

**CITY OF WATERTOWN, NEW YORK
AGENDA**

This shall serve as notice that the next regularly scheduled meeting of the City Council will be held on Monday, June 6, 2011, at 7:00 p.m. in the City Council Chambers, 245 Washington Street, Watertown, New York.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPTION OF MINUTES

COMMUNICATIONS

PRIVILEGE OF THE FLOOR

RESOLUTIONS

- Resolution No. 1 - Approving Online Auction Contract, Auctions International Inc.
- Resolution No. 2 - Approving the 2011 Youth Employment Training Program Contract
- Resolution No. 3- Accepting Bid for Chemicals at the Water Treatment Plant, Slack Chemical Company, Inc.
- Resolution No. 4 - Accepting Bid for Chemicals at the Water Treatment Plant, Thatcher Company of NY
- Resolution No. 5 - Accepting Bid for Chemicals at the Water Treatment Plant, Kemira Water Solutions
- Resolution No. 6 - Accepting Bid for Chemicals at the Water Treatment Plant, Amrex Chemical Co. Inc.
- Resolution No. 7 - Accepting Bid for Ready Mix Concrete, Watertown Concrete, Inc.
- Resolution No. 8 - Authorizing Lease and Service Agreement, Rural Transit System Backup and Spare Bus Program

- Resolution No. 9 - Approving Agreement of Lease Between the City of Watertown and the Thompson Park Conservancy, Inc.
- Resolution No. 10 - Approving Agreement Between the City of Watertown and the Thompson Park Conservancy
- Resolution No. 11 - Approving Public Benefits Services Agreement Between the City of Watertown and the Watertown Urban Mission
- Resolution No. 12 - Approving Agreement for Public Benefit Services Between the City of Watertown And the Community Action Planning Council of Jefferson County, Inc.
- Resolution No. 13 - Approving Public Benefits Services Agreement Between the City of Watertown and the Volunteer Transportation Center, Inc.
- Resolution No. 14 - Finding That the Amendment of Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Watertown Revitalization Program Will Not Have a Significant Negative Impact on the Environment
- Resolution No. 15 - Finding that the Approval of the Zone Change Application of Dale Blanding to Change the Approved Zoning Classification of 214 Moulton Street, Parcel Number 3-01-120.001 From Light Industry to Residence C Will Not Have a Significant Impact on the Environment
- Resolution No. 16 - Approving the Site Plan for the Construction of a 9,383 sq. ft. Addition and a 1,900 sq. ft. Addition and Landscaping Improvements at 830 Washington Street, Parcel Numbers 14-02-100 and 14-08-111
- Resolution No. 17 - Approving the Site Plan for the Construction of a 231,073 sq. ft., 288-Bed Senior Living Facility on the 1500 Block of Washington Street, Parcel Numbers 13-23-101, 13-23-102.1 and 13-23-104
- Resolution No. 18 - Finding that the Approval of the Zone Change Application of Patrick J. Scordo of GYMO, PC on behalf of Samaritan Medical Center to Change the Approved Zoning Classification of Portions of Parcels 13-23-101 and 13-23-102.1 from Residence A or Unzoned to Commercial Will Not Have a Significant Impact on the Environment

ORDINANCES

Ordinance No. 1 - Amending City Municipal Code § 293,
Vehicles and Traffic

LOCAL LAW

PUBLIC HEARING

7:30 p.m. Ordinance Approving the Zone Change Request Submitted
by Dale Blanding, to Change the Approved Zoning
Classification of 214 Moulton Street, Parcel Number 3-01-
120.001 from Light Industry to Residence C

7:30 p.m. Ordinance Approving the Zone Change Request Submitted
by Patrick J. Scordo, changing the approved zoning
classification of a 13.618 acre portion of Parcel 13-23-101
from Residence A to Commercial, and a 2.485 acre non-
zoned portion of Parcel 13-23-102.1 to Commercial

7:30 p.m. Ordinance Amending Chapter 310, Zoning of the Code of
the City of Watertown to Implement the Local Waterfront
Revitalization Program

OLD BUSINESS

Laid Over Under the Rules - Ordinance Establishing Water Rates

STAFF REPORTS

NEW BUSINESS

EXECUTIVE SESSION

WORK SESSION

ADJOURNMENT

**NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING IS MONDAY,
JUNE 20, 2011.**

Res No. 1

May 19, 2011

To: The Honorable Mayor and City Council

From: Mary M. Corriveau, City Manager

Subject: Approving Online Auction Contract,
Auctions International Inc.

City Staff has determined that we have three Police Department vehicles, two Citibus vehicles, and a Department of Public Works vehicle which are surplus to our needs. Staff would like to move forward with selling this excess equipment using the services of Auctions International, Inc. which provides for the online auction of vehicles and equipment.

City Purchasing Agent Robert J. Cleaver believes the online auction will yield the best price for the City of Watertown. Details of the vehicles to be auctioned are contained in the attached report of Mr. Cleaver.

Attached for City Council consideration is a resolution authorizing the City to enter into the online auction Agreement with Auctions International, Inc. to sell these vehicles. A copy of the Agreement with Auctions International, Inc. is also attached for your review.

RESOLUTION

Page 1 of 1

Approving Online Auction Contract,
Auctions International, Inc.

Introduced by

Council Member BURNS, Roxanne M.

Council Member BUTLER, Joseph M. Jr

Council Member MACALUSO, Teresa R.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

WHEREAS the City of Watertown has determined that three (3) Police Department vehicles, one (1) Citibus vehicle and one (1) Department of Public Works vehicle are excess to the City's needs, and

WHEREAS it is the City's desire to get the best price possible for these vehicles, and

WHEREAS the Purchasing Agent, Robert J. Cleaver, has contacted Auctions International, Inc., which conducts online auctions of vehicles and equipment, and

WHEREAS there is no cost to the City, as the fee charged by Auctions International is a 10% buyer's premium,

NOW THEREFORE BE IT RESOLVED by the City Council that it hereby approves the Online Auction Contract with Auctions International, Incorporated, a copy of which is attached and made a part of this resolution, and

BE IT FURHTER RESOLVED that if the highest bid does not meet the City's estimated trade-in values, no sale will take place, without prior approval of the City Council, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to execute the Contract and accept the highest offer at the time of sale above the City's estimated trade-in values, on behalf of the City.

Seconded by



CITY OF WATERTOWN, NEW YORK

SUITE 205, CITY HALL, 245 WASHINGTON STREET

WATERTOWN, NEW YORK 13601

Tel. (315) 785-7749 • Fax (315) 785-7752

ROBERT J. CLEAVER
PURCHASING AGENT

May 16, 2011



To: Mary Corriveau
From: Robert J. Cleaver
Subject: Surplus Vehicle Auction

The Purchasing Department is requesting City Council's permission to auction the following vehicles via Auction's International's online website:

POLICE DEPARTMENT

2007 Ford Crown Vic, Gas, V8	Vin # 2FAHP71W67X154403	Mileage 104,674
2007 Ford Crown Vic, Gas, V8	Vin # 2FAHP71W87X154404	Mileage 93,385
2007 Ford Crown Vic, Gas, V8	Vin # 2FAHP71WX7X154405	Mileage 104,231

CITI BUS

2000 Ford E450 w/ Coach & Equipment Body	Vin # IFDXE45F8YHA75915	PT 200	Mileage 50,968
2005 Ford E450 w/ Coach & Equipment Body	Vin # IFDXE45PX6HA25765	PT 300	Mileage 62,707

DEPARTMENT OF PUBLIC WORKS

1994 Ford F250 Pickup Truck, w/ Fisher Plow less box, Gas, Vin # 2FTHF26H3RCA16287 Mileage 75,000

In the fall of 2010 the City utilized Auction International to dispose of 3 Police vehicles and 1 pickup truck from the Water Department that netted the City \$10,754.00. In the previous year the City auctioned a Sewer Vac for \$29,000 through Auctions International and trade-in offer for that vehicle was \$14,000.

Previous trade-in values offered by Warnock Fleet Leasing for our police vehicles ranged in value from \$300 per vehicle to \$1,000. Our expectations are again to exceed those values.

This request is for Council to authorize the Purchasing Department to accept the highest offer at time of sale provided the offer meets or exceeds the estimated trade-in values. All sales are at buyer's premium.

Attached is a copy of Auction International's Contract for approval.

cc: Jim Mills, Comptroller
Joe Goss, Police Chief
Eugene Hayes, Superintendent of Public Works
Attach Auction International contract

ONLINE AUCTION CONTRACT - AGREEMENT FOR SALE OF GOVERNMENT ASSETS BY ONLINE AUCTION

This Agreement made on ___ / ___ / 20___, between _____, hereafter called "Seller", and Auctions International, Inc., 808 Borden Road, Cheektowaga, NY 14227, hereafter called "Auctioneer":

The Auctioneer hereby agrees to use professional skill, knowledge, and experience to the best advantage of both parties in preparing for and conducting the sale. All auction items will be sold "As-Is, Where-Is", subject to the Seller's terms.

The Seller agrees to provide Titles, Keys and all other Proof of Ownership to customers who present a paid invoice from Auctions International, and release the purchased items once the Auctioneer has received full payment for the goods listed below (and described in detail on provided condition reports, and/or provided by electronic means to Auctioneer).

GOVERNMENT VEHICLES, MACHINERY, EQUIPMENT AND ALL OTHER SURPLUS ASSETS

The Seller agrees to provide merchantable title (with no liens or encumbrances) for motor vehicles, and agrees to write-in the purchase information on the back of any titles issued to purchasers (as required by law). The Seller furthermore agrees not to sell listed merchandise before the term of the online auction is complete, under any circumstances.

The Auction is to be held online at www.AuctionsInternational.com, beginning and closing on mutually agreed dates and times. The terms and prices of this contract shall remain in effect for two (2) years after the agreement is executed, based on the needs of the Seller. Notwithstanding the foregoing, the Seller may terminate this contract at any time for convenience.

It is agreed that all listed merchandise be sold to the highest bidder, "as-is", "where-is", with no warranty expressed, implied or otherwise, and with the Government Seller retaining the right to reject any bids that are insufficient. Seller agrees to specify a minimum acceptable price on each rejected bid, which will be posted on the 'Past Prices' page of the Auctioneer's website.

Purchaser(s) will be required to pay a 10% buyer premium, added to the successful high bid prices, which will constitute the Auctioneer's compensation for these services.

The Auctioneer will conduct auction(s) at no-cost to the Seller, provided the Seller takes photos and descriptions of the merchandise, and provides this information to the Auctioneer's staff. The Auctioneer reserves the right to combine low-value merchandise into larger online auction lots as necessary, based on past experience with such items.

If requested by the Seller, the Auctioneer's staff will travel to the Seller's facilities to obtain photos and condition reports of the Seller's items, for the following listing fees: Thirty dollar (\$30) fee for each vehicle, and Five dollar (\$5) fee for each auction lot that is not a motor vehicle. These listing fees will be deducted from the sale proceeds, before final payment is made to Seller.

The Auctioneer will mail a check to the Seller for all proceeds collected within fifteen (15) business days after the Seller approves the bids for the sale items, along with an accounting summary and copies of receipts. In the event of a bidder's refusal or failure to pay for their invoiced items, the Auctioneer will offer the unsold merchandise to the backup bidder, and the renegeing bidder will be banned from all future auctions. If the backup bidder does not take the merchandise for the backup bid price, then the merchandise will revert back to possession of the seller, after a reasonable time has been allowed for the backup bidder to get their payment to the Auctioneer. At the request of the Seller, any unsold merchandise can be re-listed in a future online auction.

INDEPENDENT STATUS. That during the existence of this agreement, the Auctioneer shall remain an individual, independent contractor, retaining it's separate identity and shall in no way be considered a division, department or agent of the Seller's agency or organization.

WAIVER. No waiver of any breach of any condition of the agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

ENTIRE AGREEMENT. This Agreement constitutes the entire agreement among the parties with respect to the subject matter of this Agreement, and supersedes any and all prior understandings and agreements, whether written or oral, and all prior dealings of the parties with respect to the subject matter of this Agreement.

Mary M. Corriveau
City Manager

315-785-7730

(x) _____
Seller's Authorizing Signature

Printed Name and Agency Title

Telephone Number

(x) City of Watertown, 245 Washington Street, Watertown, NY 13601
Seller's Agency Payment Address (Check will be made out and mailed to Seller, from Auctioneer, for payments received)

(x) _____
Auctioneer's Signature

Auctioneer's Printed Name

Res No. 2

June 1, 2011

To: The Honorable Mayor and City Council

From: Mary M. Corriveau, City Manager

Subject: Approving the 2011 Youth Employment Training Program Contract
Between the City of Watertown and the Jefferson-Lewis Workforce
Investment Area

The City of Watertown has received approval for two (2) training positions under the 2011 Summer Youth Employment Training Program. The Jefferson County Department of Employment and Training will be the employer and, as such, will pay the wages and fringe benefits of the youths employed under this program.

The two (2) positions will be assigned to various departments as follows:

Assessment Department	1 position
Code Enforcement	1 position

A copy of the Agreement between the City and the Jefferson-Lewis Workforce Investment Area is attached for City Council review. A resolution has been prepared for City Council consideration that authorizes the City's participation in the 2011 Summer Youth Employment and Training Program.

RESOLUTION

Page 1 of 1

Approving the 2011 Youth Employment Training Program Contract

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

Introduced by

WHEREAS the Jefferson County Department of Employment and Training and the Jefferson-Lewis Workforce Investment Area has allocated to the City of Watertown two (2) funded training positions under the Summer Youth Employment Training Program, and

WHEREAS various departments of the City of Watertown can provide training opportunities for young people of the community, and

WHEREAS the City and Jefferson County Department of Employment and Training have cooperated in past years with this same program,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby authorizes the City’s participation in the 2011 Summer Youth Employment Training Program, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to execute the Youth Employment Training Program Contract on behalf of the City of Watertown.

Seconded by

YOUTH EMPLOYMENT TRAINING PROGRAM

CONTRACT

Between the following parties:

Jefferson-Lewis Workforce Investment Area
(hereinafter referred to as WORKFORCE INVESTMENT AREA)

AND

City of Watertown
245 Washington St., Room 302
Watertown, NY 13601
(hereinafter referred to as WORKSITE)

The parties agree that:

This agreement shall take effect on July 5, 2011 and terminate on August 13, 2011. (*)

In return for the **WORKSITE** providing work experience for youth in a manner consistent with the terms and conditions herein contained, the **WORKFORCE INVESTMENT AREA** will pay the wages and fringe benefits of such employed youth. This agreement can be modified only by another written agreement if circumstances warrant.

FOR THE WORKFORCE INVESTMENT AREA

FOR THE WORKSITE

Signature

Signature

CHERYL A. MAYFORTH, DIRECTOR

Typed Name and Title

Mary M. Corriveau, City Manager

Typed Name and Title

*represents general program parameters,
not necessarily the specific dates of the work experience activity for youth

The **WORKSITE** will comply with the requirements of the **Workforce Investment Act of 1998** and the regulations and policies promulgated thereunder.

These requirements include, but are not limited to the following matters:

The **WORKSITE** must:

1. Permit participants to begin work only with prior approval from the **WORKFORCE INVESTMENT AREA**.
2. Inform participants of supervisor's name, role, and responsibilities and provide youth the opportunity to relate any problems that might arise.
3. Provide contingency plan for inclement weather when Worksites are outdoors.
4. Notify the **WORKFORCE INVESTMENT AREA** within 24 hours of any accidents, special situations, or unusual occurrences.
5. Evaluate each participant with regard to performance as agreed upon by the **WORKFORCE INVESTMENT AREA**.
6. Avoid personal and organizational conflict of interest.
7. Avoid paying or receiving kickbacks.
8. Maintain accurate financial and statistical records that are easily traceable to source documents.
9. Prohibit the charging of a fee to a participant for the referral to a job or placement in a job.
10. Avoid nepotism.
11. Avoid political patronage, lobbying or political activities.
12. Avoid involvement with religious or anti-religious activities.
13. Avoid prompting or opposing unionization and avoid employment of a participant in a place involved in a work stoppage.

14. Avoid Maintenance of Effort, meaning that no funds will be used to fill a job opening created by the action of an employer in laying off or terminating the employment of any other regular employee not supported under the Act in anticipation of filling the vacancy so created by hiring an employee to be supported under the Act.
15. Avoid the theft or embezzlement of WIA funds, improper inducement for employment or contracts, and obstruction of investigation under the Act, its regulations or local policies.
16. Maintain sufficient, auditable and adequate records which support all expenditures under the Act for a period of not less than 3 years after the close of the grant of funds.
17. Recognize the **WORKFORCE INVESTMENT AREA'S** mandated obligation to review and monitor any and all worksite activity, and program related records on a regular basis. Therefore, the **WORKSITE** will allow the **WORKFORCE INVESTMENT AREA** to have unrestricted access to program related forms or documents whether or not they are **WORKFORCE INVESTMENT AREA** forms or **WORKSITE** forms of any source or nature; and the unrestricted right to review worksite activity, with or without prior notification. Furthermore, the **WORKFORCE INVESTMENT AREA** has the right to make inquiries to and procure information from **WORKSITE** non-WIA and WIA employees for the purpose of monitoring and evaluating program operation.
18. Recognize the **WORKFORCE INVESTMENT AREA'S** mandated obligation to have sole control over the intake, eligibility determination and verification of all participants under this contract.
19. Recognize the **WORKFORCE INVESTMENT AREA'S** mandated obligation to provide counseling services for all participants so as to improve their employability. To meet this requirement, the **WORKSITE** will allow private consultation and unrestricted observation of participants during participant working hours by counselors. As part of the effort to improve employability to participants, it may be necessary from time to time to allow participants time off during working hours, for a length of time decided by the **WORKFORCE INVESTMENT AREA** for workshops, assessment, training, job searches or other related activities. These activities will be permitted and encouraged by the **WORKSITE**. The **WORKFORCE INVESTMENT AREA'S** will also ensure that each participant has proper working papers, if required.

20. Recognize the **WORKFORCE INVESTMENT AREA'S** requirement to provide remediation to all program enrollees found deficient in educational skill areas (i.e.-math, reading), as determined by the **WORKFORCE INVESTMENT AREA**. As part of the mandate to provide remediation, the **WORKSITE** shall encourage/promote the attendance of youth at the scheduled classes, and not permit the youth to work when he/she should be attending class. Should the youth attend work instead of class, this will be considered as an absence, and not subject to payment of wages for the unauthorized attendance at the worksite. As such, potential liability coverage for the unauthorized attendance and wages may not be allowable under existing workman's compensation coverage provided to program enrollees, thereby making the worksite liable in a case of on-site injury during unauthorized work time.
21. Recognize that the government, all levels, is committed to carry out Affirmative Action to assure equal employment opportunities for all individuals in the labor force.

The County of Jefferson has a commitment to the spirit and intent of Affirmative Action in the operation of the WIA program. The policy of the United States government on Affirmative Action will be employed in the Jefferson County WIA program and is stated as follows:

"No person in the United States shall, on the grounds of race, color, religion, sex, national origin, age, handicap, or political affiliation or belief be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment if the administration of or in connection with any program or activity funded in whole or in part with funds made available under this Act."

The Jefferson County Department of Employment and Training will require all agencies participating in the WIA program to comply with the intent of Affirmative Action.

22. Recognize that the **WORKFORCE INVESTMENT AREA** has full responsibility and authority to operate the complaint and grievance procedures. The grievance procedure will be utilized for any complaint procedure alleging a violation of the Act, regulations, grant, or any other agreement under the Act.
23. Recognize that the **WORKFORCE INVESTMENT AREA** shall determine participant time limitation for activities on this program. The **WORKSITE** will immediately inform the **WORKFORCE INVESTMENT AREA** of discretionary leaves of absences that might affect participant time limitations. Such leaves of absences are subject to the approval of the **WORKFORCE INVESTMENT AREA**.

24. Conform to the policies of the **WORKFORCE INVESTMENT AREA**, which is responsible for implementation of the federal job training regulations and other state policies which the **WORKFORCE INVESTMENT AREA** may be required or may at its discretion put into effect.
25. Permit the **WORKFORCE INVESTMENT AREA** to issue press releases regarding WIA activities when in the **WORKFORCE INVESTMENT AREA'S** sole discretion it is advisable. The **WORKSITE** must consult with and receive **WORKFORCE INVESTMENT AREA** approval prior to the issuance of press releases on any activity involving WIA participants.
26. Notify the **WORKFORCE INVESTMENT AREA** immediately of any change in participant's status.
27. Provide adequate on-site supervision for each participant which means that there will be at least one supervisor for every five participants and that a substitute supervisor will be available during the absence of the regular supervisor.
28. Provide sufficient work to occupy participants during working hours including adequate equipment and materials for participants to perform those duties.
29. Provide a safe and healthy working environment and adhere to the provisions of the state child labor laws and applicable federal rules and laws.
30. Provide potential supervisors with sufficient time in order that all immediate worksite supervisor(s) receive orientation as to their duties and responsibilities to the Youth Employment Training Program.
31. Comply with the **WORKFORCE INVESTMENT AREA** policy concerning the completion of time sheets and the reporting of attendance as has been detailed by the initial worksite interview and work supervisor orientation. This includes, but is not limited to, the assurance that participants will not be paid for unexcused absences, unworked hours or for solely recreational activities.
32. By signing this contract, the agency certifies the participants of the Youth Program is not displacing any currently employed worker, and no individuals are on layoff status from the same job title or substantially equivalent job task which a participant shall be employed in. This also certifies this agency has not terminated the employment of any regular employee or otherwise reduced the size of the agency workforce for the purpose of filling the vacancy created by hiring a participant.

33. Recognize the **WORKFORCE INVESTMENT AREA**'s requirement to provide orientation to participants on program purposes, policies, and procedures.
34. Recognize the **WORKFORCE INVESTMENT AREA**'s requirement to provide the **WORKSITE** with instructions and procedure forms.
35. Recognize the **WORKFORCE INVESTMENT AREA**'s requirement to provide Labor Market Orientation, Career Exposure Activities, Counseling, and Supportive Services to the participant.
36. Recognize the **WORKFORCE INVESTMENT AREA**'s to be considered the employer and provide workman's compensation, social security, federal and state income tax. Payroll checks will be mailed on a bi-weekly basis.
37. Recognize that the performance of work under this contract may be terminated by the **WORKFORCE INVESTMENT AREA** when, for any reason, it is determined that such termination is in the best interest of the program or when it has been determined that the **WORKSITE** has failed to provide any of the services specified or to comply with any of the provisions contained in the contract. The contract is contingent upon the availability of funding from the New York State Department of Labor. In the event such funding is terminated, the **WORKFORCE INVESTMENT AREA** reserves the right to terminate this contract prior to the scheduled determination date.
38. Recognize that trainees will not be terminated without prior notice to the trainee and the **WORKFORCE INVESTMENT AREA**, with reasonable opportunity for correction or improvement of performance. This may include, but is not limited to, sub-standard or unsatisfactory progress or conduct.
39. Agree to maintain the confidentiality of any information regarding workers and/or applicants or their families, which may be obtained through application form, interviews, tests, reports from public agencies or counselors, or any other source.

40. Signing of this contract certifies agency compliance with Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participant's Responsibilities, published as Part VII of the May 26, 1988 Federal Register.

Executive Order 12549 states:

The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

*Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

*Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

*Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or Local) with commission of any of the offenses enumerated the above paragraphs of this certification; and

*Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or Local) terminated for cause or default.

Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this contract.

Complete instructions for certification regarding debarment, suspension, and other responsibility matters are available through the Jefferson County Department of Employment and Training.

APPENDIX A
Certification of a Drug-Free Workplace

- A. The Employer hereby certifies that it will or will continue to provide a drug-free work place by:
- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Employer's work place and specifying the actions that will be taken against employees for violation of such prohibition;
 - (b) Establishing an ongoing drug-free awareness program to inform employees about--
 - 1. The dangers of drug abuse in the work place;
 - 2. The Employer's policy of maintaining a drug-free work place;
 - 3. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - 4. The penalties that may be imposed upon employees for drug violations occurring in the work place;
 - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
 - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will--
 - 1. Abide by the terms of the statement; and
 - 2. Notify the employer in writing of his/her conviction for a violation of a criminal drug statute occurring in the work place no later five calendar days after such conviction;
 - (e) Notify the Employer in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice will include the identification number(s) of each affected grant;
 - (f) Taking one of the following action within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted --
 - 1. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - 2. Requiring such employees to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
 - (g) Making a good faith effort to continue to maintain a drug-free work place through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

- B. The Employer may insert the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street Address, city, county, state, and zip code) _____
 245 Washington Street, Watertown, Jefferson County, NY 13601

Check [] if there are workplaces on file that are not identified here.

