 square foot building at VL-3 Marble Street, Parcel # 4-27-402.100.

The motion was seconded by Mr. Davis and defeated by a 4-1 vote with Mr. Coburn, Ms. Capone, Mr. Katzman and Mr. Neddo voting nay and Mr. Davis voting aye.

Mr. Olley then asked if a Short EAF was acceptable for the full site plan. Mr. Lumbis said that because of the small size of the building (less than 4,000 sq. ft.) SEQR review is not necessary.

Mr. Olley then asked if it would be possible to complete the building without an approval, suggesting an approval contingent on a full site plan. Mr. Katzman responded that it was not possible but suggested that Planning Board hold a special meeting for this application. The entire planning board agreed that they would be able to meet separately as soon as Mr. Olley could produce a full site plan application. Mr. Coburn stated that the Planning Board has to provide five days notice prior to a special meeting.

Mr. Olley stated that an unresolved issue is that the City's street encroaches onto his client's property. He said this issue needs to be resolved before a full site plan can be developed. Mr. Drake asked if Mr. England would be willing to contribute a section of his land to be added to the City's right-of-way. Mr. Olley said that his client would be willing to discuss the possibility. He said that until the time that the property line issue is resolved he cannot design the site and produce a full application. Mr. Drake stated that he will discuss the situation with the other City engineers and produce one as soon as possible.

DECOMISSIONING MARSHALL PLACE AND A PORTION OF JACKSON STREET

The Planning Board then considered a request for the decommissioning of Marshall Place and a portion of Jackson Street.

Mr. Drake began by giving an explanation for the decommissioning. Mr. Drake said that the City had received a petition from the property owners along Marshall Place and from the Northern Regional Center for Independent Living asking the City to address traffic concerns along Marshall Place. The concern is that vehicles on the street are speeding which is exacerbated because street is only five feet from the fronts of the buildings. City streets are required to be posted at 30 miles per hour. Decommissioning the street would allow the City to post a speed less than 30 miles per hour.

Ms. Capone asked who maintains the streets currently. Mr. Drake replied that the City is currently maintaining the streets and noted that the area is highly pedestrian. Mr. Drake said that the City had considered adding curb extensions or speed bumps but that this is an idea that could be completed as a first step without a lot of expense. In order to decommission a City street, General City Law requires a recommendation to the City Council which is why the issue was brought to the Planning Board.

Ms. Capone then moved to recommend that the City Council decommission Marshall Place and a portion of Jackson Street.

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

Mr. Katzman then moved to adjourn the meeting. The motion was seconded by Mr. Davis and all voted in favor. The meeting was adjourned at 4:24 PM.