 Signature

Mary M. Corriveau, City Manager

 Name and Title



**Jefferson County
Department of Employment and Training**

CHERYL A. MAYFORTH, DIRECTOR

1000 Coffeen St.
Watertown, New York 13601

Phone: (315) 782-9252
Fax: (315) 782-2073
TTY: (315) 782-8093

TO: 2011 Youth Program Worksites

FROM: Cheryl A. Mayforth *Cheryl Mayforth*

SUBJECT: Contract for 2011 Youth Employment Program

DATE: May 27, 2011



Enclosed is a worksite contract for the **2011 Youth Employment Program**.

Allocation of positions was accomplished through fair and equitable distribution throughout the County, considering the worksite opportunities proposed and the availability of youth to fill worksite needs.

Please return the signed contract (**first page**) and Appendix A - Certification of a Drug-Free WorkPlace (**last page**) to this office as soon as possible. Questions regarding this contract can be forwarded to Julie Daniels at (315) 786-3671.

Thank you for your continued interest in the youth of our communities. We look forward to a productive summer program of work and learning.

Res Nos. 3, 4, 5, 6

May 24, 2011

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Accepting Bids for Purchase of Chemicals, Water Treatment Plant

The City Purchasing Department advertised in the *Watertown Daily Times* for sealed bids for the purchase of the City's 2011-2012 fiscal years' requirements of various water treatment chemicals, per specifications, on an as needed basis.

Invitations to bid were issued to nine (9) prospective bidders, with a total of seventeen (17) bids being received from six (6) vendors that were publicly opened and read in the Purchasing Department on Wednesday, May 18, 2011 at 11:00 a.m.

City Purchasing Agent Robert J. Cleaver reviewed the bids received with Gary E. Pilon, Superintendent of Water, and it is their recommendation that the awards be issued to each of the following bidders that are the lowest qualifying bidders meeting City specifications:

Slack Chemical Co., Inc. 465 South Clinton St. Carthage, NY 13619	Liquid Aluminum Sulfate Liquid Sodium Silicate Liquid Chlorine cyl deposit	\$ 213.84/dry ton \$ 321.14/dry ton \$ 559.28/ton cyl \$ 750.00/cyl
Thatcher Company of NY P.O. Box 118 Williamson, NY 14589	Powdered Activated Carbon Hydrofluosilicic Acid	\$1,485.40/dry ton \$ 834.24/dry ton
Kemira Water Solutions 3211 Clinton Pky Ct. #1 Lawrence, KS 66047	Polyaluminum Chloride Stern Pac	\$ 310.00/wet ton
Amrex Chemical Co. Inc. 117 E. Frederick Street Binghamton, NY 13902	Crystal Copper Sulfate	\$3,460.00/dry ton

The other bids submitted are detailed in the attached report of Mr. Cleaver.

Resolutions have been prepared for City Council consideration.

RESOLUTION

Page 1 of 1

Accepting Bid for Chemicals at the Water Treatment Plant, Slack Chemical Company, Inc.

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

Introduced by

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City’s Water Treatment Plant, for the City’s 2011-2012 fiscal years’ requirements, on an as needed basis, and

WHEREAS invitations to bid were issued to nine (9) bidders, with a total of seventeen (17) bids being received from six (6) vendors, and

WHEREAS on Wednesday, May 18, 2011 at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids received with Gary E. Pilon, Superintendent of Water, and it is their recommendation that the City Council accept the bids from Slack Chemical, Inc., Carthage, New York, as detailed below:

Liquid Aluminum Sulfate	\$ 213.84/dry ton
Liquid Sodium Silicate	\$ 321.14/wet ton
Liquid Chlorine	\$ 559.28/ton cyl
cyl deposit	\$ 750.00/cyl

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bids submitted by Slack Chemical, Inc., Carthage, New York, as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchases of Liquid Aluminum Sulfate, Liquid Sodium Silicate, Liquid Chlorine, and cyl deposit for use at the City’s Water Treatment Plant.

Seconded by

RESOLUTION

Page 1 of 1

Accepting Bid for Chemicals at the Water Treatment Plant, Thatcher Company of NY

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

Introduced by

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City’s Water Treatment Plant, for the City’s 2011-2012 fiscal years’ requirements, on an as needed basis, and

WHEREAS invitations to bid were issued to nine (9) bidders, with a total of seventeen (17) bids being received from six (6) vendors, and

WHEREAS on Wednesday, May 18, 2010, at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids received with Gary E. Pilon, Superintendent of Water, and it is their recommendation that the City Council accept the bids from Thatcher Company of NY, Williamson, New York, as detailed below:

Powdered Activated Carbon	\$1,485.40/dry ton
Hydrofluosilicic Acid	\$ 834.24/wet ton

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bids submitted by Thatcher Company of NY, Williamson, New York, as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchases of Powdered Activated Carbon and Hydrofluosilicic Acid for use at the City’s Water Treatment Plant.

Seconded by

RESOLUTION

Page 1 of 1

Accepting Bid for Chemicals at the Water Treatment Plant, Kemira Water Solutions

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City’s Water Treatment Plant, for the City’s 2011-2012 fiscal years’ requirements, on an as needed basis, and

WHEREAS invitations to bid were issued to nine (9) bidders, with a total of seventeen (17) bids received from six (6) vendors, and

WHEREAS on Wednesday, May 18, 2011 at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids received with Gary E. Pilon, Superintendent of Water, and it is their recommendation that the City Council accept the bid from Kemira Water Solutions, Lawrence, Kansas, as detailed below:

Polyaluminum Chloride	\$ 310.00/wet ton
Stern Pac	

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bids submitted by Kemira Water Solutions, Lawrence, Kansas, as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of Polyaluminum Chloride for use at the City’s Water Treatment Plant.

Seconded by

RESOLUTION

Page 1 of 1

Accepting Bid for Chemicals at the Water Treatment Plant, Amrex Chemical Co. Inc.

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

Introduced by

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City’s Water Treatment Plant, for the City’s 2011-2012 fiscal years’ requirements, on an as needed basis, and

WHEREAS invitations to bid were issued to nine (9) bidders, with a total of seventeen (17) bids being received from six (6) vendors, and

WHEREAS on Wednesday, May 18, 2010, at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids received with Gary E. Pilon, Superintendent of Water, and it is their recommendation that the City Council accept the bids from Amrex Chemical Co. Inc., Binghamton, New York, as detailed below:

Crystal Copper Sulfate \$3,460.00/dry ton

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bids submitted by Amrex Chemical Co. Inc., Binghamton, New York, as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of Crystal Copper Sulfate for use at the City’s Water Treatment Plant.

Seconded by



CITY OF WATERTOWN, NEW YORK

SUITE 205, CITY HALL, 245 WASHINGTON STREET

WATERTOWN, NEW YORK 13601

Tel. (315) 785-7749 • Fax (315) 785-7752

ROBERT J. CLEAVER
PURCHASING AGENT



May 23, 2011

To: Mary Corriveau
From: Robert J. Cleaver
Subject: Chemical Bids (Water Filtration)

The City's Purchasing Department advertised in the Watertown Daily Times on Monday, April 25, 2011 calling for sealed bids for the purchase of the City's 2011-2012 fiscal years' requirements of various water treatment chemicals, per specifications, for use at the City's Water Filtration Plant, on an as needed basis.

Invitations to bid were issued to nine (9) prospective bidders with a total of 17 bids received from 6 vendors for the 7 chemicals specified and they were publicly opened and read in the Purchasing Department on Wednesday, May 18, 2011 at 11:00 a.m. local time. One other bid was received 55 minutes after the announced bid opening time and therefore disqualified. It remains sealed in the bid file.

I have reviewed Mr. Pilon's letter of recommendation and I concur that the awards be issued to each of the following vendors that are the lowest qualified bidders for each of the products listed below:

Slack Chemical Co Inc.: 465 South Clinton Street Carthage, N.Y. 13619	Liquid Aluminum Sulfate Liquid Sodium Silicate Liquid Chlorine cyl deposit	\$ 213.84/ dry ton \$ 321.14/ dry ton \$ 559.28/ ton cyl. \$ 750.00/cyl
Thatcher Company of NY P.O. Box 118 Williamson, N.Y. 14589	Powdered Activated Carbon Hydrofluosilicic Acid	\$ 1,485.40/ dry ton \$ 834.24/ dry ton
Kemira Water Solutions 3211 Clinton Pky Ct. # 1 Lawrence, KS. 66047	Polyaluminum Chloride Stern Pac	\$ 310.00/ wet ton
Amrex Chemical Co. Inc.	Crystal Copper Sulfate	\$ 3,460.00/ dry ton

Please contact me at your convenience if you have any questions regarding this recommendation.

cc: Gary Pilon, Water Superintendent
Brian Gaffney, Chief Plant Operator
file
attach: bid tabulation
Letter of Recommendation – Gary Pilon

CITY OF WATERTOWN, N.Y.
 WATER TREATMENT CHEMICALS
 BID TABULATION – 5/18/2011
 Page 1 Of 2

LIQUID ALUMINUM SULFATE

<u>Vendor</u>	<u>Product Code #Manufacturer</u>	<u>\$/US dry ton-delivered</u>
Slack Chemical Corp	General Chemical	\$ 213.84
General Chemical Corp	General Chem Corp.	\$ 232.00
Thatcher Co of NY	Thatcher	\$ 254.72
Delta Chemical Corp.	Delta	\$ 452.00

ACTIVATED CARBON

Thatcher Co of NY	Cal-Pacific PACarb	\$ 1,485.40
Slack Chemical Corp	Cal-Pacific PACarb	\$ 1,598.08

LIQUID CHLORINE

Slack Chemical Corp	Olin Chlor Alkali Products	(one ton cylinders) \$ 559.28/ton
Cyl Deposit		\$ 750.00/cyl
Amrex Chemical Co., Inc.		\$ 800.00/ton

CRYSTAL COPPER SULFATE

Amrex Chemical Co	Fabrica de Sulfato el Aguila	\$ 3,460.00
Thatcher Co.	Fabrica de Sulfato el Aguila	\$ 4,571.12
Slack Chemical Corp	Chem One Ltd	\$ 4,683.94

HYDROFLUOSILICIC ACID

Thatcher Company	Mosaic	\$ 834.24
Slack Chemical Corp.	Solvay Fluorides	\$ 1021.90

POLYALUMINUM CHLORIDE

Kemira Water Solutions Inc. .	SternPac	\$ 310.00 /wet ton
Minimum 46,000 pound truckload required		

LIQUID SODIUM SILICATE

Slack Chemical	National Silicates	\$ 321.14
Amrex Chemical Co*	PQ Corp	\$ 322.60
Thatcher Co of NY	PQ Corp	\$ 322.74

END OF BID TABULATION

Watertown Water Department

Inter-office Memo

DATE: May 20, 2011

TO: Mary Corriveau, City Manager
FROM: Gary Pilon, Supt. of Water
SUBJECT: **Recommendation of Bid Awards**
Water Treatment Plant Chemicals

Sealed bids for chemicals for use at the City's Water Treatment Plant were received on May 18, 2011 and opened in the office of the City Purchasing Agent.

I have reviewed the bid tabulations for chemicals for use at the Water Treatment Plant for FY 2011-2012 and find that the low bid for each chemical is acceptable.

Therefore, I recommend that the following vendors be awarded the contracts for supplying the chemicals for which they have submitted the lowest bid:

Slack Chemical Corporation 465 Clinton Street Carthage, New York 13619	Liquid Aluminum Sulfate	\$ 213.84 / Dry Ton
	Liquid Chlorine	\$ 559.28 / Ton Cyl.
		\$ 750.00 Cyl. Dep.
	Liquid Sodium Silicate	\$ 321.14 / Dry Ton
Thatcher Company of NY P.O. Box 118 Williamson, New York 14589	Powdered Activated Carbon	\$1,485.40 / Ton
	Hydrofluosilicic Acid	\$ 834.24 / Ton
Kemira Water Solutions 3211 Clinton Pky. , Ct. #1 Lawrence, Kansas 66047	Polyaluminum Chloride (Stern Pac)	\$ 310.00/Wet Ton
Amrex Chemical Co., Inc. 117 E. Frederick Street Binghamton, New York 13902	Crystal Copper Sulfate	\$3,460.00/Dry Ton

Please contact me if you have any questions.

Gary Pilon

cc: Bob Cleaver, Purchasing Agent
Brian Gaffney, Chief WTP Operator

Res No. 7

June 1, 2011

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Accepting Bid for Ready Mix Concrete

The City Purchasing Department has advertised and received sealed bids for the purchase of Ready Mix Concrete for use by all City Departments during Fiscal Year 2011-2012, on an as needed basis, per our specifications.

Invitations to bid were issued to three (3) prospective bidders with two (2) bids received and publicly opened and read in the City Purchasing Department on Tuesday, May 31, 2011, at 11:00 a.m.

City Purchasing Agent Robert J. Cleaver reviewed the bids received with Superintendent of Public Works Eugene P. Hayes, and it is their recommendation that the City accept the bid from Watertown Concrete, Inc., Watertown, New York, as the lowest qualifying bidder meeting our specifications. The bids received are outlined in Mr. Cleaver's report, which is attached. He has noted that both of the bidders specified terms with their proposal with respect to minimum delivery charges, Saturday deliveries and fuel surcharges, which altered the lowest qualifying bid based on the City's needs.

RESOLUTION

Page 1 of 1

Accepting Bid for Ready Mix Concrete,
Watertown Concrete, Inc.

Introduced by

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.
Total

YEA	NAY

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of Ready Mix Concrete for use by all City Departments during Fiscal Year 2011-2012, and

WHEREAS invitations to bid were issued to three (3) prospective bidders with two (2) bids received and publicly opened and read in the City Purchasing Department on Tuesday, May 31, 2011, at 11:00 a.m., and

WHEREAS City Purchasing Agent Robert J. Cleaver and Superintendent of Public Works Eugene P. Hayes reviewed the bids received, and it is their recommendation that the City Council accept the bid submitted by Watertown Concrete, Inc., Watertown, New York, as detailed below, all with a 2 yard minimum delivery:

4000 lb. Coarse	\$ 90.00/cubic yard
4000 lb. Fine Mix	\$ 90.00/cubic yard
5000 lb. Fine Mix	\$ 93.00/cubic yard
4000 lb. Course / Heated Concrete	\$100.00/cubic yard
4000 lb. Fine Mix / Heated Concrete	\$100.00/cubic yard
5000 lb. Fine Mix / Heated Concrete	\$103.00/cubic yard

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by Watertown Concrete, Inc., Watertown, New York, as detailed above, for the purchase of Ready Mix Concrete for use by all City Departments.

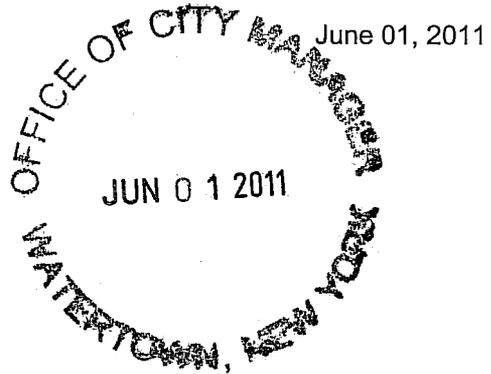
Seconded by



CITY OF WATERTOWN, NEW YORK

SUITE 205, CITY HALL, 245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601
Tel. (315) 785-7749 • Fax (315) 785-7752

ROBERT J. CLEAVER
PURCHASING AGENT



TO: Mary Corriveau
FROM: Robert Cleaver
SUBJECT: Ready Mix Concrete Bid

The City's Purchasing Department advertised in the Watertown Daily Times on Monday, May 23, 2011, calling for sealed bids for the purchase of the City's 2011-2012 fiscal years requirements of READY MIX CONCRETE, per our specification, on an as needed basis, for use by all City Departments.

Invitations to bid were issued to 3 prospective bidders with 2 bids received and publicly opened and read in the Purchasing Department at 11:00 A.M. local time, Tuesday, May 31, 2011. Results of those bids are as follows:

ALL PRICES ARE QUOTED ON AN PER CUBIC YARD BASIS

	RURAL HILL SAND & GRAVEL	WATERTOWN CONCRETE	CRANESVILLE BLOCK CO INC
CRUSHED GRAVELSTONE			
4000 LB COARSE	No bid	\$90.00	\$87.00
4000 LB FINE MIX	No bid	\$90.00	\$87.00
5000 LB FINE MIX	No bid	\$93.00	\$91.00

In reviewing the respective bids, each bidder specified terms with their proposal and they are as follows:

Watertown Concrete – specified a 2 yard minimum delivery and they quoted a surcharge for heated concrete at \$10.00 per cubic yard per type of mix.

Cranesville Block Co. – specified small load charges to be added on loads less than 6 C/Y and they are as follows:

Loads 1 – 1.99 C/Y	\$100.00 per load
Loads 2 – 2.99	\$ 90.00 " "
Loads 3 – 3.99	\$ 60.00 " "
Loads 4 – 4.99	\$ 45.00 " "
Loads 5 – 5.99	\$ 35.00 " "

Saturday deliveries (7:00 am – 11:30 am)	\$50.00 per load
Fuel & Environmental Surcharge	\$10.00 per load

I have reviewed the 2 submittals with Superintendent of Public Works, Mr. Eugene Hayes and in examining the City's delivery requirements for 2010 through 2011, 94% of all deliveries were for quantities less than 6 c/y in 2010 and in 2011, 80% of all deliveries to date were less than 6 c/y. If we were to factor in Cranesville's load charges and miscellaneous delivery fees for less than 6 c/y our annual cost for Redi-Mix concrete for 2011 – 2012 will be greater than if we were to contract with Watertown Concrete at the higher rate. Therefore, it is my recommendation that we accept the bid from Watertown Concrete for Redi-Mix Concrete on an as needed basis in the amounts of \$90.00 per c/y for the 4,000 lb coarse and fine mix and \$93.00 per c/y for 5,000 lb fine mix.

Please feel free to contact me if you have any questions regarding this recommendation.

A handwritten signature in black ink that reads "Robert J. Cleaver". The signature is written in a cursive, flowing style.

cc: Eugene Hayes, Superintendent of Public Works
Peter Monaco, Assistant Superintendent of Public Works
Kurt Hauk, City Engineer
Gary Pilon, Water Superintendent
file

Res No. 8

June 2, 2011

To: The Honorable Mayor and City Council

From: Mary M. Corriveau, City Manager

Subject: Approving Lease and Service Agreement for Spare Bus Program
Between the City of Watertown and Otsego County

Since 2002, the City has been involved in the Federal Section 5311 Rural Transit System Backup and Spare Bus Program. As you will recall, this program, administered by the State of New York, strategically locates backup and spare buses for use by small rural transit systems in communities throughout the State.

The City of Watertown currently owns and houses one of these backup and spare buses. New York State Department of Transportation has been contacted by Otsego County regarding their desire to lease a spare bus for one year.

In accordance with the Lease Agreement, Otsego County will need to keep the vehicle registered and insured. The City of Watertown will continue to hold title to the vehicle, and the vehicle will be returned to the City at the end of the Lease term. As detailed in Appendix B, Otsego County will lease this vehicle from June 7, 2011 through June 6, 2012.

Attached for your review and consideration is the Lease and Service Agreement for the Spare Bus Program that has been provided to us by the State of New York

A resolution authorizing this Lease Agreement has been prepared for City Council consideration.

RESOLUTION

Page 1 of 1

Authorizing Lease and Service Agreement,
Rural Transit System Backup and
Spare Bus Program

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the New York State Department of Transportation has determined that small rural transit systems generally have fewer spare and backup vehicles to rely on when their fleet experiences mechanical failures or their buses are out of service for extended periods of time, and

WHEREAS a Federal Section 5311 Rural Transit System Program has been designed to assist rural transit providers by strategically locating backup and spare buses for use by small rural transit systems, and

WHEREAS the City of Watertown participates in said program by housing one of the backup and spare buses, and

WHEREAS New York State Department of Transportation has been contacted by Otsego County regarding their desire to lease a spare bus from June 7, 2011 to June 6, 2012,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Lease and Service Agreement for Spare Bus Program between the City of Watertown and Otsego County, a copy of which is attached and made a part of this resolution,

BE IT FURTHER RESOLVED that the City Manager of the City of Watertown is hereby authorized and directed to execute said Lease and Service Agreement on behalf of the City of Watertown.

Seconded by

LEASE AND SERVICE AGREEMENT

FOR SPARE BUS PROGRAM

THIS AGREEMENT made this day of , between the City of Watertown herein after referred to as "Municipal Corporation" or "Lessor) and the County of Otsego (herein after referred to as "Lessee")

W I T N E S S E T H:

WHEREAS, the Municipal Corporation is a grantee for certain capital equipment funded under the State Dedicated Fund program pursuant to a written Agreement with the State; and

WHEREAS, the Lessee is a grantee for projects funded under the Federal Non-Urbanized Area Public Transportation program pursuant to an approved Project Application and written Agreement with the State; and

WHEREAS, the Municipal Corporation will lease the capital equipment to the Lessee pursuant to the provisions of this Agreement; and

WHEREAS, the Lessee will utilize the capital equipment to provide certain public mass transportation services pursuant to an approved Project Application and Agreement with the State.

NOW, THEREFORE, in consideration of the mutual covenants herein set forth, the Municipal Corporation and the Lessee agree as follows:

1. Definitions. As used in this Agreement:

 "State" means the State of New York.

 "FTA" means the Federal Transit Administration of the United States Department of Transportation.

 "Project Application" means the federal Section 5311 application submitted, by the Municipal Corporation or by another Municipal Corporation which may contract with the Lessee, to and approved by the Commissioner, including all project supporting information submitted therewith.

 "Capital Equipment" means the vehicles or other equipment obtained by the Municipal Corporation through the State Dedicated Fund program administered by the State, said equipment to be leased to the Lessee pursuant to this Agreement.

“Service Period” means the period of time set forth in Appendix B of this Agreement.

“Scope of Work” means the authorized public mass transportation services to be provided by the Lessee during the Service Period, as described in the Municipal Corporation’s approved Project Application and Appendix B of this Agreement.

“Commissioner” means the Commissioner of Transportation of the State of New York or the Commissioner’s duly authorized representatives.

“Department” means the New York State Department of Transportation.

2. Purpose of Agreement. The purpose of this Agreement is to provide for the lease of the Capital Equipment to the Lessee and the provision of certain public mass transportation services by the Lessee utilizing said Capital Equipment, and to state the terms, conditions and mutual understandings of the parties governing said lease, and the operation and maintenance of the Capital Equipment.

3. Documents Forming the Agreement. This Agreement consists of this document and the following listed attachments:

Appendix A-- Standard Provisions for All New York State Contracts

Appendix B-- Scope of Work, Service Period and Financial Reimbursement

The Lessee agrees to comply with all applicable terms and conditions contained in the aforementioned documents, including all applicable rules, regulations and project supporting information and assurances of Section 5311 of Title 49, United States Code.

4. Use of Capital Equipment. The Lessee agrees that the Capital Equipment leased from the Municipal Corporation in accordance with this Agreement will only be used to provide public mass transportation services as these are described in an approved Project Application and Appendix B of this Agreement, and that any unauthorized use of said Capital Equipment that is not in conformance with said services as described therein shall be cause for the termination of this Agreement by the Municipal Corporation. Use of the Capital Equipment to provide charter or sightseeing transportation service is not permitted.

The Lessee shall keep accurate records with regard to the use of the Capital Equipment and shall submit to the Municipal Corporation such information or reports as the Municipal Corporation may from time to time request in connection therewith. The Lessee shall immediately notify the Municipal Corporation in all cases where any of the Capital Equipment is used in a manner substantially different from that required by this Agreement.

Further, the Lessee agrees to provide the annual certification of insurance described in Article 13. Also, the Lessee shall submit to the Municipal Corporation such reports relative to

the use of the Capital Equipment as are required by the New York State Department of Transportation.

The Capital Equipment may not, at any time, be used exclusively for the personal transportation or the private purposes of the employees, agents, representatives, clients or associates of the Municipal Corporation or the Lessee. Violation of this restriction shall be cause for the immediate termination of this Agreement by the Municipal Corporation.

5. Maintenance of Equipment. The Lessee agrees to keep the Capital Equipment in a safe and clean condition and in good working order, and to garage or store the equipment in a secure manner. The Lessee agrees to properly maintain the equipment according to the procedures described in the manufacturer's service manual and through generally accepted bus industry practices for such equipment. In addition, the Lessee agrees to comply with such other maintenance or other conditions relating to the safe and acceptable operation of the Capital Equipment, as the Municipal Corporation may from time to time require.

The Lessee agrees to have the equipment inspected by NYSDOT Motor Vehicle Inspectors, regardless of whether it would normally be exempt from the inspection requirements. Any defects found through this inspection must be corrected in a reasonable time.

The Lessee must adhere to the required scheduled routine maintenance which comes due during the period of the lease and will be responsible for all such costs. If major maintenance procedures need to be completed while a Lessee has possession of the equipment, and the costs would be eligible to be reimbursed to the Municipal Corporation by NYSDOT, then the Lessee would be eligible to be reimbursed for the expenses.

6. Contracts of the Lessee. The Lessee shall not execute any contract, amendment thereto, or change order, or obligate itself in any manner with any successor Lessee with respect to its rights and responsibilities under this Agreement without the prior written concurrence of the Municipal Corporation. The Municipal Corporation shall require the inclusion therein of such terms and conditions as they may deem necessary or desirable to effectuate the purpose of this Agreement as a pre-requisite to their approval.

7. Termination or Suspension. If the Lessee, before completion, discontinues the public mass transportation services pursuant to this Agreement or if, for any reason, the commencement, prosecution or timely completion of these services by the Lessee is rendered improbable, impossible or illegal, the Municipal Corporation, by written notice to the Lessee, may terminate any or all of the Municipal Corporation's obligations under this Agreement or may suspend any or all of its obligations under this Agreement until the event or condition resulting in such suspension has ceased or been corrected.

Upon receipt of any such notice of termination or suspension, the Lessee shall promptly carry out the actions required by such notice which may include any or all of the following: (1) termination or suspension of the use of Capital Equipment and such other action as the Municipal Corporation deems necessary; (2) furnishing a status report on the physical condition

of the Capital Equipment; and (3) furnishing an estimate of the current fair market value of the leased Capital Equipment.

8. Record and Documentation. The Lessee shall retain all data, reports, records, logs, and other materials and information relating to activities covered by this Agreement for a period of one (1) year following the termination date of the Service Period under this Agreement and shall make the same available to the Commissioner or his or her authorized representatives, for audit, inspection and copying, upon request.

9. Lessee Authorization under Federal, State and Local Law. In the event that any approval, permit, action, proceeding or authorization is required by applicable law, ordinance, rule or regulation to enable the Lessee to enter into this Agreement, or to undertake the public mass transportation services, or to observe, assume, or carry out any of the provisions of this Agreement, the Lessee will initiate and complete such action as is so required.

10. Lessee Liability. The Lessee will be responsible for all damage to life and property due to activities of the Lessee, his subcontractors, agents or employees in connection with the utilization of the Capital Equipment leased from the Municipal Corporation pursuant to this Agreement. The Lessee shall indemnify and hold harmless the Municipal Corporation and the State and their employees from any and all claims, actions, suits, proceedings, costs, expenses, judgments, damages, and liabilities, including reasonable attorneys' fees, arising out of or resulting from acts or omissions of the Lessee, its contractors, subcontractors, agents or employees, relating to the utilization of the Capital Equipment.

11. Insurance. The Lessee agrees to procure and maintain at his own expense, insurance of the kinds and in the amounts hereinafter provided, with insurance companies authorized to do business in the State, or in self-insured condition pursuant to order of the state Department of Transportation, covering all operations under this Agreement, whether performed by him or by subcontractor. Before operating the Capital Equipment, the Lessee shall furnish to the Municipal Corporation a certificate or certificates in a form satisfactory to the Municipal Corporation or showing that he has complied with this Article, which certificate or certificates shall provide that the policies shall not be changed or canceled until thirty (30) days written notice has been given to the Municipal Corporation. The kinds and amounts of insurance required are as follows:

(a) Worker's Liability Insurance: Policy or policies covering the obligations of the Lessee in accordance with the provisions of any applicable worker's liability insurance including for the state of New York, Chapter 41, Laws of 1914, as amended, known as the Worker's Compensation Law, and amendments thereto, and Chapter 600 of the Laws of 1949; this Agreement shall be void and of no effect unless the Lessee procures such policy or policies and maintains the same in force.

(b) Bodily Injury and Property Damage: Policies of bodily injury liability and property damage liability insurance in accordance with applicable State laws and regulation covering the Lessee, the Municipal Corporation and the State of New York, shall be provided by

APPENDIX A

STANDARD PROVISIONS FOR ALL NEW YORK STATE CONTRACTS

The parties to the attached contract, license, lease, amendment or other Agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

1. **EXECUTORY CLAUSE.** In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.
2. **NON-ASSIGNMENT CLAUSE.** In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the previous consent, in writing, of the State and any attempts to assign the contract without the State's written consent are null and void. The Contractor may, however, assign its right to receive payment without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.
3. **COMPTROLLER'S APPROVAL.** In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 621 S of the Education Law), if this contract exceeds \$10,000 (\$20,000 for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office.
4. **WORKERS' COMPENSATION BENEFITS.** In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.
5. **NON-DISCRIMINATION REQUIREMENTS.** The contractor agrees to comply with all applicable Federal State and local Civil Rights and Human Rights laws with reference to equal employment opportunities and the provision of services. In accordance with Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, age, disability or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance or work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the

the Lessee at adequate limits for the protection of all parties and subject to the approval of the Municipal Corporation.

(c) Theft, Fire and Collision Losses: The Lessee shall maintain, at all times, collision and comprehensive insurance so as to assure recovery of the actual cost value of the Capital Equipment, in the event of theft, damage or complete loss from fire or collision. The collision insurance may contain a deductible provision amounting to \$1,000. The Lessee agrees to return to the Municipal Corporation, the State shares of the proceeds of any settlement on theft, fire and/or collision losses.

12. Inspection. During the term of this agreement, the Lessee shall permit, and require its subcontractors to permit, the Chief Executive Officer of the Municipal Corporation, the Commissioner, or their authorized representatives, to inspect the condition of the Capital Equipment and the operation of said Capital Equipment in public mass transportation service and to inspect all data, records and accounts maintained by the Lessee that are required pursuant to this agreement, at any time during the normal business hours of the Lessee.

13. Terms of Agreement. The term of this Agreement shall be the entire Service Period specified in Appendix B of this Agreement, with the provisions of Article 9 of this Agreement remaining in effect as specified therein.

IN WITNESS, WHEREOF, the Municipal Corporation and the Lessee have executed this Agreement by and through their respective authorized representatives, effective the day and year first above written:

FOR THE CITY OF WATERTOWN:

BY _____

TITLE City Manager

FOR THE COUNTY OF OTSEGO:

BY Floyd S. Dubben

TITLE: Chairman of the Board of Supervisors

work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. **WAGE AND HOURS PROVISIONS.** If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law.

7. **NON-COLLUSIVE BIDDING REQUIREMENT.** In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contract or warrants, under penalty of perjury, this its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further warrants that at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

8. **INTERNATIONAL BOYCOTT PROHIBITION.** In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations there under. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2 NYCRR 105.4).

9. **SET-OFF RIGHTS.** The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of setoff pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. **RECORDS.** The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) years or three (3) years after final payment, whichever is later. The State Comptroller, the Attorney General and any other person or entity authorized to conduct and examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified

above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (I) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION:

(a) FEDERAL EMPLOYER IDENTIFICATION NUMBER and/or FEDERAL SOCIAL SECURITY NUMBER.

All invoices or New York State standard vouchers submitted for payment for the sale of goods or services or the lease of real or personal property to a New York State agency must include the payee's identification number, i.e., the seller's or lessor's identification number. The number is either the payee's Federal employer identification number or Federal social security number, or both such numbers when the payee has both such numbers. Failure to include this number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on his invoice or New York State standard voucher, must give the reason or reasons why the payee does not have such number or numbers.

(b) PRIVACY NOTIFICATION.

(1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and other who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law.

(2) The personal is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in New York State's Central Accounting System by the Director of State Accounts, Office of the State Comptroller, AESOB, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN: In accordance with Section 312 of the Executive Law, if this contract is: (I) a written Agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written Agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written Agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then:

(a) The Contractor will not discriminate against employees or applicants for employment

because of race, creed, color, national origin, sex, age, disability or marital status, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) At the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other Agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein; and

(c) The Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b" and "c", above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State; or (iii) banking services, insurance policies or the sale of securities. The State shall consider compliance by a Contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Governor's Office of Minority and Women's Business Development pertaining hereto.

13. CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article XI-A of the State Finance Law to the extent required by law.

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized) but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. SERVICE OF PROCESS. In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or

certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United State Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

APPENDIX B

Scope of Work, Service Period and Financial Reimbursement

Scope of Work: The Municipal Corporation agrees to lease the following Capital Equipment to the Lessee for the Service Period of this Agreement: 2010 Ford E-450 Starcraft Allstar Type 3 bus.

The Lessee agrees to utilize the above Capital Equipment to provide public transportation service according to the terms and conditions specified in its approved Section 5311 Project Application and Agreement.

Service Period: The Service Period of this Agreement shall commence on (June Month, 2011 and continue for the period agreed to by the Lessee and the Municipal Corporation as follows (June Month 7 day, 2011) to (June Month 6 day, 2012).

Financial Reimbursement: The Municipal Corporation agrees to lease the Capital Equipment described herein to the Lessee for the Service Period described above for the sum of one dollar (\$1.00). All expenses incurred in the operation and routine maintenance of the Capital Equipment shall be paid by the Lessee.

May 28, 2011

To: The Honorable Mayor and City Council

From: Mary M. Corriveau, City Manager

Subject: Approving Lease Agreement Between the
City of Watertown and the Thompson Park Conservancy, Inc.

In 1988, the concept of the “Thompson Park Conservancy” grew from a grassroots organization to assume the primary responsibility for a new, habitat based, indigenous species zoo at Thompson Park. During that same year, the City Council voted to allocate \$750,000 to begin construction of a new zoo at Thompson Park.

In the early 1990s, the City of Watertown and the Thompson Park Conservancy, Inc. reached an Agreement for the Lease of property at Thompson Park for the operation of the New York State Zoo. Since that time, the Conservancy has operated a Zoo at Thompson Park for the benefit of the region. Our current Lease Agreement with the Thompson Park Conservancy expires on June 30, 2011.

Over the past month, representatives from the City and the Conservancy have reviewed the contract language and have reached an Agreement for a one-year lease. The term of the lease is limited to provide the conservancy with an opportunity to address the concerns raised by Council Member Roxanne M. Burns, following the July 2010 concert in the park. As addressed in my May 16, 2011 memorandum to the City Council, John Wright, Executive Director of the New York State Zoo at Thompson Park formally requested an opportunity to address the concerns regarding the Conservancy’s ability to meet the concession demands at the July concert and fireworks in Thompson Park. A copy of my memorandum and Mr Wright’s request is attached for City Council review.

The term of this Agreement is from July 1, 2011, through June 30, 2012. The Conservancy is not required to pay any rent during the term of the Lease, but will serve as the Zoo operator in consideration for said Lease. For the term of this Lease, the Conservancy will continue to have the exclusive right to the concession for the July concert and fireworks held in Thompson Park.

A resolution has been prepared for City Council consideration.

Approving Agreement of Lease Between the City of Watertown and the Thompson Park Conservancy, Inc.

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown owns the property known as Thompson Park, located in the City of Watertown, and

WHEREAS the Thompson Park Conservancy, Inc. desires to lease certain premises located at Thompson Park for the operation of the Thompson Park Zoo, and the City is willing to lease the same to the Conservancy under the terms and conditions set forth in the attached Lease Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement of Lease between the City of Watertown and the Thompson Park Conservancy, Inc., in connection with the operation of the Thompson Park Zoo, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that Mayor Jeffrey E. Graham, is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

Seconded by

Agreement of Lease

This AGREEMENT OF LEASE (referred to herein as "Lease") is being made and is intended to be effective as of July 1, 2011, between the City of Watertown with its principal office located at 245 Washington Street, Watertown, New York 13601 (referred to herein as "Lessor" or "City") and the Thompson Park Conservancy, Inc., with its principal office located at the Administration Building, One Thompson Park, Watertown, New York 13601 (referred to herein as "Tenant").

INTRODUCTION

WHEREAS the Lessor owns the facility known as Thompson Park, located in the City of Watertown, County of Jefferson, State of New York (referred to herein as the "Park"); and

WHEREAS, the Tenant desires to lease a designated portion of the Park premises located at the Park for the continued operation of the New York State Zoo at Thompson Park (referred to herein as the "Zoo") and the Lessor desires to lease the same to the Tenant upon the terms and conditions set forth herein; and

WHEREAS the parties recognize that the Zoo has been a valued and integral part of the Park's history, as well as the history of the City; and

WHEREAS the parties recognize that the Zoo remains a treasured City asset which continually serves and enriches the community through education, recreation, conservation, camaraderie, research, historical perspective, and society; and

WHEREAS the fruitful partnership between the City and Zoo promotes cultural richness and an appreciation for the City community; and

WHEREAS the parties recognize and appreciate the financial and social interdependence among the Zoo, the City, and the Park;

NOW, THEREFORE, in consideration of the mutual covenants and agreement stated herein, the Lessor and Tenant agree as follows:

AGREEMENT

Section 1. Premises and Services

- 1.1 Lessor leases to Tenant and Tenant leases from Lessor the premises and appurtenances generally shown in the attached Schedule A (referred to herein as the “Leased Premises”).
- 1.2 As part of this Lease, Lessor grants Tenant the exclusive rights for the sale of food and concession items on the Leased Premises. Lessor agrees that during the term of this Lease no other person, partnership, firm, corporation or other entity shall be granted conflicting rights, licenses or privileges on the Leased Premises. Additionally, Tenant may provide for the sale of food and concession items throughout the Park (excluding the golf course), but shall not have the right to do so for privately-held events, nor for specific events sponsored by not-for-profit entities who are using the event to raise funds for their own organizations. Tenant shall have exclusive rights for the sale of food and concession items at the July Concert and fireworks held in Thompson Park.
- 1.3 Tenant covenants at the expiration or other termination of the Lease to remove its personal property and effects from the Leased Premises and to surrender all buildings, structures, fixtures, and all keys and locks in as good a condition as received by Tenant, ordinary wear and tear excepted.

Section 2. Tenant's Construction

- 2.1 Tenant is given the right to construct improvements to the Leased Premises in furtherance of its mission, provided that it receives pre-approval of its construction from the Lessor and that the construction does not materially interfere with the operation of the Park. The pre-approval shall not be unreasonably withheld or delayed. Tenant shall obtain any required building or similar type permits required in connection with the construction. Tenant will be responsible for all costs associated with improvements constructed by it or under its authority. All construction shall be in compliance with all local, state and federal building codes, laws and regulations, and in agreement with recommended practices of the American Zoo and Aquarium Association (hereinafter "AZA practices"). The Tenant is responsible for submitting both preliminary drawing details and final "as built" drawings of all projects constructed.
- 2.2 Tenant shall be responsible for providing Lessor with final project costs of any improvements to the Leased Premises. Said actual costs shall be provided to Lessor within 30 days of project completion.
- 2.3 All improvements to the Leased Premises made by Tenant with the Lessor's approval, shall become the property of Lessor and shall remain with the Leased Premises. Tenant shall annually provide a comprehensive listing of all buildings and structures present on the Leased Premises. If there has been no change since the prior year, "no change" shall be noted. Such listing shall initially be provided within 30-days of signing this Lease.
- 2.4 Tenant shall prepare and provide Lessor with a five year Capital Plan on or before January 1st of each contract year.

Section 3. Term

- 3.1 The term of this Lease shall be for the period from July 1, 2011, through June 30, 2012.

Section 4. Rent

4.1 Tenant shall not be obligated to pay any rent during the term of this Lease, but shall serve as the Zoo operator in consideration for this Lease.

Section 5. Services, Utilities, and Facilities.

5.1 Lessor shall furnish the following services to Tenant:

- 1) Structural and mechanical maintenance of the buildings and structures identified for such services at paragraph 6.2 of this Lease. Lessor's obligation extends to the "old" portion of the Zoo's Visitors Center.
- 2) Large area grass cutting (defined to be that which is accomplished by a "riding mower"). Tenant shall be responsible for hand mowing and trimming within the Leased Premises.
- 3) Snow removal of all roads and major visitor walkways within the Leased Premises.
- 4) Water, sewer, gas and electricity. The Tenant and Lessor shall work cooperatively to reduce/conservate the energy consumed by operations on the Leased Premises.

5.2 Tenant shall furnish the following services at its sole cost:

- 1) Telephone and cable service.
- 2) Trash removal to include animal refuse, and medical/biologic waste. The clean-

up of leaves, sticks and other natural debris shall be the responsibility of the Tenant. Tenant is permitted to compost biodegradable materials as permitted by law and AZA practices.

3) Emergency Generator.

5.3 Tenant is responsible for the operation of the Zoo, including but not limited to engaging, supervising and terminating Tenant's personnel; establishing policies for the operation of the Zoo in agreement with recommended AZA practices and generally accepted zoo management principles; facility/organizational planning and development; and animal acquisition and care.

Section 6. Repairs and Maintenance

6.0 Lessor and Tenant shall do semi-annual inspections of the leased premises and facilities to identify and document facility needs and upcoming work requirements. Said inspections shall be done in April and September of each year.

6.1 Lessor shall maintain and operate the Park in all respects consistent with generally accepted management practices for Parks of similar size and character, and in accordance with all applicable rules and regulations. In addition, Lessor shall operate, maintain and keep in good repair any and all facilities of the Park, which are necessary or incidental to the operations conducted by Tenant. The Lessor's said duty to operate, maintain and keep in good repair shall include but is not limited to the following:

- 1) Lessor shall maintain and keep in good repair all premises and facilities of the Park unless discontinued by Lessor, including all public restrooms. However, Tenant shall clean and supply the restrooms located on the Leased Premises;
- 2) Lessor shall keep the Park roadways free year-round from obstructions, including

but not limited to the clearing and removal of snow and ice, vegetation, stones and other foreign matter for the safe, convenient and proper use of the Park by Tenant and those using Tenant's services. However, Lessor is not hereby obligated to plow the State Street entrance to the Park; and

3) Lessor shall operate and maintain adequate directional signs within the Park.

6.2 a. Lessor shall maintain the exterior of the buildings and other facilities on the Leased Premises, with the exception of painting, which are identified as buildings 1, 4, 6, 7, 8, 10 and 11 on Schedule A, in good condition and repair. Lessor shall also promptly make all necessary repairs to those same buildings' and facilities' equipment (including heating, electrical, sanitary, air conditioning and other systems). Lessor shall maintain the ornamental fencing on the Leased Premises.

b. Tenant shall maintain the exterior of all other buildings and facilities on the Leased Premises, which are currently identified as buildings 2, 3, 5, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 24 and 25 on Schedule A, in good condition and repair. Tenant shall also promptly make all necessary repairs to those same buildings' and facilities' equipment (including heating, electrical, emergency generator, sanitary, air conditioning and other systems). Tenant shall be responsible for painting the exterior of buildings 1,4,6,7,8,10 and 11. All subsequently added buildings or facilities are also Tenant's responsibility.

c. Tenant shall be responsible for landscaping, exhibit habitat and components, fencing and enclosures on the Leased Premises.

d. Tenant shall otherwise keep the Leased Premises neat and clean and in such order as the same are in on the Lease commencement date, wear and tear resulting from reasonable use excepted. This shall include all routine maintenance and cleaning on the Leased Premises.

Section 7. Rules and Regulations

- 7.1 Upon written notice by Lessor, Tenant and its agents and employees shall comply with and observe all reasonable rules and regulations concerning the use of the Leased Premises and the Park, which may from time to time be promulgated by Lessor. Said rules and regulations shall not conflict with the terms of this Lease, nor AZA practices.

Section 8. Assignment and Subletting

- 8.1 Tenant may not assign or transfer this Lease and/or sublet the Leased Premises in whole or in part, including but not limited to the rights granted to Tenant in connection with the operation of the Zoo, without the prior written consent of Lessor, which consent may be withheld. A complete assignment or transfer of this Lease made by Tenant shall release and discharge Tenant from any and all liability under the Lease from the date that Tenant receives Lessor's written consent to the said assignment if the party to which the Lease has been assigned or transferred shall assume all of the liabilities and obligations of Tenant under this Lease.

Section 9. Lessor's Right of Access

- 9.1 Tenant shall permit Lessor or its authorized representatives to enter the Leased Premises during usual business hours (or at any time for the purpose of making emergency repairs, snow removal, or other to perform other necessary maintenance responsibilities outlined herein) to inspect or repair the Leased Premises.

Section 10. Damage to Leased Premises by Fire

- 10.1 If any portion of the Leased Premises, which are identified as buildings 1, 4, 6, 7, 8, 9, 10, 11, 13, 16 and 19 on Schedule A, are materially damaged by fire or other casualty, Lessor

may elect to collect upon its own insurance for the same and further elect not to replace the same. In such event, Tenant shall have no claim against Lessor.

- 10.2 If any remaining portion of the Leased Premises are materially damaged by fire or other casualty, Tenant shall diligently proceed to repair or replace the same unless Lessor, by motion of the City Council, in its sole discretion, waives the same.
- 10.3 Tenant shall be solely responsible for its personal property.
- 10.4 For purposes of this Section 10, "material damage" shall mean damages in an amount exceeding 50% of the structure's insured value.

Section 11. Insurance and Indemnification.

- 11.1 Recognizing that the Lessor is self-insured for liability issues, during the term of this lease, Tenant shall, at its own cost and expense, maintain and provide general public liability insurance and "Zoo operations" insurance for the benefit and protection of Lessor and Tenant, specifically naming in said policy or policies the Lessor as an additional insured thereunder in the minimum amount of \$1,000,000. The City shall be a certificate holder on all policies of insurance. Lessor's additional insured status shall not be limited to vicarious liability only. The public liability policy or certificate thereof shall be delivered to Lessor, together with proof of the payment of the annual premium or premiums, upon the signing of this Lease. Tenant shall deliver to Lessor renewals of such public liability insurance policy, with proof of payment of the premium within twenty (20) days before its expiration date during the term of this Lease.
- 11.2 During the time of this Lease, Tenant shall, at its own cost and expense, maintain and provide fire and casualty insurance designed to replace the structures which are its responsibility on the Leased Premises (replacement cost coverage). Tenant shall also maintain coverage on all structures on any portion of the Leased Premises for damage

caused by Tenant's negligence in the stated sum of \$300,000.00. The City will be a Certificate Holder on each policy of insurance.

- 11.3 Lessor reserves the right to increase the required amount of casualty or general liability insurance in a commercially reasonable manner, from time to time, during the term of this Lease, upon written notice to Tenant.
- 11.4 Tenant hereby indemnifies and holds Lessor harmless of and from any and all liability or claims for injuries to persons or property caused by Tenant's operation of the Zoo or Tenant's use and occupancy of the Leased Premises. This indemnification shall survive the termination or expiration of the term of this Lease.
- 11.5 Lessor hereby indemnifies and holds Tenant harmless of and from any and all liability or claims for injuries to persons or property caused by Lessor's use or operation of the Park. This indemnification shall survive the termination or expiration of the term of this Lease.
- 11.6 Lessor shall be responsible for any underground storage tanks and/or hazardous substances used by Lessor in the Park or located within the Park (except for hazardous substances used or brought into the Park by Tenant), and hereby indemnifies and holds Tenant harmless of and from any and all liability or claims arising from the same.

Section 12. Quiet Enjoyment

- 12.1 Upon observing and performing all the Lease terms required of Tenant, Tenant shall peaceably and quietly enjoy the Leased Premises without hindrance by Lessor or any party claiming through Lessor.

Section 13. Animal Care and Feeding

- 13.1 Tenant shall be responsible for all animal care (including veterinary care) and feeding.

Lessor shall use its best efforts to obtain grant money to assist Tenant in the payment of the costs associated with the care and feeding of the animals and also to assist Tenant in obtaining grant money on its own through direct applications.

- 13.2 Tenant shall be responsible for recovering any and all Zoo animals, which may, from time to time, stray from the Leased Premises.
- 13.3 Tenant shall be responsible for correcting, repairing and/or replacing any and all damage to the Park and/or the Leased Premises caused by animals under the Tenant's care, reasonable wear and tear excepted.
- 13.4 Should the Tenant deem it to be in its best interest to keep animals through the winter, then the Tenant shall be responsible for whatever upgrades are necessary to sufficiently winterize the existing facilities.

Section 14. Governing Law

- 14.1 This Lease shall be construed and enforced in accordance with the laws of the State of New York.

Section 15. Entire Agreement

- 15.1 This Lease, including the attachments referred to herein and attached hereto, contains the entire agreement between the parties with regard to the subject matter hereof.

Section 16. Notices

- 16.1 All notices, required to be given, under this Lease shall be in writing and shall be deemed to have been duly given on the date mailed if sent by certified mail, return receipt requested to:

To Lessor: City Manager
Room 302 Municipal Building
245 Washington Street
Watertown, NY 13601

To Tenant: Chairman
Thompson Park Conservancy, Inc.
One Thompson Park
Watertown, NY 13601

A party may change the address to which notices are to be sent by written notice actually received by the other party.

Section 17. General

- 17.1 Lessor represents and warrants that it has the right to lease the Leased Premises to Tenant, that it has full power and authority to enter into this Lease, that all necessary approvals have been obtained or waived and that this Lease does not violate any agreement, law or rule binding upon Lessor.
- 17.2 Tenant shall have the right to install and operate signs and displays within the Park, subject to the approval of the Lessor, and such approval shall not be unreasonably withheld or delayed. Tenant shall post the hours when the Zoo shall be open to the public (subject to the applicable entry fee) in such location(s) within the Park as the Lessor and Tenant shall reasonably agree.
- 17.3 It is understood and agreed by and between the parties hereto that the grant by Lessor to Tenant is a grant of the exclusive right to operate the Zoo.
- 17.4 Tenant shall not open the Zoo to the public at times other than the times during which the Park shall be open to the public without the written permission of the City Manager. Notwithstanding, (a) It is agreed that the Zoo may maintain year-round hours of operation; and (b) a resident Executive Director and the person's family and lawful guests shall have unrestricted access to the residence situate upon the Leased Premises.

- 17.5 Tenant shall maintain reasonably necessary equipment and supplies for the provision of first aid to the public and its employees in keeping with recommended practices of AZA management and operation.
- 17.6 Tenant shall be responsible for securing all gates to the Zoo upon the closing of the Zoo to the public and hereby acknowledges that the Lessor's employees will not be available to provide this service.
- 17.7 Tenant shall not utilize any buildings or other facilities located within the Park outside of the perimeter of the Leased Premises without the written consent of the City of Watertown.
- 17.8 Tenant shall not have the use of any of Lessor's vehicles or equipment for Tenant's use.
- 17.9 Tenant agrees that its employees shall park their vehicles in such locations as Tenant and Lessor shall reasonably agree upon.
- 17.10 All covenants in this Lease, which are binding upon Tenant, shall be construed to be equally applicable to and binding upon Tenant's agents and employees, and others claiming the right to be in the Leased Premises or the Park through or under Tenant.
- 17.11 All covenants in this Lease, which are binding upon Lessor, shall be construed to be equally applicable to and binding upon Lessor's agents and employees, and others claiming any rights through or under Lessor.
- 17.12 This Lease shall be binding upon and shall inure to the benefit of the parties and their legal representatives, successors and assigns.
- 17.13 In the event any covenant, condition or provision herein contained is held to be invalid by any court of competent jurisdiction, the invalidity of any such covenant, condition or provision shall in no way affect any other covenant, condition or provision herein.

contained; provided that the invalidity of any such covenant, condition or provision does not materially prejudice either Lessor or Tenant in its respective rights and obligations contained in the valid covenants, conditions or provisions of this Lease.

17.14 This Lease may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute one (1) instrument.

IN WITNESS WHEREOF, Lessor and Tenant have caused this Lease to be executed by authorized agents to be effective as of the date first above written.

LESSOR:

THE CITY OF WATERTOWN, NEW YORK

BY: Jeffrey E. Graham
ITS: Mayor

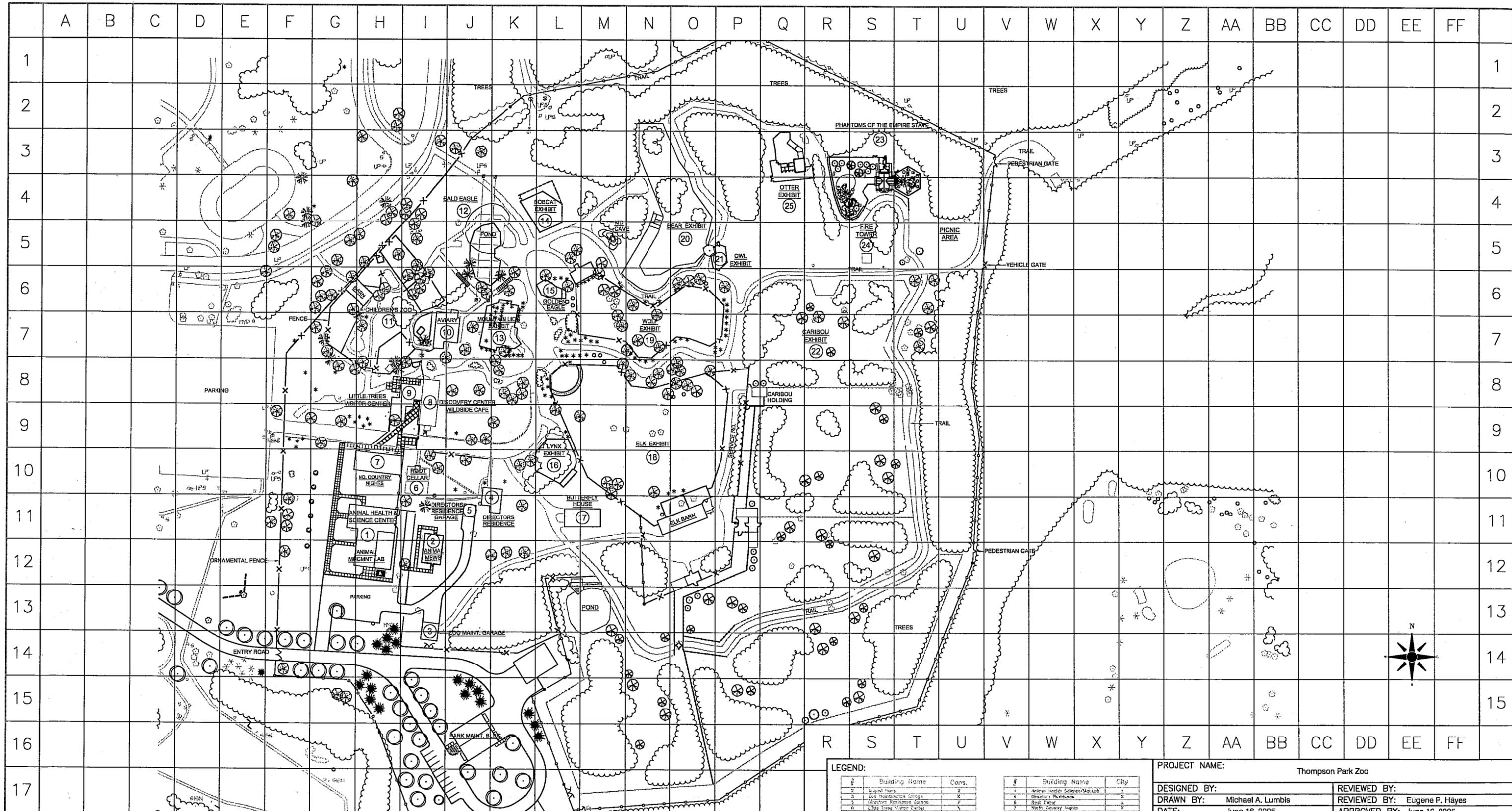
LESSEE:

THOMPSON PARK CONSERVANCY, INC.

BY: Doreen Garrett
ITS: Chairperson

Schedule A

See attached Map



LEGEND:

#	Building Name	Cons.
1	Animal Health	X
2	Animal Health Lab	X
3	Animal Health Science Center	X
4	Animal Health Storage	X
5	Animal Health Garage	X
6	Animal Health Office	X
7	Animal Health Lab	X
8	Animal Health Lab	X
9	Animal Health Lab	X
10	Animal Health Lab	X
11	Animal Health Lab	X
12	Animal Health Lab	X
13	Animal Health Lab	X
14	Animal Health Lab	X
15	Animal Health Lab	X
16	Animal Health Lab	X
17	Animal Health Lab	X
18	Animal Health Lab	X
19	Animal Health Lab	X
20	Animal Health Lab	X
21	Animal Health Lab	X
22	Animal Health Lab	X
23	Animal Health Lab	X
24	Animal Health Lab	X
25	Animal Health Lab	X

#	Building Name	City
1	Animal Health Science Center	X
2	Animal Health Lab	X
3	Animal Health Lab	X
4	Animal Health Lab	X
5	Animal Health Lab	X
6	Animal Health Lab	X
7	Animal Health Lab	X
8	Animal Health Lab	X
9	Animal Health Lab	X
10	Animal Health Lab	X
11	Animal Health Lab	X

PROJECT NAME: Thompson Park Zoo

DESIGNED BY:	REVIEWED BY:
DRAWN BY: Michael A. Lumbis	REVIEWED BY: Eugene P. Hayes
DATE: June 16, 2005	APPROVED BY: June 16, 2005
SCALE: N.T.S.	DATE:
TITLE: Schedule A - Grid Map of the Zoo	MAP NUMBER: 1

MAP NUMBER: 1	PROJECT NAME: Thompson Park Zoo Agreement of Lease Between City of Watertown & Thompson Park Conservancy	TITLE: Schedule A Grid Map of the Zoo
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CITY OF WATERTOWN, NEW YORK
DEPARTMENT OF PUBLIC WORKS
 ROOM 206, MUNICIPAL BUILDING
 245 WASHINGTON STREET
 WATERTOWN, NEW YORK 13601

TEL: (315) 785-7770 FAX: (315) 785-7752

REVISION:	DESCRIPTION OF REVISION:	DATE:	BY:
------------------	---------------------------------	--------------	------------

May 16, 2011

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Thompson Park Conservancy Lease Agreement

The City's Agreement to Lease the Thompson Park Conservancy land at Thompson Park for operation of the New York State Zoo at Thompson Park, expires on June 30, 2011. Two meetings have been held with representatives of the Conservancy and we are nearing completion negotiations, however one issue remains outstanding, that being the Conservancy's exclusive right to provide concession for City hosted events like the Syracuse Symphony.

In July of last year, following the Fourth of July Concert, Council Member Burns expressed concerns regarding the vendor's inability to keep up with the number of customers. This matter has been discussed with John Wright, Executive Director of the New York State Zoo, and he has, in the attached letter, tried to address Council Member Burns' concerns and would like an opportunity to address this matter using the steps detailed in his letter. Staff is recommending that should the Council wish to provide the Conservancy with this opportunity, a one year lease Agreement could be considered.

If the City Council agrees with this proposal, the Contract will be amended and presented to City Council for consideration at the June 6, 2011 City Council Meeting.



May 13th, 2011

To: City of Watertown
From: New York State Zoo
Re: Exclusive rights of concession as per Agreement of Lease



It has been brought to our attention that the City Council has had some concerns with Section 1, paragraph 2 of the Agreement of Lease with the Thompson Park Conservancy.

This concern was brought up as it relates to the last sentence for paragraph 2; "Tenant shall have exclusive rights for the sale of food and concession items at City-hosted events such as Syracuse Symphony concerts".

Although most of the guests were served in a timely manner, we were made aware of 1 perceived concern with our ability to accommodate the large volume of customers at the Syracuse Symphony. In order to address this issue and provide a more timely service to attendees of such events our plan is as follows:

- 1: Increase cooking surfaces from 2 to 4.
- 2: Expedite the assembly of food items.
- 3: Increase the number of serving lines from 2 to 4, as the need arises.

The staff and volunteers of the New York State Zoo are always striving to look for new ways of improving what we do, from animal care, education and guest services. It is this mindset that will allow us to address areas of opportunity.

If you should have any questions regarding this concern of the Agreement of Lease, please do not hesitate to contact us.

Kind regards,

A handwritten signature in black ink, appearing to read "John Wright".

John Wright
Executive Director
New York State Zoo.

WHEREAS the parties recognize and appreciate the financial and social interdependence among the Zoo, the City, and the Park;

NOW, THEREFORE, in consideration of the mutual covenants and agreement stated herein, the Lessor and Tenant agree as follows:

AGREEMENT

Section 1. Premises and Services

- 1.1 Lessor leases to Tenant and Tenant leases from Lessor the premises and appurtenances generally shown in the attached Schedule A (referred to herein as the "Leased Premises").
- 1.2 As part of this Lease, Lessor grants Tenant the exclusive rights for the sale of food and concession items on the Leased Premises. Lessor agrees that during the term of this Lease no other person, partnership, firm, corporation or other entity shall be granted conflicting rights, licenses or privileges on the Leased Premises. Additionally, Tenant may provide for the sale of food and concession items throughout the Park (excluding the golf course), but shall not have the right to do so for privately-held events, nor for specific events sponsored by not-for-profit entities who are using the event to raise funds for their own organizations. Tenant shall have exclusive rights for the sale of food and concession items at City-hosted events such as Syracuse Symphony concerts.
- 1.3 Tenant covenants at the expiration or other termination of the Lease to remove its personal property and effects from the Leased Premises and to surrender all buildings, structures, fixtures, and all keys and locks in as good a condition as received by Tenant, ordinary wear and tear excepted.

Res No. 10

May 28, 2011

To: The Honorable Mayor and City Council

From: Mary M. Corriveau, City Manager

Subject: Approving Agreement Between the City of Watertown and the Thompson Park Conservancy

During the development of the budget for Fiscal Year 2011-12, the City Council appropriated \$20,000 for the Thompson Park Conservancy. This is the annual appropriation for improvements to the premises currently leased by the Conservancy from the City of Watertown.

Attached for City Council consideration is an Agreement between the City of Watertown and the Thompson Park Conservancy. The term of this Agreement is one year, beginning July 1, 2011. The Agreement indicates that the funds must be used for a valid public purpose and to improve the leased premises. The Agreement also defines what the City considers ineligible activities.

A resolution approving the Agreement between the City and Thompson Park Conservancy has been prepared for City Council consideration.

Approving Agreement Between the City of Watertown and the Thompson Park Conservancy

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

WHEREAS the Lessor, City of Watertown, owns the facility known as Thompson Park, located in the City of Watertown, County of Jefferson, State of New York, and

WHEREAS the Lessor has entered into an Agreement with the Tenant, Thompson Park Conservancy, Inc., to lease certain premises located at the Park for the operation of the "Thompson Park Zoo" by Lease dated December 1997, and

WHEREAS since that time, the City of Watertown has provided both financial and in-kind services in support of the Thompson Park Conservancy, and

WHEREAS the City Council has determined that it is in the best interest of the taxpayers of the City of Watertown to provide direct support to the Thompson Park Conservancy to be used to improve the leased premises as detailed in the attached Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement between the City of Watertown and the Thompson Park Conservancy, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute this Agreement on behalf of the City of Watertown.

Seconded by

**AGREEMENT
THOMPSON PARK CONSERVANCY**

INTRODUCTION

WHEREAS the Lessor, City of Watertown, owns the facility known as Thompson Park, located in the City of Watertown, County of Jefferson, State of New York, and

WHEREAS the Lessor has entered into an Agreement with the Tenant, Thompson Park Conservancy, Inc., to lease certain premises located at the Park for the operation of the "Thompson Park Zoo" by lease of December 1997, and

WHEREAS since that time the City of Watertown has provided both financial and in-kind services in support of the Thompson Park Conservancy, and

WHEREAS the City Council has determined that it is in the best interest of the taxpayers of the City of Watertown to provide direct support to the Thompson Park Conservancy to be used to improve the leased premises,

WITNESSETH

For and in consideration of the mutual covenants and agreements hereinafter contained, the parties hereto for themselves, their successors and assigns, have mutually agreed and do agree with each other as follows:

Article I. DESCRIPTION OF PROJECT. The Thompson Park Conservancy shall use the funds provided under the terms of this Agreement to improve the leased premises.

Article II. ELIGIBLE ACTIVITIES. Eligible activities for the Thompson Park Conservancy shall be for a valid public purpose and shall improve the premises leased to the Thompson Park Conservancy by the City of Watertown. Repair and maintenance of the structures covered by the Lease Agreement between the City of Watertown and the Thompson Park Conservancy are eligible expenses.

Article III. INELIGIBLE ACTIVITIES. Ineligible activities shall include but not be limited to: land acquisition, staff salary, utilities, fuel, insurance, maintenance and security salaries, construction costs, interest, purchase of equipment, and program activities solely directed towards or restricted to organizational membership.

Article IV. TERM OF THIS AGREEMENT. The term of this Agreement shall be for one (1) year, from July 1, 2011, through June 30, 2012.

Article V. MANNER OF PAYMENT.

- A. The amount to be paid from the City of Watertown General Fund, as appropriated therefore, shall not exceed Twenty Thousand Dollars (\$20,000) for the term of this Agreement.
- B. Payment shall be made by the City Comptroller upon the receipt of an executed Services Agreement between the City of Watertown and the Thompson Park Conservancy.
- C. The Thompson Park Conservancy understands that City funds may only be used for eligible activities and for services actually performed. The City will make payment after the rendering of a verified account and the audit of vouchers submitted by the Conservancy. A verified account shall then be submitted to the City on or before June 30, 2012.

Article VI. PROVISIONS OF LAW. All provisions of law required to be made as part of this Agreement are hereby deemed incorporated in this Agreement. Performance of the terms and conditions of this Agreement shall be subject to and performance of all applicable laws.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers or representatives on this _____ day of _____, 2011.

CITY OF WATERTOWN, NEW YORK

By: _____
Mary M. Corriveau
City Manager

THOMPSON PARK CONSERVANCY

By: _____
Doreen Garrett
Board President

Res No. 11

May 28, 2011

To: The Honorable Mayor and City Council

From: Mary M. Corriveau, City Manager

Subject: Approving Public Benefit Services Agreement,
Watertown Urban Mission

Ms. Erika F. Flint, Executive Director of the Watertown Urban Mission, submitted a letter to Council dated April 15, 2011 requesting consideration for financial support from the City. The funding requested will be used to support the purchase of emergency food supplies to assist low-income individuals and families in the City of Watertown. Eligible citizens who utilize the Watertown Urban Mission are able to receive a free five day supply of food every 30 days.

During the Budget deliberation process, the City Council had an opportunity to visit the Watertown Urban Mission and meet with Ms Flint and members of the Urban Mission's Board of Directors. As a result of this visit and discussions during budget deliberations, a one-time appropriation of \$10,000 was added to the Fiscal Year 2011-2012 General Fund operating budget to support this request.

A resolution has been drafted for City Council consideration, as well as a Public Benefit Services Agreement that defines how the \$10,000 to the Watertown Urban Mission will be used to support the health and welfare of the citizens of Watertown during the 2011-12 Fiscal Year.

RESOLUTION

Page 1 of 1

Approving Public Benefits Services Agreement
Between the City of Watertown and the Watertown
Urban Mission

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the City Council of the City of Watertown received a request for funding to support the food pantry of the Watertown Urban Mission, and

WHEREAS the City Council of the City of Watertown has appropriated \$10,000 from the FY 2011-12 General Fund to support the food pantry at the Watertown Urban Mission, and

WHEREAS the Watertown Urban Mission will expend the funds provided by the City to purchase emergency food supplies to assist individuals and families in the City of Watertown, and

WHEREAS the City of Watertown wishes to enter into an Agreement for Public Benefit Services between the City of Watertown and the Watertown Urban Mission, a copy of which is attached and made a part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves a Agreement for Public Benefit Services between the City of Watertown, New York, and the Watertown Urban Mission, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

Seconded by

AGREEMENT FOR PUBLIC BENEFIT SERVICES

BETWEEN

THE CITY OF WATERTOWN, NEW YORK

And

THE WATERTOWN URBAN MISSION

This Agreement made by and between the City of Watertown, New York (CITY)
and the Watertown Urban Mission (MISSION).

WITNESSETH

For and in consideration of the mutual covenants and agreements hereinafter contained, the parties hereto for themselves, their successors and assigns, have mutually agreed and do agree with each other as follows:

Article I. DESCRIPTION OF SERVICES. The Watertown Urban Mission provides services that are considered to be for a public purpose. The Watertown Urban Mission provides services which promote the charity, health, and welfare of the citizens of the City of Watertown.

Article II. ELIGIBLE ACTIVITIES. Eligible activities of the Watertown Urban Mission reimbursable by the City shall promote a public purpose. Specifically, the Watertown Urban Mission shall assist the citizens of the City of Watertown to counteract conditions of starvation and malnutrition through the provision of emergency food assistance.

Article III. INELIGIBLE ACTIVITIES. Activities of the Watertown Urban Mission which do not promote a public purpose shall be ineligible for reimbursement. Activities which are ineligible for reimbursement shall include, but not be limited to, land acquisition, salaries, utilities, fuel, insurance, interest, purchase of equipment, or program activities solely directed toward or restricted to organizational membership.

Article IV. TERM OF THIS AGREEMENT. The term of this Agreement shall be from July 1, 2011, through June 30, 2012.

Article V. MANNER OF PAYMENT.

a. The City agrees to provide Ten Thousand Dollars (\$10,000) to the Watertown Urban Mission for the term and activities specified above.

b. Payment shall be made by the City Comptroller. Payment will be made on or after July 1st. Payment will only be made upon the City's receipt of a fully executed copy of this Agreement and a signed City Invoice form.

Article VI. PROVISIONS OF LAW. All provisions of law required to be made as part of this Agreement are hereby deemed incorporated in this Agreement. Performance of the terms and conditions of this Agreement shall be subject to and performance of all applicable laws.

Article VII. TERMINATION OF AGREEMENT. This Agreement may be terminated by either party, at any time, by the delivery to the other party of a written notice of termination by the Agreement, stating in good faith and for good and valid reasons by such party is unable to comply with and carry out the terms and substantive obligations of the Agreement in a meaningful manner. In the event of such termination, the City and the Mission shall perform such services and pay such monies as are necessary to carry out their respective obligations under the Agreement up to the date of termination of the Agreement. Any notice shall be delivered in person or by first class mail, return receipt requested, at the address of such party as hereinafter set out.

Article VIII. EXTENT OF AGREEMENT. This Agreement represents the entire Agreement between the City and the Mission. This Agreement may be amended only by written instrument signed by both parties and such amendment shall be attached to this Agreement.

Article IX. ANNUAL REPORT. The Mission will provide the City with a copy of their annual financial report. If not included in the annual financial report, an additional report shall be submitted which details the services provided by the Mission to the citizens of Watertown.

Article X. NOTICES. All notices required to be given under this Agreement shall be in writing and shall be deemed to have been duly given on the date mailed, if sent by certified mail, return receipt requested or delivered in person to:

THE CITY:

City Manager
City of Watertown
245 Washington Street, Suite 302
Watertown, New York 13601

THE WATERTOWN URBAN MISSION:

Executive Director
Watertown Urban Mission
247 Factory Street
Watertown, New York 13601

A party may change the address to which notices are to be sent by written notice actually received by the other party.

IN WITNESS WHEREOF, the City of Watertown and the Watertown Urban Mission have caused this Agreement to be executed by authorized agents to be effective as of the date heretofore written.

THE CITY OF WATERTOWN, NEW YORK

BY: CITY MANAGER

WATERTOWN URBAN MISSION

BY: EXECUTIVE DIRECTOR

To: The Honorable Mayor and City Council

From: Mary M. Corriveau, City Manager

Subject: Agreement for Public Benefit Services, Community Action Planning Council of Jefferson County, Inc.

Attached for City Council consideration is a Public Benefit Services Agreement between the City of Watertown and the Community Action Planning Council of Jefferson County, Inc. Since 1967, when the CAPC was incorporated and designated as the official anti-poverty agency in Jefferson County, the City of Watertown and Jefferson County provided the local match used to leverage State and Federal program service dollars.

The Community Action Planning Council provides services that promote the education, charity, health, safety and welfare of the citizens of the City of Watertown. This contract specifically identifies the services that will be provided to the citizens of this community and funded by the City of Watertown. The term of this Agreement is for one year beginning July 1, 2011, and ending June 30, 2012. Funding in the amount of \$52,000 to support this initiative was provided for in the FY 2011-12 Budget. This Agreement calls for an additional \$10,000 in funding to support a one-time request to help meet the growing food bank needs in the community.

A resolution approving the Agreement between the City of Watertown and the Community Action Planning Council of Jefferson County, Inc. has been prepared for City Council consideration.

Page 1 of 1

Approving Agreement for Public Benefit Services Between the City of Watertown And the Community Action Planning Council of Jefferson County, Inc.

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the Community Action Planning Council of Jefferson County (CAPC) was incorporated and designated in 1967 as the official anti-poverty agency for Jefferson County, and

WHEREAS since that time, CAPC has received funds from local governments as the local share required to leverage State and Federal program service dollars, and

WHEREAS the services provided by the CAPC promotes a public purpose, and

WHEREAS the services promote the education, charity, health, safety and welfare of the citizens of the City of Watertown,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for Public Benefit Services between the City of Watertown and the Community Action Planning Council of Jefferson County, Inc., a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute this Agreement on behalf of the City of Watertown.

Seconded by

AGREEMENT FOR PUBLIC BENEFIT SERVICES

BETWEEN

THE CITY OF WATERTOWN, NEW YORK

and

THE COMMUNITY ACTION PLANNING COUNCIL OF JEFFERSON COUNTY, INC.

This Agreement made by and between the City of Watertown, New York (CITY) and the Community Action Planning Council of Jefferson County, Inc. (CAPC).

WITNESSETH

For and in consideration of the mutual covenants and agreements hereinafter contained, the parties hereto for themselves, their successors and assigns, have mutually agreed and do agree with each other as follows:

Article I. DESCRIPTION OF SERVICES. The Community Action Planning Council of Jefferson County, Inc. provides services that are considered to be for a public purpose. The Community Action Planning Council provides services which promote the education, charity, health, safety and welfare of the citizens of the City of Watertown.

Article II. ELIGIBLE ACTIVITIES. Eligible activities of the Community Action Planning Council reimbursable by the City shall promote a public purpose. Specifically, the Community Action Planning Council shall provide the following services to the citizens of the City of Watertown:

- a. Assist individuals and families to secure and retain meaningful employment.
- b. Assist individuals and families to attain an adequate education.
- c. Assist individuals and families to counteract conditions of starvation and malnutrition.
- d. Assist individuals and families to make a better income.
- e. Assist individuals and families to obtain emergency assistance.
- f. Assist individuals and families to obtain and maintain adequate housing.
- g. Assist individuals and families to remove obstacles that block self-sufficiency.

Article III. INELIGIBLE ACTIVITIES. Activities of the Community Action Planning Council, which do not promote a public purpose, shall be ineligible for reimbursement. Activities which are ineligible for reimbursement shall include, but not be limited to, land acquisition, salaries, utilities, fuel, insurance, interest, purchase of equipment, or program activities solely directed toward or restricted to organizational membership.

Article IV. TERM OF THIS AGREEMENT. The term of this Agreement shall be from July 1, 2011, through June 30, 2012.

Article V. MANNER OF PAYMENT.

a. The City agrees to provide Fifty Two Thousand Dollars (\$52,000) to the Community Action Planning Council for the term specified above.

b. Payment shall be made by the City Comptroller. One half of the annual payment will be made on or after December 1st, and the second will be made on or after April 1st. Payment will only be made upon the City's receipt of a fully executed copy of this Agreement and a signed City Invoice form.

c. For the 2011-2012 Fiscal Year only, the City will provide an additional one-time payment of \$10,000 to address the growing demands on CAPC's food pantry. Payment shall be made by the City Comptroller with the annual payment to be made on or after December 1st.

Article VI. PROVISIONS OF LAW. All provisions of law required to be made as part of this Agreement are hereby deemed incorporated in this Agreement. Performance of the terms and conditions of this Agreement shall be subject to and performance of all applicable laws.

Article VII. TERMINATION OF AGREEMENT. This Agreement may be terminated by either party, at any time, by the delivery to the other party of a written notice of termination by the Agreement, stating in good faith and for good and valid reasons by such party is unable to comply with and carry out the terms and substantive obligations of the Agreement in a meaningful manner. In the event of such termination, the City and the CAPC shall perform such services and pay such monies as are necessary to carry out their respective obligations under the Agreement up to the date of termination of the Agreement. Any notice shall be delivered in person or by first class mail, return receipt requested, at the address of such party as hereinafter set out.

Article VIII. EXTENT OF AGREEMENT. This Agreement represents the entire Agreement between the City and the CAPC. This Agreement may be amended only by written instrument signed by both parties and such amendment shall be attached to this Agreement.

Article IX. ANNUAL REPORT. The CAPC will provide the City of Watertown with a copy of their annual financial report. If not included in the annual financial report, an additional report shall be submitted which details the services provided by CAPC to the citizens of Watertown.

Article X. NOTICES. All notices required to be given under this Agreement shall be in writing and shall be deemed to have been duly given on the date mailed, if sent by certified mail, return receipt requested or delivered in person to:

THE CITY:

City Manager
City of Watertown
245 Washington Street
Suite 302
Watertown, New York 13601

THE COMMUNITY ACTION PLANNING COUNCIL:

Executive Director
Community Action Planning Council of Jefferson County, Inc.
518 Davidson Street
Watertown, New York 13601

A party may change the address to which notices are to be sent by written notice actually received by the other party.

IN WITNESS WHEREOF, the City of Watertown and the Community Action Planning Council of Jefferson County, Inc. have caused this Agreement to be executed by authorized agents to be effective as of the date heretofore written.

THE CITY OF WATERTOWN, NEW YORK

BY: CITY MANAGER

THE COMMUNITY ACTION PLANNING COUNCIL OF JEFFERSON COUNTY, INC.

BY: EXECUTIVE DIRECTOR

Res No. 13

May 28, 2011

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Approving Public Benefit Services Agreement,
Volunteer Transportation Center, Inc.

Attached for City Council's consideration is a Public Benefit Service Agreement between the City of Watertown and the Volunteer Transportation Center, Inc (VTC). Mr. Sam Purington, Executive Director of the Volunteer Transportation Center, appeared before Council at its regular meeting on April 4, 2011. At that time, he made a funding request for the amount \$1,600 to assist in the operations of the VTC. With the adoption of the Fiscal year 2011-2012 budget, the City Council approved an appropriation to fund Mr. Purington's request.

In 2010, The Volunteer Transportation Center traveled 26,000 miles transporting City residents to doctor's offices, to shop for groceries, and to other vital appointments. The VTC often transports clients during hours when other transportation options are not available or to areas where public transportation is not provided. The VTC reimburses their drivers \$0.42 per mile to assist with the costs associated with vehicle wear and tear and fuel.

A resolution approving the Public Benefit Services Agreement with the Volunteer Transportation Center is attached for City Council approval.

RESOLUTION

Page 1 of 1

Approving Public Benefits Services Agreement Between the City of Watertown and the Volunteer Transportation Center, Inc.

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the City Council received a request for funding to support the efforts of the Volunteer Transportation Center, Inc., and

WHEREAS the City Council of the City of Watertown appropriated \$1,600 in the FY 2011-12 General Fund operating budget to support the activities of the Volunteer Transportation Center, and

WHEREAS the Volunteer Transportation Center will expend the funds to provide transportation assistance to individuals and families in the City of Watertown, where there is no alternative transportation available, and

WHEREAS the City of Watertown wishes to enter into an Agreement for Public Benefit Services between the City of Watertown and the Volunteer Transportation Center, Inc., a copy of which is attached and made a part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves a Public Benefit Services Agreement between the City of Watertown, New York, and the Volunteer Transportation Center, Inc., and

BE IT FURTHER RESOLVED that City Manager Mary Corriveau is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

Seconded by

AGREEMENT FOR PUBLIC BENEFIT SERVICES

BETWEEN

THE CITY OF WATERTOWN, NEW YORK

and

THE VOLUNTEER TRANSPORTATION CENTER, INC.

This Agreement made by and between the City of Watertown, New York (CITY)
and the Volunteer Transportation Center, Inc. (VTC).

WITNESSETH

For and in consideration of the mutual covenants and agreements hereinafter contained, the parties hereto for themselves, their successors and assigns, have mutually agreed and do agree with each other as follows:

Article I. DESCRIPTION OF SERVICES. The Volunteer Transportation Center, Inc. provides services that are considered to be for a public purpose. The Volunteer Transportation Center provides services which promote the health and welfare of the citizens of the City of Watertown.

Article II. ELIGIBLE ACTIVITIES. Eligible activities of the Volunteer Transportation Center reimbursable by the City shall promote a public purpose. Specifically, the Volunteer Transportation Center shall assist citizens of the City of Watertown by providing essential transportation services when no other transportation alternatives are available.

Article III. INELIGIBLE ACTIVITIES. Activities of the Volunteer Transportation Center which do not promote a public purpose shall be ineligible for reimbursement. Activities which are ineligible for reimbursement shall include, but not be limited to, land acquisition, salaries, utilities, fuel, insurance, interest, purchase of equipment, or program activities that do not provide essential transportation services to the citizens of the City of Watertown.

Article IV. TERM OF THIS AGREEMENT. The term of this Agreement shall be from July 1, 2011, through June 30, 2012.

Article V. MANNER OF PAYMENT.

a. The City agrees to provide One Thousand Six Hundred Dollars (\$1,600) to the Volunteer Transportation Center, Inc. for the term specified above.

b. Payment shall be made by the City Comptroller. Payment will be made on or after July 1st. Payment will only be made upon the City's receipt of a fully executed copy of this Agreement and a signed City Invoice form.

Article VI. PROVISIONS OF LAW. All provisions of law required to be made as part of this Agreement are hereby deemed incorporated in this Agreement. Performance of the terms and conditions of this Agreement shall be subject to and performance of all applicable laws.

Article VII. TERMINATION OF AGREEMENT. This Agreement may be terminated by either party, at any time, by the delivery to the other party of a written notice of termination by the Agreement, stating in good faith and for good and valid reasons by such party is unable to comply with and carry out the terms and substantive obligations of the Agreement in a meaningful manner. In the event of such termination, the City and the VTC shall perform such services and pay such monies as are necessary to carry out their respective obligations under the Agreement up to the date of termination of the Agreement. Any notice shall be delivered in person or by first class mail, return receipt requested, at the address of such party as hereinafter set out.

Article VIII. EXTENT OF AGREEMENT. This Agreement represents the entire Agreement between the City and the VTC. This Agreement may be amended only by written instrument signed by both parties and such amendment shall be attached to this Agreement.

Article IX. ANNUAL REPORT. The VTC will provide the City of Watertown with a copy of their annual financial report. If not included in the annual financial report, an additional report shall be submitted which details the services provided by the VTC to the citizens of Watertown.

Article X. NOTICES. All notices required to be given under this Agreement shall be in writing and shall be deemed to have been duly given on the date mailed, if sent by certified mail, return receipt requested or delivered in person to:

THE CITY:

City Manager
City of Watertown
245 Washington Street
Suite 302
Watertown, New York 13601

THE VOLUNTEER TRANSPORTATION CENTER, INC.:

Executive Director
Volunteer Transportation Center, Inc.
203 North Hamilton Street
Watertown, New York 13601

A party may change the address to which notices are to be sent by written notice actually received by the other party.

IN WITNESS WHEREOF, the City of Watertown and the Volunteer Transportation Center, Inc. have caused this Agreement to be executed by authorized agents to be effective as of the date heretofore written.

THE CITY OF WATERTOWN, NEW YORK

BY: CITY MANAGER

THE VOLUNTEER TRANSPORTATION CENTER, INC.

BY: EXECUTIVE DIRECTOR

Res No. 14

June 2, 2011

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning and Community Development Coordinator

Subject: Finding That the Amendment of Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program Will Not Have a Significant Negative Impact on the Environment

The City Council has on its agenda an Ordinance that will amend Chapter 310, Zoning of the Code of the City of Watertown to implement the land use recommendations of the Local Waterfront Revitalization Program. The City Council is required to complete an environmental review pursuant to the State Environmental Quality Review Act before voting on that Ordinance.

A resolution that states that the proposed zoning amendments will not have a significant negative impact on the environment has been prepared for City Council consideration. Part I of a Short Environmental Assessment Form has been prepared for the Council's review. The City Council must respond to the questions in Part II, and Part III if necessary, before voting on the resolution.

June 2, 2011

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning and Community Development Coordinator

Subject: Finding That the Amendment of Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program Will Not Have a Significant Negative Impact on the Environment

The City Council has on its agenda an Ordinance that will amend Chapter 310, Zoning of the Code of the City of Watertown to implement the land use recommendations of the Local Waterfront Revitalization Program. The City Council is required to complete an environmental review pursuant to the State Environmental Quality Review Act before voting on that Ordinance.

A resolution that states that the proposed zoning amendments will not have a significant negative impact on the environment has been prepared for City Council consideration. Part I of a Short Environmental Assessment Form has been prepared for the Council's review. The City Council must respond to the questions in Part II, and Part III if necessary, before voting on the resolution.

RESOLUTION

Page 1 of 2

Finding That the Amendment of Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program Will Not Have a Significant Negative Impact on the Environment

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

Introduced by

WHEREAS the City Council of the City of Watertown, New York, has before it a proposed Ordinance that will amend Chapter 310, Zoning of the Code of the City of Watertown to implement the Local Waterfront Revitalization Program, and

WHEREAS the City Council must evaluate all proposed actions in light of the State Environmental Quality Review Act (SEQRA) and the regulations promulgated pursuant thereto, and

WHEREAS the adoption of the proposed zoning amendments will constitute such an action, and

WHEREAS the City Council has determined that the proposal is an "Unlisted" action as that term is defined in 6NYCRR Section 617.2, and

WHEREAS to aid the City Council in its determination as to whether the proposed action will have a significant effect on the environment, Part I of a Short Environmental Assessment Form has been prepared by staff, a copy of which is attached and made part of this resolution,

RESOLUTION

Page 2 of 2

Finding That the Amendment of Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program Will Not Have a Significant Negative Impact on the Environment

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, that:

1. Based upon its examination of the Environment Assessment Form and comparing the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact on the environment is known and the adoption of the proposed zoning amendments will not have a significant negative impact on the environment.
2. The Mayor of the City of Watertown is authorized to execute the Environment Assessment Form to the effect that the City Council is issuing a negative declaration under SEQRA.
3. This resolution shall take effect immediately.

Seconded by

Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR City of Watertown	2. PROJECT NAME LWRP Zoning Amendment
3. PROJECT LOCATION: Municipality City of Watertown County Jefferson	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Along the banks of the Black River	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: The proposed amendments to the City's zoning ordinance will create new Downtown, Open Space and Recreation, and Waterfront Districts along with related regulations, which will be used to implement the	
7. AMOUNT OF LAND AFFECTED: land use recommendations of the Local Waterfront Revitalization Program. Initially <u>N.A.</u> acres Ultimately <u>N.A.</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly This proposal creates new zoning regulations.	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Describe: <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: City of Watertown	Date: 6/1/11
Signature: 	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with is assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
 Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part ii was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Res No. 15

June 1, 2011

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning & Community Development Coordinator

Subject: Finding that the approval of the zone change application of Dale Blanding to change the approved zoning classification of 214 Moulton Street, parcel number 3-01-120.001 from Light Industry to Residence C will not have a significant impact on the Environment

At its May 3, 2011 the City Planning Board recommended the above subject zone change. The City Council has scheduled a public hearing on the request for Monday, June 6, 2011 at 7:30 PM.

The City Council must complete Part II, and Part III if necessary, of the attached Environmental Assessment Form and adopt the resolution before it may vote on the Zone Change Ordinance. This resolution states that the zone change will not have a significant negative impact on the environment.

RESOLUTION

Page 1 of 2

Finding that the Approval of the Zone Change Application of Dale Blanding to Change the Approved Zoning Classification of 214 Moulton Street, Parcel Number 3-01-120.001 From Light Industry to Residence C Will Not Have a Significant Impact on the Environment

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the City Council of the City of Watertown, New York, has before it an ordinance for the zone change application of Dale Blanding to change the approved zoning classification of 214 Moulton Street, Parcel Number 3-01-120.001 from Light Industry to Residence C, and

WHEREAS the City Council must evaluate all proposed actions submitted for its consideration in light of the State Environmental Quality Review Act (SEQRA), and the regulations promulgated pursuant thereto, and

WHEREAS the adoption of the proposed ordinance would constitute such an “Action,” and

WHEREAS the City Council has determined that the proposed ordinance is an “Unlisted Action” as that term is defined by 6NYCRR Section 617.2(ak), and

WHEREAS there are no other involved agencies for SEQRA review as that term is defined in 6NYCRR Section 617.2(s), and

WHEREAS to aid the City Council in its determination as to whether the proposed zone change will have a significant effect on the environment, Part I of a Short Environmental Assessment Form has been prepared by the applicant, a copy of which is attached and made part of this resolution,

RESOLUTION

Page 2 of 2

Finding that the Approval of the Zone Change Application of Dale Blanding to Change the Approved Zoning Classification of 214 Moulton Street, Parcel Number 3-01-120.001 From Light Industry to Residence C Will Not Have a Significant Impact on the Environment

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that:

1. Based upon its examination of the Short Environmental Assessment Form and in comparison of the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact is known and the adoption of the zone change will not have a significant impact on the environment.
2. The Mayor of the City of Watertown is authorized to execute Part 3 of the Environmental Assessment Form to effect that the City Council is issuing a Negative Declaration under SEQRA.
3. This resolution shall take effect immediately.

Seconded by

Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

RECEIVED
 APR 19 2011
 WATER TOWN, NEW YORK

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Dale Blanding/Mary Pat Blanding	2. PROJECT NAME 214 Moulton St. zoning change request
3. PROJECT LOCATION: Municipality City of Watertown, New York 13601 County Jefferson	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) (208/214 Moulton Street) located kitty corner to the intersection of Grove Street & Moulton Street with National Grid Hydro located immediately to the West, Maywood Terrace Housing located immediately to the North and bordering the Black River immediately to the South.	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Convert existing warehouse to residential status living quarters	
7. AMOUNT OF LAND AFFECTED: Initially <u>.24</u> acres Ultimately <u>.64</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly The property is currently zoned as light industrial, we are requesting residential zoning	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: The property is bounded by both private and city housing and several commercial business'	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: The project would require a building permit issued by the City of Watertown New York	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Dale Blanding/Mary Pat Blanding</u> Date: <u>4/18/11</u> Signature: <u><i>Dale Blanding / Mary Pat Blanding</i></u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II – ENVIRONMENTAL ASSESSMENT / To be completed by Agency

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If NO, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?
 Yes No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If yes, explain briefly

PART III – DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

_____ Name of Lead Agency

_____ Print or Type Name of Responsible Officer in Lead Agency

_____ Title of Responsible Officer

_____ Signature of Responsible Officer in Lead Agency

_____ Signature of Preparer (If different from responsible officer)

_____ Date

Res No. 16

May 31, 2011

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning & Community Development Coordinator

Subject: Request for Site Plan Approval for the construction of a 9,383 sq. ft. addition and a 1,900 sq. ft. addition, and landscaping improvements, at 830 Washington Street, parcel numbers 14-02-100 and 14-08-111

A request has been submitted by Matthew J. Cooper, PE of Bernier & Carr Associates on behalf of Samaritan Medical Center for the above subject site plan approval. The Planning Board reviewed the request at its May 3 and May 24, 2011 meetings and adopted a motion recommending that the City Council approve the site plan with the conditions listed in the resolution.

Attached are reports on the site plan approval request prepared for the Planning Board, along with excerpts from its minutes.

The City Council must respond to the questions in Part 2, and Part 3 if necessary, of the SEQRA before it may vote on the resolution. The resolution prepared for City Council consideration states that the project will not have a significant negative impact on the environment, and approves the revised site plan submitted to the City Engineering Department on May 24, 2011.

RESOLUTION

Page 1 of 2

Approving the Site Plan for the Construction of a 9,383 sq. ft. Addition and a 1,900 sq. ft. Addition and Landscaping Improvements at 830 Washington Street, Parcel Numbers 14-02-100 and 14-08-111

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS Matthew J. Cooper of Bernier & Carr Associates, P.C., has made an application for site plan approval on behalf of Samaritan Medical Center, for the construction of a 9,383 sq. ft. addition and a 1,900 sq. ft. addition and landscaping improvements at 830 Washington Street, Parcel Numbers 14-02-100 and 14-08-111, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meetings held on May 3 and May 24, 2011, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. In order to ensure compliance with the Landscaping and Buffer Zone Guidelines, the proposed landscaping must be installed before the issuance of a final certificate of occupancy.
2. The stormwater discharge issue regarding the capacity of the Pratt Street storm sewer line must be resolved to the satisfaction of the City Engineering Department prior to the issuance of a building permit.
3. Handicap parking spaces must be added or relocated to provide easy access to the front entrance of Samaritan Keep Home.

And,

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

RESOLUTION

Page 2 of 2

Approving the Site Plan for the Construction of a 9,383 sq. ft. Addition and a 1,900 sq. ft. Addition and Landscaping Improvements at 830 Washington Street, Parcel Numbers 14-02-100 and 14-08-111

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Codes Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Codes Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, that site plan approval is hereby granted to Matthew J. Cooper of Bernier & Carr Associates, P.C., on behalf of Samaritan Medical Center, for the construction of a 9,383 sq. ft. addition and a 1,900 sq. ft. addition and landscaping improvements at 830 Washington Street, Parcel Numbers 14-02-100 and 14-08-111, as shown on the revised site plan submitted to the City Engineer on May 24, 2011, contingent on the applicant making the revisions and meeting the remaining conditions listed above.

Seconded by

BERNIER, CARR & ASSOCIATES, P.C.
327 MULLIN STREET
WATERTOWN NY 13601
TEL. 315 782 8130
FAX 315 782 7192

April 19, 2011

Mr. Kurt Hauk, P.E.
City Engineer
Room 305, City Hall
245 Washington Street
Watertown, NY 13601

Re: Samaritan Medical Center
Site Plan Application
BCA Project No. 2010-068

Dear Mr. Hauk:

Please find enclosed the site plan application for the Samaritan Medical Center Renovations Project. Specifically, the application pertains to the two proposed connectors from the Samaritan Medical Center to the Samaritan Keep Home and to the Samaritan Medical Building.

The connectors will provide an enclosed passage between the buildings. The connectors do not include any office space or patient rooms. Site improvements are proposed in the vicinity of the connectors, including a therapeutic garden at the Keep Home connector to increase the amount of "green space" on the Samaritan campus.

Contained in the application package is the following:

- 3 sets of the cover letter, Site Plan Application Form, Drawings (24" x 36"), and Engineering Report.
- 13 sets of the cover letter, Site Plan Application Form, and Drawings (11" x 17")
- \$50 check

An electronic copy of the package will be sent via email.

Should you have questions or require additional information, please feel free to contact our office.

Very truly yours,

BERNIER, CARR & ASSOCIATES, P.C.

Matthew J. Cooper, P.E.
Principal / Engineer

Cc: Richard Brooks

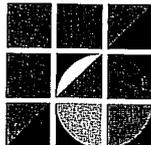
Encl.



BERNIER
CARR



MACH





MEMORANDUM

City of Watertown Planning Office

245 Washington Street, Room 304

Watertown, New York 13601

315-785-7730

Fax: 315-782-9014

TO: Norman J. Wayte II, Chairman, Planning Board

FROM: Kenneth A. Mix, Planning and Community Development Coordinator *KAM*

SUBJECT: Site Plan Approval – 830 Washington Street

DATE: April 26, 2011

Request: Site Plan Approval for the construction of a 9,383 square foot addition and a 1,900 square foot addition and landscaping improvements at 830 Washington Street, Parcels Number 14-02-100 and 14-08-111

Applicant: Matthew J. Cooper, P.E. of Bernier, Carr & Associates, P.C. on behalf of Samaritan Medical Center.

Proposed Use: Healthcare facilities.

Property Owner: Samaritan Medical Center, Samaritan Keep Nursing Home.

Submitted:

Property Survey: Yes	Preliminary Architectural Drawings: Yes
Site Plan: Yes	Preliminary Site Engineering Plans: Yes
Vehicle and Pedestrian Circulation Plan: Yes	Construction Time Schedule: Yes
Landscaping and Grading Plan: Yes	Description of Uses, Hours & Traffic Volume: Yes

SEQRA: Unlisted Action

County Planning Board Review Required: No

Zoning Information:

District: Health Services	Maximum Lot Coverage: None
Setback Requirements: Front: 20ft, Side: 5ft, Rear: 25ft, Parking: 20ft.	Buffer Zone Required: Yes, 5 to 15 feet where site abuts residential districts

Project Overview: The proposed project involves the construction of two enclosed connector structures: one between Samaritan Medical Center (SMC) and Samaritan Keep Home (SKH), and one between SMC and the attached medical office building (MOB) owned by Rothschild/Breuer Associates. The project also involves significant landscaping improvements, including a “therapeutic courtyard garden” between the SMC and the Keep Home.

Parking: The applicant did not submit updated parking calculations. Staff estimates that the site plan as submitted eliminates approximately 233 linear feet of parking, or about 25 spaces. Based on the submitted information and records from a previous site plan review in 2007, the medical complex requires 1,192 parking spaces. The current count is 1,291 spaces, and after construction of the proposed additions the count would be between 1,261 and 1,271—well above the required 1,192.

The applicant must provide a plan depicting the parking spaces and turn movements of the Fire Department’s ladder truck in the parking lot east of Samaritan Keep, and provide turn movements for vehicles travelling through the new loop to the west of the connector.

Grading, Drainage and Utilities: Due to capacity issues on the Pratt Street storm sewer, SMC must obtain approval for any increase in discharge of any storm water flow into the City’s storm sewer system, prior to issuance of a building permit. The applicant must provide pre- and post-construction drainage area maps to supplement the calculations in the engineering report.

The view of the Utility Plan should be shifted west so the proposed Pratt Street storm sewer connection can be seen. The grading plan needs to be updated to show existing contours, and proposed grading contours for the rest of the proposed site improvements. Further:

- The plans should show all existing storm sewer piping in areas where improvements are proposed.
- Any modifications or relocations to existing catch basins in the “therapeutic garden” area should be called out.
- A detail of the connection to the City’s sewer system should be added, and should specify a rubber boot connection.
- Add Inlet Protection to catch basins as needed, and provide a detail.

Water: An existing 6” water line leading from the 10” main to SKH is not depicted in the submitted plans. The proposed construction may interfere with this water line, so its relocation must be addressed.

The applicant must also update the site plan to depict an existing fire hydrant, in an island just east of the MOB Connector, which is missing from the plans.

The applicant must add the following 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.”

Traffic: No changes are required. The only alteration of the traffic pattern will be the elimination of the lane between SMC and Keep Home, and its replacement with two circular drives.

Lighting: Changes to the site lighting are minimal. No lighting/photometric plan was submitted, but the engineering report suggests that the few light poles that must be removed can be relocated without difficulty or negative impact on nighttime visibility.

Landscaping: Extensive landscaping and new plantings are proposed. The submitted landscaping plans include over 100 new tree plantings of various sizes throughout the site. The area between SMC and Keep Home on either side of the new connector will become a “therapeutic garden” for patients and residents. Initially the garden will be composed of a network of pathways with small grassy areas interspersed. In the second phase of the landscaping plan, these grass areas will be replaced with a mixture of evergreen shrubbery and groundcover, as described on the legend of the submitted landscaping plan.

In 2007, the City Council approved a landscaping plan for this parcel which included approximately 40 trees along Washington Street and Woodruff Street. The new construction that was the subject of that site plan review has been completed, but to date none of these ~40 plantings have been made. Staff recommends that the Planning Board seek some assurance as to when the proposed landscaping will be completed.

Other Comments: The proposed connector between SMC and the Rothschild/Breuer MOB will violate the setback requirements of the Health Services zoning designation. A previous area variance, granted in 2009 (file #457), allowed for relief from setbacks along this property line that would have prevented SMC from obtaining necessary financing for an expansion project. The relief in said area variance also applies to the proposed SMC-MOB connector.

The proposed connector between SMC and Samaritan Keep Home will also violate setback regulations. The Nursing Home has ownership of parcel 14-08-111, and SMC has ownership of parcel 14-02-100. The proposed connector crosses the boundary between these two parcels. In order for this project to be permitted, the applicant must either consolidate ownership and combine the two parcels, or be granted another area variance by the Zoning Board of Appeals. *Aforementioned variance #457 does not apply to the SMC-SKH connector.*

If the applicant decides to pursue an area variance and the Planning Board makes a recommendation on the site plan, it will have to be contingent upon the ZBA granting an area variance. Pursuant to New York General City Law § 33.6, the ZBA must ask for a written recommendation from the Planning Board on the variance. Staff is recommending that the Planning Board make a written recommendation now, in order to expedite the approval process.

Summary: The following lists the key issues that must be addressed:

1. The applicant should provide a schedule for completion of the landscaping plan, or other assurance of its timely completion as the Planning Board sees fit.
2. The applicant must choose a solution to the setback violation issue prior to permitting; either by variance or combination. If by variance, the Planning Board must make a written recommendation to the ZBA.
3. Provide a plan depicting the parking spaces and turn movements of the Fire Department’s ladder truck in the parking lot east of Samaritan Keep Home.
4. Provide turn movements for vehicles travelling through the new loop on the west side of the SMC-SKH connector.
5. Depict an existing 6 inch water line, going into Samaritan Keep Home from the 10 inch main, which is missing on the plans and explain how it will be affected by the new construction.

6. Depict an existing fire hydrant, in an island just east of the MOB Connector, which is missing from the plans.
7. Add the following 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.”
8. SMC must obtain approval to increase the discharge of any storm water flow into the City’s storm sewer system, prior to issuance of a building permit.
9. Shift the view of the Utility Plan west so the proposed Pratt Street storm sewer connection can be seen.
10. Provide pre- and post-construction drainage area maps.
11. Depict existing contours on the Grading Plan.
12. Provide proposed grading and contours for the rest of the proposed site improvements.
13. Depict all existing storm sewer piping in areas where improvements are being proposed.
14. Several catch basins and manholes are located in the proposed Therapeutic Garden area. Callout any modifications and/or relocations being proposed.
15. Add a detail of the connection to the City’s sewer system and specify a rubber boot connection.
16. Add Inlet Protection to catch basins as necessary and provide a detail.

cc: Planning Board Members
City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Matthew J. Cooper, P.E.



MEMORANDUM

City of Watertown Planning Office

245 Washington Street, Room 304

Watertown, New York 13601

315-785-7730

Fax: 315-782-9014

TO: Norman J. Wayte II, Chairman, Planning Board

FROM: Kenneth A. Mix, Planning and Community Development Coordinator

SUBJECT: Tabled Site Plan Approval – 830 Washington Street *ham*

DATE: May 19, 2011

Request: Site Plan Approval for the construction of a 9,383 square foot addition and a 1,900 square foot addition and landscaping improvements at 830 Washington Street, Parcels Number 14-02-100 and 14-08-111.

Applicant: Matthew J. Cooper, P.E. of Bernier, Carr & Associates, P.C. on behalf of Samaritan Medical Center.

Proposed Use: Healthcare facilities.

Property Owner: Samaritan Medical Center, Samaritan Keep Nursing Home.

Submitted:

Property Survey: Yes

Preliminary Architectural Drawings: Yes

Site Plan: Yes

Preliminary Site Engineering Plans: Yes

Vehicle and Pedestrian Circulation Plan: Yes

Construction Time Schedule: Yes

Landscaping and Grading Plan: Yes

Description of Uses, Hours & Traffic Volume: Yes

SEQRA: Unlisted Action

County Planning Board Review Required: No

Zoning Information:

District: Health Services

Maximum Lot Coverage: None

Setback Requirements: Front: 20ft, Side: 5ft,
Rear: 25ft, Parking: 20ft.

Buffer Zone Required: Yes, 5 to 15 feet where site
abuts residential districts

Overview: At the May 3, 2011 meeting, the Planning Board considered a request for Site Plan Approval for renovations and additions at Samaritan Medical Center. The applicant has submitted updated materials for consideration by the Planning Board. These materials show that the applicant has addressed most of the points of summary listed in the previous Staff Memo dated April 26, 2011.

Landscaping: At its September 15, 2008 meeting, the City Council approved an amendment to the approved site plan of April 7, 2008. This amendment allowed for the Washington Street sidewalk to remain in its current location, and required that the applicant submit a revised Landscaping Plan consistent with the Landscaping and Buffer Zone Guidelines. It does not appear that the revised landscaping plan was ever submitted. Regardless, the lack of plantings along Washington Street near the new pavilion and parking garage do not fulfill the requirements of the previous site plan approval.

Implementation of the Landscaping Plan currently under review as part of the connector project would bring the previously approved site plan into compliance. The Planning Board should make the approval contingent upon the landscaping being installed prior to the issuance of a final certificate of occupancy for the building addition. The applicant is encouraged to begin planting along Washington Street this summer in order to expedite the issuance of a Certificate of Occupancy after construction of the connectors is finished.

Traffic & Parking: The applicant must provide a plan showing parking spaces and turn movements of the Fire Department ladder truck as it pulls into, loops around, and exits the parking lot to the east of Samaritan Keep Home.

Stormwater: The issue of increased stormwater discharge to Pratt Street is unresolved. The applicant will continue to work with the Engineering Department to determine the best solution. They have stated that they will wait for written approval from the City Engineer before beginning construction.

Setbacks: The proposed SMC-SKH connector will violate setback requirements by crossing the parcel boundary. An Area Variance has been granted to reduce the setbacks along this property line to zero feet, thus allowing construction across the parcel boundary. The decision was made at the May 18th meeting of the Zoning Board of Appeals, with a vote of 3-0 in favor.

Summary:

1. The proposed landscaping must be installed prior to the issuance of a final certificate of occupancy for the building addition.
2. The applicant must provide a plan showing parking spaces and turning movements for the fire department's ladder truck in the parking lot just east of Keep Home.
3. The stormwater discharge issue must be resolved to the satisfaction of the City Engineering Department prior to the issuance of a building permit.
4. The Zoning Board of Appeals granted an Area Variance on May 18, 2011, reducing setback along the property line between SMC and SKH to zero feet.

cc: Planning Board Members
City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Matthew J. Cooper, P.E.

PLANNING BOARD OF THE CITY OF WATERTOWN, NY

EXCERPT FROM THE MINUTES – MEETING OF MAY 3, 2011

**SITE PLAN APPROVAL – SAMARITAN MEDICAL CENTER
830 WASHINGTON STREET, PARCELS 14-02-100 AND 14-08-111**

The Planning Board then considered a request for site plan approval submitted by Matthew J. Cooper of Bernier & Carr Associates, P.C. on behalf of Samaritan Medical Center for approval of renovations and additions to the Samaritan Medical Center and Samaritan Keep Home, both located at 830 Washington Street, Parcels 14-02-100 and 14-08-111.

Mr. Cooper was present to explain the project. He briefly summarized the scope of construction, including two new connectors between the SMC and the Keep Home and the SMC and a neighboring medical office building, as well as therapeutic garden and other landscaping. He stated that, based on the Staff Memo, there were three major issues to address. First, additional information must be added to the drawings—many of the Staff comments were noting omissions rather than disagreements. Second, the area variance for relief from setback requirements must be addressed. Third, the changes in storm water flow must be addressed.

He went on to explain the storm water issues. He stated that there is very little gross additional runoff, but that the connector prevents cross-site piping. Either retention structures must be built or the discharge to the Pratt street storm sewer must be increased significantly. He stated that further consultation with the Engineering Department would be required before a solution can be finalized.

Mr. Wayte asked if the Fire Department had been consulted regarding changes to ingress and egress. Mr. Cooper replied that they had, and that additional information regarding fire truck turning radii would be shown on the next submission.

Mr. Harris asked if there was a schedule for completion of the landscaping. Mr. Cooper responded that they expected to have the interior landscaping finished in 2012.

Richard Tague of Bernier & Carr approached the Board regarding the previous landscaping plan mentioned in the Staff Memo. He stated that he believed the most recent approved site plan for SMC was from 2008, not 2007.

Mr. Wayte asked if the landscaping plan currently under consideration was meant to be fully completed as part of this project.

Mr. Tague clarified that only the interior portions, specifically the therapeutic garden and the areas surrounding the new connector structures, would be planted as part of this project. The remainder of the plan constitutes a long-term vision for the site.

Mr. Harris expressed concern that landscaping from previous site plan approvals had not yet been completed. Mr. Tague responded that he would like to examine the previous site plans, as they were not submitted by his firm.

Mrs. Freda asked if the file regarding Area Variance #457 was available for review. While the file was being retrieved there was some discussion of parking. Mrs. Freda stated that during the construction of the parking garage and pavilion, the number and layout of the parking on site obviously changed. She said she was concerned that the elimination of additional parking for this project would leave the site short on parking. Mr. Lumbis explained that Staff had reviewed the site plan documents from when the pavilion and garage were first proposed and found that after the construction of those two buildings, the overall site would still have a surplus of 100 parking spaces. He said that while approximately 25 spaces would be removed for this project, the overall number of spaces should be adequate.

The Planning Board then discussed the property line setback issue and the need for a variance. Mr. Cooper said that he believed the previous variance was related to the construction of the parking garage. Mr. Mix agreed, and added that it also covers the proposed connector between the Medical Office Building and SMC.

Mrs. Freda mentioned that she believed that SMC had planned to combine the lots in order to avoid obtaining a variance from the ZBA. Mr. Mix responded that it had turned out to be difficult or impossible due to legal issues regarding ownership. He then mentioned that if the applicants proceed with a variance application, the State law requires the Planning Board to make a written recommendation to the Zoning Board of Appeals, and that the Board could proceed with this now in order to save time.

Mr. Mix stated that the Board may approve the site plan contingent on the variance being granted. Mrs. Freda said that she would prefer not do that, but rather wait until the upcoming special session for approval—after the next ZBA meeting.

Mr. Harris made a motion to recommend that the ZBA approve the variance granting relief from setback requirements along the property line between Samaritan Medical Center and Samaritan Keep Nursing Home.

Mrs. Gervera seconded, the board voted 5-0 in favor. Mr. Coburn abstained due to professional association with the applicants.

Mr. Wood mentioned that the deadline for the next ZBA meeting (May 18th) has already passed. He then suggested that the applicants could submit a late application for the variance by the end of this week (May 6th) in order make that meeting—otherwise there is a risk that the variance would not be granted until late July. Mr. Tague responded that they would submit an application this week.

Mrs. Freda then made a motion to table action on the site plan until the May 24th special session. Mrs. Gervera seconded, the board voted 5-0 in favor. Mr. Coburn again abstained.

PLANNING BOARD OF THE CITY OF WATERTOWN
EXCERPT FROM THE MINUTES – MEETING OF MAY 24, 2011

**SITE PLAN APPROVAL (TABLED) – SAMARITAN MEDICAL CENTER
830 WASHINGTON STREET, PARCELS 14-02-100 AND 14-08-111**

The Planning Board resumed consideration of a tabled request for site plan approval submitted by Matthew J. Cooper of Bernier & Carr Associates, P.C. on behalf of Samaritan Medical Center for the construction of a 9,383 square foot addition and a 1,900 square foot addition and landscaping improvements at 830 Washington Street, Parcels Number 14-02-100 and 14-08-111.

Mr. Cooper was present to represent the project. He stated that he had received the comments in the Staff Report, and that he had submitted another revision earlier today (May 24, 2011). He then went through the four points of summary in said Report, explaining the applicant's response. He mentioned that the ladder truck turn movements were provided on the updated plan. He then stated that the owner has agreed to install the landscaping around the new additions and along Washington Street before the final certificate of occupancy is issued for the additions—estimated to occur before the end of 2012. He finished by explaining that the Pratt Street stormwater issue was an ongoing discussion with the Engineering Department, with both parties cooperating to explore possible solutions.

Mrs. Gervera asked if Engineering was okay with the revised plan showing parking spaces and turning movements for the fire department's ladder truck in the parking lot just east of Keep Home.

Mr. Wood responded that they looked fine, but the truck may not be able to pass under the canopy on the east side of the patient pavilion. Mr. Cooper stated that he could not confirm the canopy height at this time, but he would look into it. Mr. Wood said that only minor changes to the parking lot would be required if the canopy was determined to be too low.

Mr. Wayte inquired about the lack of handicap parking near the Keep Home entrance. Mr. Cooper responded that there should be handicap spaces in this area, but they are not shown on the plan. He stated that he would verify the number of handicap spaces in this area and adjust the site plan if necessary. Mr. Wayte stated that he should consider moving the handicap spaces closer to the Keep Home entrance in any case.

Mr. Wayte then asked if the landscaping along the front (Washington Street) would be similar to the way it was before construction of the Patient Pavilion. Specifically, he wondered if a berm would be added to block the parked cars from view. Mr. Cooper responded that there would be no berms. Mr. Lumbis noted that the parking area along Washington Street was previously at street level and the berm blocked the vehicles from view. He said that the new construction lowered the level of the parking spaces so that once the plantings are in place the vehicles should again be screened from view.

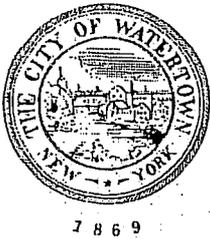
Mr. Wayte asked if Engineering was satisfied with the site plan. Mr. Wood responded affirmatively.

Mr. Wayte asked if Planning was satisfied with the plan. Mr. Lumbis responded affirmatively, adding that the condition of approval regarding the completion of landscaping before occupancy should remain.

Mr. Harris then made a motion to recommend site plan approval for the request submitted by Matthew J. Cooper of Bernier & Carr Associates, P.C. on behalf of Samaritan Medical Center for the construction of a 9,383 square foot addition and a 1,900 square foot addition and landscaping improvements at 830 Washington Street, Parcels Number 14-02-100 and 14-08-111, as shown on the revised site plan submitted on May 24, 2011, with the following conditions:

1. In order to ensure compliance with the Landscaping and Buffer Zone Guidelines, the proposed landscaping must be installed before the issuance of a final certificate of occupancy.
2. The stormwater discharge issue regarding the capacity of the Pratt Street storm sewer line must be resolved to the satisfaction of the City Engineering Department prior to the issuance of a building permit.
3. Handicap parking spaces must be added or relocated to provide easy access to the front entrance of Samaritan Keep Home.

Mrs. Warner seconded, and the motion passed 4-0, with Mr. Fipps and Mr. Coburn abstaining due to professional relationships with the applicant.



CITY OF WATERTOWN
~~**SITE PLAN APPLICATION**~~
AND
SHORT ENVIRONMENTAL
ASSESSMENT FORM, PART 1

** Provide responses for all sections. INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. Failure to submit required information by the submittal deadline will result in **not** making the agenda for the upcoming Planning Board meeting.

PROPERTY LOCATION

Proposed Project Name: Samaritan Medical Renovations & Additions

Tax Parcel Number: 140210 & 1408101.1

Property Address: 830 Washington Street Watertown, NY

Existing Zoning Classification: Health Services

OWNER OF PROPERTY

Name: Samaritan Medical Center

Address: 830 Washington Street Watertown, NY

Watertown, NY

Telephone Number: (315)-785-4421

Fax Number: _____

APPLICANT

Name: Richard Brooks

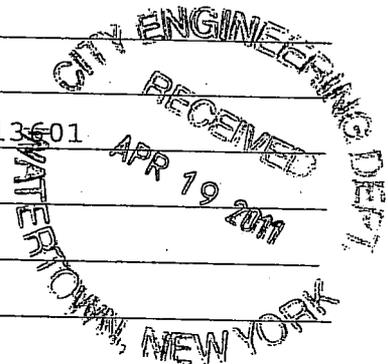
Address: Samaritan Keep-Home

133 Pratt Street Watertown, NY 13601

Telephone Number: (315)-785-4421

Fax Number: _____

Email Address: rbrooks@shsny.com



ENGINEER/ARCHITECT/SURVEYOR

Name: Bernier, Carr & Associates, P.C.

Address: 327 Mullin Street

Watertown, NY 13601

Telephone Number: (315)-782-8130

Fax Number: (315)-782-7192

Email Address: Rtaque@thebcgroup.com Rick W. Taque A.I.A.

Date 03/01/2010.

PROJECT DESCRIPTION

Describe project and proposed use briefly:

Two new connectors, one two-story connector connecting Samaritan Keep Home and Samaritan Medical building, the other will connect one portion of the Samaritan Medical Center to itself. All associated parking will be adjusted as needed, and a new pedestrian drop off loop will be installed.

Is proposed Action:

New Expansion Modification/Alteration

Amount of Land Affected:

Initially: .97 Acres Ultimately: .97 Acres

Will proposed action comply with existing zoning or other existing land use restrictions?

Yes No If no, describe briefly

What is present land use in vicinity of project?

Residential Industrial Commercial Agriculture
 Park/Forest/Open Space Other

Describe: Health Care Services

Does project involve a permit approval, or funding, now or ultimately from any other Governmental Agency (Federal, State or Local)?

Yes No If yes, list agency(s) and permit/approval(s)

Building Permit-City of Watertown

Does any aspect of the project have a currently valid permit or approval?

Yes No If yes, list agency(s) and permit/approval(s)

As a result of proposed project, will existing permit/approval require modification?

Yes No

Proposed number of housing units (if applicable): _____

	<u>SKH Connector</u>	<u>MOB Connector</u>
Proposed building area: 1 st Floor	<u>4013</u> Sq. Ft.	<u>1900</u> Sq. Ft.
2 nd Floor	<u>5370</u> Sq. Ft.	
3 rd Floor	_____ Sq. Ft.	
Total	<u>9383</u> Sq. Ft.	

Area of building to be used for the boiler room, heat facilities, utility facilities and storage: 0 _____ Sq. Ft.

Number of parking spaces proposed: 0 _____

Construction Schedule: July 2011-December 2011 _____

Hours of Operation: 7:00 am - 5:00 pm _____

Volume of traffic to be generated: 0 _____ ADT

GENERAL INFORMATION

ALL ITEMS ARE STAMPED & SIGNED WITH AN ORIGINAL SIGNATURE BY A PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR SURVEYOR LICENSED AND CURRENTLY REGISTERED TO PRACTICE IN THE STATE OF NEW YORK.

If required, a copy of the Stormwater Pollution Prevention Plan (SWPPP) submitted to the NYSDEC will also be sent to the City of Watertown Engineering Department.

If required, a copy of all submittals sent to the New York State Department of Environmental Conservation (NYSDEC) for the sanitary sewer extension permit will also be sent to the City of Watertown Engineering Department

If required, a copy of all submittals sent to the New York State Department of Health (NYSDOH) will also be sent to the City of Watertown Engineering Department.

Signage will not be approved as part of this submission. It requires a sign permit from the Codes Department. See Section 310-52.2 of the Zoning Ordinance.

Plans have been collated and properly folded.

Explanation for any item not checked in the Site Plan Checklist.

Completed SEQR – Short Environmental Assessment Form – Part I.

*A copy of the SEQR Form can be obtained from the City of Watertown website.

SIGNATURE

I certify that the information provided above is true to the best of my knowledge.

Applicant (please print) RICHARD A. BROOKS

Applicant Signature  Date: 4-19-11

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? Yes No If yes, coordinate the review process and use the FULL EAF.

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?

Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Reset

Res No. 17

May 31, 2011

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning & Community Development Coordinator

Subject: Request for Site Plan Approval for the construction of a 231,073 sq. ft., 288-bed Senior Living Facility on the 1500 block of Washington Street, parcel numbers 13-23-101, 13-23-102.1, and 13-23-104

A request has been submitted by Patrick J. Scordo, PE of GYMO, PC on behalf of Samaritan Medical Center for the above subject site plan approval. The Planning Board reviewed the request at its May 3 and May 24, 2011 meetings and adopted a motion recommending that the City Council approve the site plan with the conditions listed in the resolution.

Attached are reports on the site plan approval request prepared for the Planning Board, along with an excerpt from its minutes.

The County Planning Board reviewed the site plan on April 26, 2011 and adopted a motion recommending approval.

The resolution prepared for City Council consideration approves the revised site plan submitted to the City Engineering Department on May 17, 2011 with the conditions recommended by the Planning Board. The City Council must approve the related SEQRA resolution and zone change ordinance before voting on this resolution.

RESOLUTION

Page 1 of 3

Approving the Site Plan for the Construction of a 231,073 sq. ft., 288-Bed Senior Living Facility on the 1500 Block of Washington Street, Parcel Numbers 13-23-101, 13-23-102.1 and 13-23-104

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS Patrick J. Scordo of GYMO,P.C., has made an application for site plan approval on behalf of Samaritan Medical Center, for the construction of a 231,073 sq. ft., 288-Bed Senior Living Facility on the 1500 Block of Washington Street, Parcel Numbers 13-23-101, 13-23-102.1 and 13-23-104, and

WHEREAS the Jefferson County Planning Board reviewed the site plan at its meeting held on April 26, 2011, pursuant to General Municipal Law Section 239-m and adopted a motion recommending approval, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meetings held on May 3 and May 24, 2011, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. The applicant must work with the City to determine an acceptable location for the proposed trail system easement.
2. The applicant must submit a Stormwater Pollution Prevention Plan (SWPPP) to be approved by the City Engineering Department prior to the start of construction activities.
3. The proposed location and necessary agreements for the water supply must be approved by the City Council, Town of Watertown and NYS Department of Health.
4. The applicant must obtain a Wetland Jurisdictional Determination and wetland permit if necessary, from the US Army Corps of Engineers and ensure mitigation of any negative effects determined by the US Army Corps of Engineers.
5. The Lyre-tipped Spreadwing Damselfly habitat identified (but not yet confirmed) on the site will likely be disturbed. The species is not listed by state or federal authorities.
6. Street trees shall be added on the south side of the main driveway entrance from Station 8+00 to the parking area.
7. Street trees shall be added in the new parking lot island located on the south end

RESOLUTION

Page 2 of 3

Approving the Site Plan for the Construction of a 231,073 sq. ft., 288-Bed Senior Living Facility on the 1500 Block of Washington Street, Parcel Numbers 13-23-101, 13-23-102.1 and 13-23-104

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

- of the Samaritan Medical Plaza parking lot.
- 8. The plans shall be modified to specify the installation of a 6 inch sidewalk, a concrete or asphalt apron, and a drop curb across the new widened delivery entrance.
- 9. The applicant shall provide a detail of the handicap ramp.
- 10. The applicant shall consider a drop curb entrance to the National Grid easement for maintenance access.
- 11. As part of the SWPPP, the applicant must specify what is being done with the existing 10” concrete storm pipe located near the proposed stormwater management structure #1, ensuring that a connection to the existing or proposed storm system is shown.
- 12. As part of the SWPPP, the applicant must specify what the outlet of Stormwater Management Pond #1 is connected to and the proposed grading of the northerly handicap ramp must be moved on the plan to provide an unobstructed view of the connection.
- 13. The applicant must relocate the existing catch basin just north of the new entrance 20 feet further north, or move the driveway 20 feet south.
- 14. The applicant must revise the detail on sheet C502 to specify rubber-booted, water-tight connections to all existing City catch basins.

And,

WHEREAS the City Council has determined that the project will not have a significant effect on the environment pursuant to the State Environmental Quality Review Act,

NOW THEREFORE BE IT RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Codes Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Codes Enforcement Officer is requested to periodically review on-site plans to determine whether the

RESOLUTION

Page 3 of 3

Approving the Site Plan for the Construction of a 231,073 sq. ft., 288-Bed Senior Living Facility on the 1500 Block of Washington Street, Parcel Numbers 13-23-101, 13-23-102.1 and 13-23-104

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

YEA	NAY

City Engineer has been provided with plans as required by this approval, and ^{Total}.....

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, that site plan approval is hereby granted to Patrick J. Scordo of GYMO,P.C., on behalf of Samaritan Medical Center, for the construction of a 231,073 sq. ft., 288-Bed Senior Living Facility on the 1500 Block of Washington Street, Parcel Numbers 13-23-101, 13-23-102.1 and 13-23-104, as shown on the revised site plan submitted to the City Engineer on May 17, 2011, contingent on the applicant making the revisions and meeting the conditions listed in the Planning Board’s recommendation.

Seconded by

12 April 2011

Mr. Kurt Hauk, P.E.
City Engineer
Room 305 – City Hall
245 Washington St
Watertown, NY 13601

Re: Site Plan Submission
Samaritan Medical Center
Samaritan Senior Village

File: 2010-267

Dear Mr. Hauk:

On behalf of Samaritan Medical Center we are submitting the following materials for Site Plan review at the 3 May 2011 City Planning Board meeting and the 26 April 2011 Jefferson County Planning meeting:

- 3 full size sets of Site Plans for Departmental Review, including a wet stamped original (Cover, C001, EX 101, EX 102, C101, C102, L101 and C501-C506);
- 16 - 11" x 17" Preliminary Architectural Plans (A101-A103);
- 12 - 11"x17" sets of Site Plans;
- 16 Signed and Sealed Engineering Reports;
- City of Watertown Site Plan Application, including Short EAF, and
- \$50 Application Fee.

The project is located on three different tax parcel's; 13-23-104, 13-23-101, and 13-23-102.1 in the City of Watertown.

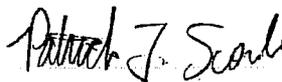
The proposed development consists of a 288 bed Senior Living Facility (79,384 SF) and related utilities and appurtenances required for site plan approval. The proposed facility will initially include a 120 unit, three-story assisted living wing, a 168 unit, four-story skilled care wing, and a common area. The conceptual development of the future wing is shown for informational purposes only. Site plan approval is not being sought for the conceptual wing at this time.

A Request for Zone Change and Subdivision Submission are needed to allow for the proposed project to meet City of Watertown requirements. It is anticipated that the Planning Board will review these applications at the 3 May 2011 City Planning Board meeting. Due to Biological, Archaeological, Traffic Study schedules, a 24 May 2011 special meeting is requested for final site plan approval.

The developer plans on beginning construction in June 2011.

If there are any questions or you require additional information, please feel free to contact our office.

Sincerely,
GYMO, Architecture, Engineering & Land Surveying, PC



Patrick J. Scordo, P.E.
Director of Engineering

Attachments

pc: Ryan Churchill - GYMO, PC
Richard Brooks - Samaritan Medical Center
Pam Beyor, AIA, Rick Tague, AIA, Peter Clough – The Bernier Carr Group
Craig Kimmel, AIA – RLPS Architects



Leo F. Gozalkowski, PLS
Stephen W. Yaussi, AIA
Edward G. Olley, Jr., AIA
William P. Plante, PLS
Patrick J. Scordo, PE
Thomas S.M. Compo, PE

Gregory F. Ashley, PLS



MEMORANDUM

City of Watertown Planning Office

245 Washington Street, Room 304

Watertown, New York 13601

315-785-7730

Fax: 315-782-9014

TO: Norman J. Wayte II, Chairman, Planning Board

FROM: Kenneth A. Mix, Planning and Community Development Coordinator

SUBJECT: Site Plan Approval – 1500 Block Washington Street, Samaritan Senior Village

DATE: April 28, 2010

KAM

Request: Site Plan Approval for the construction of a 231,073-square foot, 288-bed senior living facility on the 1500 block of Washington St., Parcels Number 13-23-101, 13-23-102.1, and 13-23-104.

Applicant: Patrick J. Scordo, P.E. of GYMO, P.C. on behalf of Samaritan Medical Center

Proposed Use: Multifamily senior living facility

Property Owner: Watertown City School District, City of Watertown, and Samaritan Medical Center

Submitted:

Property Survey: Yes

Preliminary Architectural Drawings: Yes

Site Plan: Yes

Preliminary Site Engineering Plans: Yes

Vehicle and Pedestrian Circulation Plan: Yes

Construction Time Schedule: Preliminary

Landscaping and Grading Plan: Yes

Description of Uses, Hours & Traffic Volume:
Preliminary

SEQRA: Unlisted Action

County Planning Board Review Required: Yes

Zoning Information:

District: Commercial (after Zone Change)

Maximum Lot Coverage: None

Setback Requirements: None

Buffer Zone Required: Yes, 5-15 feet along northern
and eastern site boundaries

Project Overview: The applicant is proposing the construction of a 288-bed, 231,073-square foot senior living center, as well as necessary site and utility work. Such site work includes the construction of a 35-foot driveway loop with two connections to Washington Street, including a loading dock and 187 parking spaces arranged along the drive. Three storm water management structures are proposed; they will be pond retention basins, surrounded by decorative fencing. New sewer lines and water lines will also be constructed to serve the facility. The building will have two wings, one 3 stories and one 4 stories.

Parking & Traffic: Because this facility matches the description of a “Nursing Home” in many respects, but also has some qualities of a mixed-use project, the applicant’s parking calculations included the requirements of both §310-45 and §310-47. This means 1 space for every 3 beds (96), and 1 guest space for every 10 “dwellings” (29), for a total requirement of 125 spaces. The site as proposed exceeds this requirement with 187 spaces. Residents of the facility are not expected to have cars.

The applicant must show in the plans proposed restoration details for all existing asphalt, curb, and sidewalk work required for construction of the two entrances to the site. The applicant must provide a Traffic Impact Study.

Pedestrian Circulation: A five foot walk follows the majority of the new driveway around the perimeter of the site. This should be sufficient for the limited pedestrian traffic into and out of the site. The proposed garden areas contain further walkways for the on-site enjoyment of residents.

Pedestrian access between Samaritan Medical Plaza and the proposed Senior Village needs further attention. Two connections are shown, but their nature is not fully known or depicted. The driveway spur between Samaritan Medical Plaza and the new perimeter driveway lacks a sidewalk; it should have one along its eastern edge connecting the SMP parking lot to the new perimeter walkway. Further, some arrangement needs to be made for pedestrian traffic across the north side of the SMP building, between the storefront and the western entrances of the proposed Senior Village. Also, the walkway along the main entrance drive should be extended all the way to Washington Street at the southwestern corner of the site. Finally, a handicap ramp must be provided at the new entrance to Washington Street.

Public access to the trail system behind Wiley School from Washington Street should be preserved. There is an informal route now. A trail was put in along Hudson Lane as part of the Summit Wood project to connect to it. A condition of the sale of parcel 13-23-102.100 to SMC from the City is that a trail easement will be retained by the City. The location of the easement has not been agreed to yet. To connect to the school property an easement will also be needed across the land SMC is purchasing from the School District. The site plan does not show an easement, though it does show the location of the existing trail.

Grading, Drainage and Utilities: The Engineering Department has reviewed the plans and has the following comments:

- The site plan must depict the location of the dumpster enclosure.
- The existing 6 inch sanitary sewer servicing the Medical Plaza building is a private line, which the City has no plan to upgrade or take ownership of. The City will approve the connection as-is, but the NYSDEC has ultimate approval authority.
- The applicant should provide the City Engineer with copies of all correspondence with NYSDEC for the SPDES permit.
- All manholes and sewer pipes must be labeled with their associated information on the site plan.
- The applicant must provide a final grading and storm sewer plan, showing rims, inverts, piping, and spot elevations.

- The applicant must provide a stamped and signed copy of the Stormwater Pollution Prevention Plan.

Water: The applicant has proposed that water be delivered to the site via a new 2,800 foot length of 10" main, stretching from the Town of Watertown water tower through Town land, and entering the site from the south. After consultation with the applicant's engineers, the Water Department and Engineering Department have agreed that this is the best solution. This plan will require the approval of the Town of Watertown and the NYSDOH.

The only other alternative is to connect to the City's 8" Washington Street main, and build a booster pump and storage tank to mitigate inadequate pressure. This option is far more expensive, and technically inferior.

The City Engineering Department requests the following:

- The applicant must provide the City Engineer with copies of all correspondence and submittals regarding the NYS DOH Water Supply Permit.
- The fire hydrant just east of the 4-story building should be moved to the west side of the parking lot.
- Label all water mains and other necessary information.

Lighting: The submitted engineering report includes provisions for site lighting controlled by timer and photocell. The Commons/Skilled Care building and the Assisted Living building will have separate lighting control systems. Site lighting will include cutoff area luminaries, decorative post top luminaries, and residential bollards. The parking lot luminaries will be 20 feet in height with a full cutoff. The decorative post luminaries will be 10-15 feet in height, also with a full cutoff. Review of the photometric plan confirms that spillage over the property line is limited to 0.5 foot-candles or less. Spillage is limited to areas along the northern site boundary, which is undeveloped land in the "Residence A" and "Residence B" zoning districts.

Landscaping: The site plan shows substantial new plantings, including garden areas adjacent to the proposed buildings, and shade trees lining portions of the proposed driveway (spacing varies from 25 to 110 feet). The planting schedule shows 113 total trees and sixteen different tree species. There are also eight different varieties of shrubs. With the variety of species shown, the plan meets the species diversity recommendation in the Planning Board's Landscaping and Buffer Zone Guidelines.

There are several areas along the proposed driveway where there are no trees currently proposed including the south side of the main entrance from Washington Street to the proposed parking lot and the south side of the secondary access from Washington Street to the driveway spur leading to Samaritan Medical Plaza. Trees should be added to these areas. Also, trees should be added to the new parking lot island located on the south end of the Samaritan Medical Plaza parking lot.

As noted above, 187 parking spaces are proposed for the site. The guidelines recommend 1 interior parking lot tree for every 15 spaces meaning that 13 parking lot trees should be provided. The applicant has proposed 14 trees in islands that are spaced throughout the parking lot. Lawn areas and existing vegetation will line the outside perimeter of the parking lot which will adequately meet the recommendation for exterior parking lot landscaping.

Assuming the Zone Change Request for this site is approved (item #6 on this meeting's agenda), section §310-57 of the City zoning ordinance stipulates that the areas of this property abutting residential districts must have a landscaped buffer region no less than 5 feet in width. The submitted plan shows a line of shade trees along the property boundary in question. No additional planting should be required, considering that the abutting "Residence B" district is actually 30+ acres of wild vegetation, not a collection of residences.

General Comments: The submitted plans do not include a demolition plan. One should be provided, showing the scope and type of removal work planned for existing infrastructure. Further, the applicant needs to label address and/or tax parcel information for all properties on the plan sheets. The applicant must furnish the results of the Sensitive Area Investigation Reports.

Summary: The following lists key issues that should be addressed:

1. Connect the perimeter walkway to the Samaritan Medical Plaza parking lot, along the eastern curb of the driveway spur.
2. Clarify the intended pedestrian traffic pattern between the north side of the Medical Plaza building and the western entrances to the proposed Senior Village.
3. Continue the perimeter walkway to meet the Washington Street sidewalk at the southwestern corner of the site.
4. Include a handicap ramp at the new Washington Street entrance.
5. Depict the location of the dumpster enclosure.
6. Move the fire hydrant just east of the 4-story building to the west side of the parking lot.
7. Provide demolition plans for existing infrastructure.
8. Show proposed restoration details for all existing asphalt, curb, and sidewalk work required for construction of the two entrances to the site
9. Show address/tax parcel information on the site plan.
10. Provide a Traffic Impact Study, and the results of the Sensitive Area Investigation Report.
11. The existing sewer connection is approved as-is, but must also be approved by DEC. The applicant must provide copies of all correspondence related to the DEC approval.
12. Provide copies of all correspondence related to the NYSDOH Water Supply Permit.
13. Label all water mains on the site plan.
14. Label all manholes and sewer pipes with associated information.
15. Provide a final grading and storm sewer design, showing rims, inverts, piping, and spot elevations.
16. Provide a signed and stamped Stormwater Pollution Prevention Plan.
17. Provide additional street trees along the south side of the main entrance from Washington Street to the proposed parking lot and the south side of the secondary access from Washington Street to the driveway spur leading to Samaritan Medical Plaza.
18. Provide street trees in the new parking lot island located on the south end of the Samaritan Medical Plaza parking lot.
19. Update the site plan to include the trail easement, after its location is decided.

Cc: Planning Board Members
City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Patrick J. Scordo, P.E.



MEMORANDUM

City of Watertown Planning Office

245 Washington Street, Room 304

Watertown, New York 13601

315-785-7730

Fax: 315-782-9014

TO: Norman J. Wayte II, Chairman, Planning Board

FROM: Kenneth A. Mix, Planning and Community Development Coordinator

SUBJECT: Site Plan Approval – 1500 Block Washington Street, Samaritan Senior Village

DATE: May 19, 2011 KAM

Request: Site Plan Approval for the construction of a 231,073-square foot, 288-bed senior living facility on the 1500 block of Washington St., Parcels Number 13-23-101, 13-23-102.1, and 13-23-104.

Applicant: Patrick J. Scordo, P.E. of GYMO, P.C. on behalf of Samaritan Medical Center

Proposed Use: Multifamily senior living facility

Property Owner: Watertown City School District, City of Watertown, and Samaritan Medical Center

Submitted:

Property Survey: Yes	Preliminary Architectural Drawings: Yes
Site Plan: Yes	Preliminary Site Engineering Plans: Yes
Vehicle and Pedestrian Circulation Plan: Yes	Construction Time Schedule: Preliminary
Landscaping and Grading Plan: Yes	Description of Uses, Hours & Traffic Volume: Yes

SEQRA: Unlisted Action	County Planning Board Review Required: Yes
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Zoning Information:

District: Commercial (after Zone Change)	Maximum Lot Coverage: None
Setback Requirements: None	Buffer Zone Required: Yes, 5-15 feet along northern and eastern site boundaries

Overview: The applicant has submitted updated materials for the Samaritan Senior Village. Since the last meeting, three consultant studies have been performed: wetlands & endangered species, traffic, and archaeological. These reports are available in the City Planning office for review, and will also be posted online. The applicant also revised the site plan documents to reflect changes required by the points of summary listed in the May 3, 2011 Staff Report.

Parking & Traffic: A Traffic Engineering Report was performed by Jim Napoleon Associates. According to their calculations, the project will produce an additional 991 vehicles per day at the southern driveway entrance. This amount of additional traffic is not expected to have any negative impact on the level of service on Washington Street, the Senior Village driveway, or Hudson Lane.

The northerly driveway will be reserved for use by delivery and emergency vehicles only, and signage will be posted declaring this.

Pedestrian Circulation: Extending the perimeter sidewalk to Washington Street at the southwestern corner of the site was determined to be problematic, requiring construction on the adjacent parcel (not owned by SMC). The applicant believes the sidewalks along the southern edge of Samaritan Medical Plaza to be sufficient for pedestrian traffic between SMP and the Senior Village. They do not wish to add an additional path along the eastern margin of the driveway spur, entering the northerly side of the SMP parking lot.

The applicant should specify installation of a 6 inch sidewalk, a concrete or asphalt apron, and a drop curb across the widened delivery entrance.

A detail of the handicap ramp should be provided.

Public access to the trail system behind Wiley School from Washington Street should be preserved. There is an informal route now. A trail was put in along Hudson Lane as part of the Summit Wood project to connect to it. A condition of the sale of parcel 13-23-102.100 to SMC from the City is that a trail easement will be retained by the City. The location of the easement has not been agreed to yet. To connect to the school property an easement will also be needed across the land SMC is purchasing from the School District. The site plan does not show an easement, though it does show the location of the existing trail. The most recently proposed easement location is shown on the Survey & Topographic Maps (sheets EX101 and EX102). The topography within the proposed easement location will probably be unsuitable for a hiking/biking trail.

Grading, Drainage and Utilities: A dumpster enclosure has been proposed adjacent to the loading docks on the northern side of the proposed building. The Stormwater Pollution Prevention Plan (SWPPP) is still outstanding. The applicant expects completion by June 13, 2011—and will provide the City with a copy once available.

The applicant should consider a drop curb entrance to National Grid's utility easement near station 8+00 on the main driveway. National Grid will access the utility easement for maintenance occasionally and would be forced to drive over a full height curb as proposed.

The applicant must specify what is being done with the 10" concrete storm pipe near the proposed Stormwater Management Pond #1. A connection to the proposed or existing storm sewer system must be provided. Also specify what the outlet of Stormwater Management Pond #1 is connected to, and move the proposed grading of the northerly handicap ramp to provide an unobstructed view of the connection.

Relocate the existing catch basin on the northerly side of the proposed delivery entrance 20 feet to the north, so that it is out of the entrance. Another option would be to shift the entrance 20 feet south.

All storm sewer connections to existing City owned catch basins must specify rubber booting, water tight connection. Revise detail 5 on sheet C502 to reflect this requirement.

Water: The applicant has proposed that water be delivered to the site via a new 2,800 foot length of 10" main, stretching from the Town of Watertown water tower through Town land, and entering the site from the south. After consultation with the applicant's engineers, the Water Department and Engineering Department have agreed that this is the best solution. The City Council has met and accepted the concept. This plan will still require the approval of the Town of Watertown and the NYSDOH.

A fire hydrant just east of the 4-story building was moved to the west side of the parking lot.

Sensitive Area Investigative Reports: The applicant submitted Sensitive Areas Investigative Reports including a Wetlands Jurisdictional Delineation Report and an Archaeological Survey. Sensitive Areas have been cleared of impact, however the US Army Corps of Engineers must still make a Wetland Jurisdictional Determination. If the site is deemed non-jurisdictional, no further action is necessary. If it is determined jurisdictional, the Corps will have to permit the project and ensure mitigation of any negative effects. The applicant has requested that the Board approve the site plan conditional on satisfaction of Corps of Engineers wetland permitting requirements.

A ditch within the site has been identified as a potential breeding area for the Lyre-tipped Spreadwing Damselfly. This is not a threatened or endangered species, however its breeding population has been declining, and it may qualify as a NYS "rare species" in the next few years. The identification was based on an unverified observation in 2007. The actual presence of the species cannot be verified until early July when the adults emerge from their larval stage.

The ditch in question lies between the 3-story section of the project and the northeasterly corner of the existing Samaritan Medical Plaza. It will not be completely destroyed by the construction, but significant disturbance is likely.

Landscaping: In our previous report, we requested additional landscaping to comply with the Planning Board's Landscaping and Buffer Zone Guidelines. Included were additional street trees on the south side of the main entrance from Washington Street to the proposed parking lot. The applicant has concerns about planting in this area because the area is within a National Grid gas and electric right-of-way and there are easement restrictions regarding vegetation. Given the restrictions, planting within the easement areas will not be required. However, after Station 8+00, the driveway entrance leaves the easement area and there are no restrictions on planting trees.

The previous report also recommended trees along the south side of the secondary access from Washington Street to the driveway spur leading to Samaritan Medical Plaza. The applicant has explained that this area is a bedrock cut making the planting of trees problematic.

Finally, the previous report requested that street trees be added to the new parking lot island located on the south end of the Samaritan Medical Plaza parking lot. The applicant has responded that this area will be adjacent to a new storm sewer, restricting the planting of trees. Assuming the trees would be planted in the center of the traffic island, a row of trees in this area would be offset 6'+/- from the storm sewer, which is more than adequate. In addition, there is over 2' of cover on top of the storm sewer that will be located beneath the asphalt on the opposite side of the curb from the planting locations. Since most tree

roots grow within the top 18"-24" of soil and given the fact that the sewer is under the pavement on the outside of the curb, it is unlikely that the roots will cause any damage to the storm sewer in the future. To be cautious, smaller maturing trees (with smaller root systems) from the list provided in the Guidelines could be specified for this area.

Summary: The following lists key issues that should be addressed:

1. The trail easement is still unresolved. The most recently proposed location is shown on the submitted Survey and Topographic Maps. The applicant must finalize the easement location before the purchase of City owned land can be completed, and it should be a condition of Sit Plan Approval.
2. The Stormwater Pollution Prevention Plan will not be available until June 13, 2011. The Site Plan approval should be conditioned on SWPPP submittal prior to the start of construction activities.
3. The proposal for water supply is unresolved at this point. Site Plan Approval should be conditioned upon the Town of Watertown and NYSDOH approving the new supply line.
4. The US Army Corps of Engineers must make a Wetland Jurisdictional Determination. The applicant wishes the Board to approve this application contingent upon a non-jurisdictional determination from the Corps.
5. The Lyre-tipped Spreadwing Damselfly habitat identified (but not yet confirmed) on the site will likely be disturbed. The species is not listed by state or federal authorities.
6. Street trees should be added on the south side of the main driveway entrance from Station 8+00 to the parking area.
7. Street trees should be added in the new parking lot island located on the south end of the Samaritan Medical Plaza parking lot.
8. Specify installation of a 6 inch sidewalk, a concrete or asphalt apron, and a drop curb across the new widened delivery entrance.
9. Provide a detail of the handicap ramp.
10. Consider a drop curb entrance to the National Grid easement for maintenance access.
11. The applicant must specify what is being done with the existing 10" concrete storm pipe located near the proposed stormwater management structure #1. A connection to the existing or proposed storm system is required.
12. The applicant must specify what the outlet for proposed stormwater management structure #1 is connected to. Move the grading of the northerly handicap ramp to provide a clear view of the connection.
13. The applicant must relocate the existing catch basin just north of the new entrance 20 feet further north, or move the driveway 20 feet south.
14. The applicant must specify rubber-booted, water-tight connections to all existing City catch basins. Revise the detail on sheet C502 to show this.

Cc: Planning Board Members
City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Patrick J. Scordo, P.E.

PLANNING BOARD OF THE CITY OF WATERTOWN, NY
EXCERPT FROM THE MINUTES – MEETING OF MAY 3, 2011

**SITE PLAN APPROVAL – SMC SENIOR VILLAGE
1500 BLOCK WASHINGTON STREET, PARCELS 13-23-101, 13-23-102.1, 13-23-104**

The Planning Board then considered a request for Site Plan Approval submitted by Patrick J. Scordo on behalf of Samaritan Medical Center for the construction of a 231,073-square foot, 288-bed senior living facility on the 1500 block of Washington St., Parcels 13-23-101, 13-23-102.1, and 13-23-104.

Mrs. Gervera introduced the application to the Board. Mr. Scordo was present to respond to the Board.

Mrs. Freda asked about the status of the traffic, environmental, wetlands, and geotechnical studies. Mr. Scordo responded that they were underway and he expected them to be complete within two weeks, in time for the May 24th special session, at which time he also hoped to be able to address all the concerns listed in the Staff Memo.

Mr. Harris asked if the water supply issue would be settled by the 24th. Mr. Scordo stated that this depends on the City Council.

Mrs. Gervera asked for a brief explanation of the site plan, because of her absence from the previous meeting. Mr. Scordo quickly reiterated the summary of the site plan that he delivered at the last Board meeting. Notable changes included the dedication of the northern site entrance to emergency and service vehicles, and the inclusion of a trail easement to the city along the southern and eastern site boundaries. He mentioned that 125 parking spaces are required by the zoning ordinance, and they are offering 187 to accommodate staff shift changes.

Mr. Scordo went on to outline the proposed construction schedule: site work in June, start construction by August, and completion by October 2012.

Mrs. Gervera asked what role the building would serve in Watertown's elder care sector. Richard Brooks from Samaritan Medical Center approached the board to explain. He stated that it will fill a gap in Watertown, providing assisted care for people who do not yet need the full nursing home care provided by the Keep Home. The facility would reduce the patient load at Whispering Pines, and hopefully get Jefferson County out of the elder care business. It would include 80 Medicaid beds.

Mrs. Freda moved to table the application until the May 24th special session, giving the applicant time to address issues in the Staff Memo and complete the various engineering studies. Mr. Harris seconded, and the motion passed 4-0 with Mr. Coburn abstaining.

Mr. Harris moved to adjourn until May 24, 2011 at 4:00 pm. Mrs. Freda seconded, all voted in favor.

PLANNING BOARD OF THE CITY OF WATERTOWN
EXCERPT FROM THE MINUTES – MEETING OF MAY 24, 2011

**SITE PLAN APPROVAL (TABLED) – SMC SENIOR VILLAGE
1500 BLOCK WASHINGTON STREET, PARCELS 13-23-101, 13-23-102.1, 13-23-104**

The Planning Board then resumed consideration of a tabled request for Site Plan Approval submitted by Patrick J. Scordo on behalf of Samaritan Medical Center for the construction of a 231,073-square foot, 288-bed senior living facility on the 1500 block of Washington St., Parcels 13-23-101, 13-23-102.1, and 13-23-104.

Ryan Churchill and Patrick Scordo, of GYMO, P.C., were present to represent the applicant. Mr. Churchill approached the board and introduced himself. He then thanked the Board for convening a special session. He asked the Board if they would like to hear the project overview again.

The Board did not, citing the project overviews given by the applicant at the previous two meetings. Mr. Harris suggested that Mr. Churchill proceed to the summary points listed in the Staff Report.

Mr. Churchill began by indicating the proposed position of the 20' trail easement along the south and east property lines. He explained that this location was proposed because of liability issues and concern over limitations on future development of the site.

Mr. Harris asked who would be using the trail, and what their mode of transportation was expected to be (hikers, walkers, bikers, etc.). Mr. Lumbis responded that the existing trails are informal hiking trails, but may be paved in the future for bicyclists. Mr. Wayte mentioned that the trail system would eventually be connected to Thompson Park and the Summit Woods housing project.

Mr. Churchill stated that the Stormwater Pollution Prevention Plan would be finished in June, and that the applicant is seeking conditional approval on this point.

He continued, stating that the proposed water supply did not have official approval yet, and negotiations were ongoing with the Town of Watertown.

Mr. Churchill then addressed the wetlands on site. A wetland was delineated in the environmental engineering report. He explained that the Army Corps of Engineers (ACoE) would need to make a jurisdictional determination, and that site plan approval could be conditional on this matter.

Mrs. Gervera asked about the timeline for ACoE approval. Mr. Churchill responded that they are unsure.

Mr. Lumbis questioned what the procedure would be if the wetland was determined to be "jurisdictional" by the ACoE. Mr. Churchill responded that mitigation would be required, either by adjusting the site plan or by creating a new wetland elsewhere.

Mr. Churchill then addressed the Damselfly habitat identified in the environmental engineering report. Because it is not a threatened or endangered species, no action is needed. Mr. Wayte asked where exactly the habitat was in relation to the proposed construction. Mr. Churchill pointed it out on the site plan, explaining that the building footprint

would eliminate much of the habitat. Mr. Wayte remarked that the flies may simply move to the new retention ponds.

Mr. Wayte inquired whether the proposed water main easement could be used for a roadway to connect the Senior Village to the medical complex to the south, in the Town of Watertown. Mr. Churchill stated that this was a possibility if other property owners agreed, but there would be issues with topography.

Addressing the request for additional tree plantings, Mr. Churchill noted that the area along the south side of the service drive would be a bed rock cut area with near vertical grades, making the planting of trees in that area nearly impossible. Mr. Churchill noted that the grades would not be as steep along the south side of the main entrance drive from Station 8+00 to the parking lot, but explained that planting trees still may prove to be difficult in this area. Mr. Wayte suggested using Cedar trees in the rocky areas.

Mr. Churchill continued, stating that any tree plantings in the new island on the southern end of the Samaritan Medical Plaza parking lot would have to be small trees due to the nearby stormwater line.

Mr. Churchill addressed the curbing at the new north entrance. He stated that the Staff Report suggestion of a drop curb along that entrance would be fine. There was some confusion among the board and audience as to what this would look like. Mr. Lumbis explained that it would look more like a typical driveway rather than a normal intersection.

Mr. Churchill stated that a detail of the handicap ramps for the project would be provided. He then asked for some clarification of the City's suggestion of an access point for the National Grid easement near station 8+00 on the southern driveway.

Mr. Wood said this proposal was based on the apparent current point of access used by National Grid maintenance vehicles. The drop curb in this area would be for convenience and durability, but not a requirement by the City.

Mr. Churchill then explained that the issues with the stormwater system around Management Structure #1 would be resolved as the SWPPP is completed. The pipe in question may be diverted, and the system would probably be connected to the existing 12" pipe nearby. He stated that the applicant has no opposition to the rubber-booted connection requested by the City.

Mr. Churchill asked if there were any further questions. None were asked.

Mrs. Gervera made a motion to recommend Site Plan Approval for the request submitted by Patrick J. Scordo and Ryan Churchill of GYMO, P.C. on behalf of Samaritan Medical Center for the construction of a 231,073-square foot, 288-bed senior living facility on the 1500 block of Washington St., Parcels 13-23-101, 13-23-102.1, and 13-23-104 with the condition that all 14 items listed in the Staff Report be addressed:

1. The applicant must work with the City to determine an acceptable location for the proposed trail system easement.
2. The applicant must submit a Stormwater Pollution Prevention Plan (SWPPP) to be approved by the City Engineering Department prior to the start of construction activities.

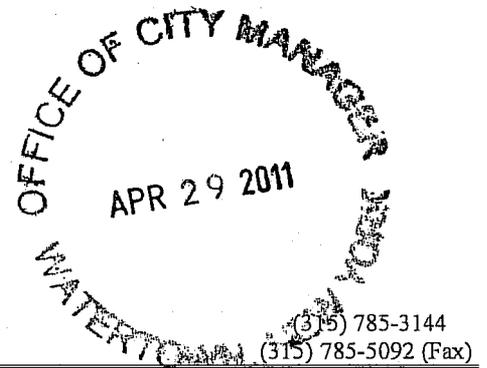
3. The proposed location and necessary agreements for the water supply must be approved by the City Council, Town of Watertown and NYS Department of Health.
4. The applicant must obtain a Wetland Jurisdictional Determination and wetland permit if necessary, from the US Army Corps of Engineers and ensure mitigation of any negative effects determined by the US Army Corps of Engineers.
5. The Lyre-tipped Spreadwing Damselfly habitat identified (but not yet confirmed) on the site will likely be disturbed. The species is not listed by state or federal authorities.
6. Street trees shall be added on the south side of the main driveway entrance from Station 8+00 to the parking area.
7. Street trees shall be added in the new parking lot island located on the south end of the Samaritan Medical Plaza parking lot.
8. The plans shall be modified to specify the installation of a 6 inch sidewalk, a concrete or asphalt apron, and a drop curb across the new widened delivery entrance.
9. The applicant shall provide a detail of the handicap ramp.
10. The applicant shall consider a drop curb entrance to the National Grid easement for maintenance access.
11. As part of the SWPPP, the applicant must specify what is being done with the existing 10" concrete storm pipe located near the proposed stormwater management structure #1, ensuring that a connection to the existing or proposed storm system is shown.
12. As part of the SWPPP, the applicant must specify what the outlet of Stormwater Management Pond #1 is connected to and the proposed grading of the northerly handicap ramp must be moved on the plan to provide an unobstructed view of the connection.
13. The applicant must relocate the existing catch basin just north of the new entrance 20 feet further north, or move the driveway 20 feet south.
14. The applicant must revise the detail on sheet C502 to specify rubber-booted, water-tight connections to all existing City catch basins.

Mr. Harris seconded the motion, and it passed 4-0 with Mr. Coburn and Mr. Fipps still abstaining due to professional relationships with the applicant.

Patrick Scordo of GYMO questioned whether the SEQR form should be completed by the Planning Board. Mr. Lumbis replied that the City Council was responsible for this. Mr. Scordo then stated that during the completion of SEQR, any concerns with impact on the wetlands could be deferred to the authority of the ACoE, since the ACoE will not allow any unmitigated impact.



Department of Planning
175 Arsenal Street
Watertown, NY 13601



Donald R. Canfield
Director of Planning

April 28, 2011

Michael Lumbis, Planner
City of Watertown
245 Washington St. Room 304
Watertown, NY 13634

Re: Patrick Scordo, P.E., Site Plan Review for SMC Senior Village,
JCDP File # C 5 - 11

Dear Michael:

On April 26, 2011, the Jefferson County Planning Board reviewed the above referenced project, referred pursuant to General Municipal Law, Section 239m.

The Board adopted a motion recommending approval. The addition of the senior living facilities is an important objective for the community at large and the County.

The preliminary traffic impact analysis by the project's transportation engineering consultant (see attached correspondence from Jim Napoleon and Associates, dated April 25, 2011) recommends that the north access on US Rt. 11 be used for emergency and delivery vehicles only. The local board should ensure signage is appropriately placed to restrict this access point for limited use as per this recommendation. Furthermore, turning left across traffic from this driveway will be difficult and the local board should require a "right turn only" exit sign be installed. To discourage employees and visitors from using this right turn exit, an additional sign stating that the exit is for delivery trucks only should be placed before the interior driveway to the existing medical facility parking lot so non-delivery vehicles and visitors wanting to travel south can be directed to the main signalized intersection.

The preliminary traffic analysis also indicates that with a reprogramming of the signalization at the existing Washington Street intersection, the anticipated number of vehicle trips should not cause a reduction in the level of service. After completion and initial operation of the project, the City should still monitor the level of service at the intersection and make any necessary adjustments to signalization and/or pavement markings and turning lanes.

During its review the County Planning Board noted that NYS Departments of Health and Environmental Conservation reviews will be required for the water and sewer connections, a Notice of Intent must be filed with NYSDEC, and a Stormwater Pollution Prevention Plan is required to be kept on the project site.

Furthermore, the County Planning Board has the following local advisory comments:

The design of the parking areas on both sides of the project's ring access road present potential conflicts with vehicular backing movements. Especially on the curve at the northeast end of the site, visibility of on-coming traffic could prove difficult at times. There is also the potential for conflicts with pedestrians crossing the roadway to access the facility. The local board should discuss the possibility of a typical, dedicated parking area near the east end of the facility to replace the two sided perpendicular parking arrangement along the ring road. This would minimize traffic/pedestrian conflicts along a lengthy portion of the perimeter road.

The local board should consider fire equipment access to the buildings. Local emergency responders should assess the current vehicle parking layout between the building and all necessary access points to determine if there are any concerns with emergency access to the exterior of the structures.

The proposed sidewalks end abruptly at the medical complex parking lot. Accommodations should be made for continuous pedestrian connections with both medical buildings.

The City Engineer should review the proposed storm water facilities to ensure that there will not be a negative impact on adjacent properties or the existing City storm water facilities.

Please note that the advisory comments are not a condition of the County Planning Board's action. They are listed to assist the local board in its review of the project. The local board is free to make its final decision.

General Municipal Law, Section 239m requires the local board to notify the County of its action on this matter within thirty (30) days after taking a final action.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Michael J. Bourcy".

Michael J. Bourcy
Senior Planner

MJB

Res No. 18

June 1, 2011

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning & Community Development Coordinator

Subject: Finding that the Approval of the Zone Change Application of Patrick J. Scordo of GYMO, PC on Behalf of Samaritan Medical Center to Change the Approved Zoning Classification of Portions of Parcels 13-23-101 and 13-23-102.1 from Residence A or Unzoned to Commercial and the Construction of a 288-Bed Senior Living Facility Will Not Have a Significant Impact on the Environment

The City Council has a zone change request and site plan approval request related to the proposed Samaritan Senior Living Facility in the 1500 block of Washington Street on its agenda. The environmental review must be completed before either one of those requests can be approved.

A coordinated review has been initiated, because this is a Type I action. The letters that were sent out stated that the City Council should be Lead Agency. A determination of significance cannot be made until a Lead Agency is agreed upon. Staff is trying to expedite a response from the other agencies.

Once the City Council can be designated Lead Agency, it must respond to the questions in Part 2, and Part 3 if necessary, of the Full Environmental Assessment Form before it may vote on the requests. Some of the applicant's responses on the EAF refer to various engineering reports. These reports are available in the Planning Office, and are posted online under the Planning Board section of the City's website (May 24th meeting).

The resolution prepared for City Council consideration states that adoption of the zone change and construction of the Senior Living Facility will not have a significant negative impact on the environment.

RESOLUTION

Page 1 of 2

Finding that the Approval of the Zone Change Application of Patrick J. Scordo of GYMO, PC on behalf of Samaritan Medical Center to Change the Approved Zoning Classification of Portions of Parcels 13-23-101 and 13-23-102.1 from Residence A or Unzoned to Commercial and the Construction of a 288-Bed Senior Living Facility Will Not Have a Significant Impact on the Environment

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

Introduced by

WHEREAS the City Council of the City of Watertown, New York, has before it an ordinance for the zone change application of Patrick J. Scordo of GYMO, PC on behalf of Samaritan Medical Center to change the approved zoning classification of a 13.618 acre portion of Parcel 13-23-101 from Residence A to Commercial, and a 2.485 acre non-zoned portion of Parcel 13-23-102.1 to Commercial, and

WHEREAS Patrick J. Scordo of GYMO,P.C., has also made an application for site plan approval on behalf of Samaritan Medical Center, for the construction of a 231,073 sq. ft., 288-Bed Senior Living Facility (project) on the 1500 Block of Washington Street, Parcel Numbers 13-23-101, 13-23-102.1 and 13-23-104, and

WHEREAS the City Council must evaluate all proposed actions submitted for its consideration in light of the State Environmental Quality Review Act (SEQRA), and the regulations promulgated pursuant thereto, and

WHEREAS the adoption of the proposed ordinance and construction of the project would constitute such an "Action," and

WHEREAS the City Council has determined that the proposed ordinance and project is a "Type I Action" as that term is defined by 6NYCRR Section 617.2(ak), and

WHEREAS a coordinated review was initiated with other involved agencies, as that term is defined in 6NYCRR Section 617.2(s), and

WHEREAS none of the other involved agencies have objected to the City Council being established as the Lead Agency, and

RESOLUTION

Page 2 of 2

Finding that the Approval of the Zone Change Application of Patrick J. Scordo of GYMO, PC on behalf of Samaritan Medical Center to Change the Approved Zoning Classification of Portions of Parcels 13-23-101 and 13-23-102.1 from Residence A or Unzoned to Commercial and the Construction of a 288-Bed Senior Living Facility Will Not Have a Significant Impact on the Environment

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

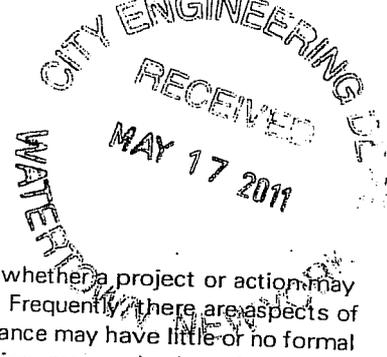
WHEREAS to aid the City Council in its determination as to whether the proposed zone change and project construction will have a significant effect on the environment, Part I of a Full Environmental Assessment Form has been prepared by the applicant, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that:

1. The City Council is hereby established as the Lead Agency.
2. Based upon its examination of the Short Environmental Assessment Form and comparing the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact is known and the adoption of the zone change and construction of the project will not have a significant impact on the environment.
3. The Mayor of the City of Watertown is authorized to execute the Environmental Assessment Form to effect that the City Council is issuing a Negative Declaration under SEQRA.
4. This resolution shall take effect immediately.

Seconded by

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM



Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore a **negative declaration will be prepared**.
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared**.

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Samaritan Senior Village

Name of Action

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

PART 1--PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Samaritan Senior Village

Location of Action (include Street Address, Municipality and County)

East of existing Samaritan Medical Plaza, Washington Street, City of Watertown, Jefferson County

Name of Applicant/Sponsor Samaritan Medical Center

Address 133 Pratt St.

City / PO Watertown

State NY

Zip Code 13601

Business Telephone (315) 785-4421

Name of Owner (if different) Samaritan Medical Center

Address 133 Pratt St.

City / PO Watertown

State NY

Zip Code 13601

Business Telephone 315-785-4421

Description of Action:

The project entails the construction of a 288 bed Senior Living Facility (120 Assisted Living beds/168 Skilled Nursing beds). The 79,384 sf building will be served by necessary utilities, including water, sanitary and storm sewers, site lighting, access loop road, sidewalk, curbing, and landscaping.

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other Mix of trees, brush, and lawn areas.

2. Total acreage of project area: 43.46 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>33.72</u> acres	<u>21.31</u> acres
Forested	<u>0.0</u> acres	<u>0.0</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>0.0</u> acres	<u>0.0</u> acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	<u>2.8</u> acres	<u>2.8</u> acres
Water Surface Area	<u>0.0</u> acres	<u>0.41</u> acres
Unvegetated (Rock, earth or fill)	<u>0.0</u> acres	<u>0.0</u> acres
Roads, buildings and other paved surfaces	<u>6.33</u> acres	<u>11.04</u> acres
Other (Indicate type) <u>Lawn</u>	<u>0.61</u> acres	<u>7.9</u> acres

3. What is predominant soil type(s) on project site?

- a. Soil drainage: Well drained ___% of site Moderately well drained 70% of site.
 Poorly drained 30% of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? Yes No

a. What is depth to bedrock 0 - 3' (in feet)

5. Approximate percentage of proposed project site with slopes:

- 0-10% 60% 10- 15% 30% 15% or greater 10%

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? Yes No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No

8. What is the depth of the water table? 0' (in feet)

9. Is site located over a primary, principal, or sole source aquifer? Yes No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? Yes No

According to:

EDR conducted an Endangered Species study (attached).
Refer to "Jurisdictional Delineation Report" prepared by EDR Companies, which includes information on endangered species.
Identify each species:

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

Yes No

Describe:

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Yes No

If yes, explain:

14. Does the present site include scenic views known to be important to the community? Yes No

15. Streams within or contiguous to project area:

None.

- a. Name of Stream and name of River to which it is tributary

16. Lakes, ponds, wetland areas within or contiguous to project area:

Refer to Wetland Delineation Study performed by EDR Companies.

- b. Size (in acres):

Refer to Wetland Delineation Study performed by EDR Companies.

17. Is the site served by existing public utilities? Yes No
- a. If YES, does sufficient capacity exist to allow connection? Yes No
- b. If YES, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate).
- a. Total contiguous acreage owned or controlled by project sponsor: 43.46 acres.
- b. Project acreage to be developed: 20 acres initially; 20 acres ultimately.
- c. Project acreage to remain undeveloped: 23.46 acres.
- d. Length of project, in miles: N/A (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. N/A %
- f. Number of off-street parking spaces existing 0; proposed 187
- g. Maximum vehicular trips generated per hour: 85 (upon completion of project)?
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | _____ | _____ | _____ | _____ |
| Ultimately | _____ | _____ | _____ | _____ |
- i. Dimensions (in feet) of largest proposed structure: 55' height; 123.5' width; 209' length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 78 ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 5,000 tons/cubic yards.
3. Will disturbed areas be reclaimed Yes No N/A
- a. If yes, for what intended purpose is the site being reclaimed?
- Disturbed areas will be reclaimed for stabilization and lawn.
- b. Will topsoil be stockpiled for reclamation? Yes No
- c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 20 acres.

Refer to "Traffic Engineering Report" prepared by James Napoleon, P.E.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

Yes No

6. If single phase project: Anticipated period of construction: 16 months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated _____ (number)

b. Anticipated date of commencement phase 1: _____ month _____ year, (including demolition)

c. Approximate completion date of final phase: _____ month _____ year.

d. Is phase 1 functionally dependent on subsequent phases? Yes No

8. Will blasting occur during construction? Yes No

9. Number of jobs generated: during construction 100; after project is complete 150

10. Number of jobs eliminated by this project 0.

11. Will project require relocation of any projects or facilities? Yes No

If yes, explain:

12. Is surface liquid waste disposal involved? Yes No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount _____

b. Name of water body into which effluent will be discharged _____

13. Is subsurface liquid waste disposal involved? Yes No Type _____

14. Will surface area of an existing water body increase or decrease by proposal? Yes No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? Yes No

16. Will the project generate solid waste? Yes No

a. If yes, what is the amount per month? 20 tons

b. If yes, will an existing solid waste facility be used? Yes No

c. If yes, give name Rodman Regional; location State Rt. 177 T. of Rodman

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No

e. If yes, explain:

Recyclables

17. Will the project involve the disposal of solid waste? Yes No

a. If yes, what is the anticipated rate of disposal? _____ tons/month.

b. If yes, what is the anticipated site life? _____ years.

18. Will project use herbicides or pesticides? Yes No

19. Will project routinely produce odors (more than one hour per day)? Yes No

20. Will project produce operating noise exceeding the local ambient noise levels? Yes No

21. Will project result in an increase in energy use? Yes No

If yes, indicate type(s)

Natural Gas, Electric

22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.

23. Total anticipated water usage per day 31,680 gallons/day.

24. Does project involve Local, State or Federal funding? Yes No

If yes, explain:

HEAL Grant, Jefferson County Grant, Watertown Housing Authority

25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	City Cncl. Site Plan Zone Change	5/17/11
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	City of Watertown Planning Board (Site Plan, Subdivision, Zone Change)	5/17/11
City, Town Zoning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
City, County Health Department	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
Other Local Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	County Planning - Site Plan	4/12/11
Other Regional Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
State Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	NYS DOH-Public Water NYS DEC-Public Sewer, SWPPP, Wetlands	6/6/11
Federal Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	ARMY Corp of Engineers - Wetlands	6/6/11

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? Yes No

If Yes, indicate decision required:

- | | | | |
|--|---|--|---|
| <input checked="" type="checkbox"/> Zoning amendment | <input type="checkbox"/> Zoning variance | <input type="checkbox"/> New/revision of master plan | <input checked="" type="checkbox"/> Subdivision |
| <input checked="" type="checkbox"/> Site plan | <input type="checkbox"/> Special use permit | <input type="checkbox"/> Resource management plan | <input type="checkbox"/> Other |

2. What is the zoning classification(s) of the site?

Commercial

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

N/A

4. What is the proposed zoning of the site?

Commerical

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

Assisted Living/Skilled Nursing Facility Expansion/Addition

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No

7. What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?

Commercial, Residential, Medical

8. Is the proposed action compatible with adjoining/surrounding land uses with a 1/4 mile? Yes No

9. If the proposed action is the subdivision of land, how many lots are proposed? N/A

a. What is the minimum lot size proposed? N/A

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No

Town of Watertown Water District #4 may require modification.

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

Yes No

a. If yes, is existing capacity sufficient to handle projected demand? Yes No

12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No
a. If yes, is the existing road network adequate to handle the additional traffic. Yes No
Refer to "Traffic Engineering Report" prepared by James Napoleon, P.E.

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name GYMO, PC, Project Civil Engineer Date 5/17/2011

Signature *Patrick J. Sord*

Title Director of Engineering (GYMO, PC.)

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be any impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND

1. Will the Proposed Action result in a physical **NO** **YES** change to the project site?

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.
- Other impacts _____

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., **NO** **YES** cliffs, dunes, geological)

Specific land forms: _____

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

IMPACT ON WATER

3. Will Proposed Action affect any water body designated as protected?
(Under Articles 15, 24, 25 of the Environmental Conservation Law,
ECL)

NO YES

Examples that would apply to column 2

- Developable area of site contains a protected water body.
- Dredging more than 100 cubic yards of material from channel of a protected stream.
- Extension of utility distribution facilities through a protected water body.
- Construction in a designated freshwater or tidal wetland.
- Other impacts _____

4. Will Proposed Action affect any non-protected existing or new body of water?

NO YES

Examples that would apply to column 2

- A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.
- Construction of a body of water that exceeds 10 acres of surface area.
- Other impacts _____

5. Will Proposed Action affect surface or groundwater quality or quantity?

NO YES

Examples that would apply to column 2

- Proposed Action will require a discharge permit.
- Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- Construction or operation causing any contamination of a water supply system.
- Proposed Action will adversely affect groundwater.
- Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- Proposed Action would use water in excess of 20,000 gallons per day.
- Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
- Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.
- Proposed Action will allow residential uses in areas without water and/or sewer services.
- Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.
- Other impacts _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change	
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6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?
 NO YES

Examples that would apply to column 2

- Proposed Action would change flood water flows
- Proposed Action may cause substantial erosion.
- Proposed Action is incompatible with existing drainage patterns.
- Proposed Action will allow development in a designated floodway.
- Other impacts _____

IMPACT ON AIR

7. Will Proposed Action affect air quality?
 NO YES

Examples that would apply to column 2

- Proposed Action will induce 1,000 or more vehicle trips in any given hour.
- Proposed Action will result in the incineration of more than 1 ton of refuse per hour.
- Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.
- Proposed Action will allow an increase in the amount of land committed to industrial use.
- Proposed Action will allow an increase in the density of industrial development within existing industrial areas.
- Other impacts _____

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?
 NO YES

Examples that would apply to column 2

- Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site.
- Removal of any portion of a critical or significant wildlife habitat.
- Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.
- Other impacts _____

9. Will Proposed Action substantially affect non-threatened or non-endangered species?
 NO YES

Examples that would apply to column 2

- Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.
- Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?
 NO YES

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change	
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Examples that would apply to column 2

- The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)
- Construction activity would excavate or compact the soil profile of agricultural land.
- The Proposed Action would irreversibly convert more than .10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.
- The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).
- Other impacts _____

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

NO YES

Examples that would apply to column 2

- Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.
- Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts _____

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?

NO YES

Examples that would apply to column 2

- Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.
- Any impact to an archaeological site or fossil bed located within the project site.
- Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.
- Other impacts _____

IMPACT ON OPEN SPACE AND RECREATION

13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

NO YES

Examples that would apply to column 2

- The permanent foreclosure of a future recreational opportunity.
- A major reduction of an open space important to the community.

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change	
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- Other impacts _____

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

NO YES

Examples that would apply to column 2

- Proposed Action to locate within the CEA?
- Proposed Action will result in a reduction in the quantity of the resource?
- Proposed Action will result in a reduction in the quality of the resource?
- Proposed Action will impact the use, function or enjoyment of the resource?
- Other impacts _____

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

NO YES

Examples that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts _____

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

NO YES

Examples that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts _____

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

NO YES

Examples that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change	
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- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen.
- Other impacts _____

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety? NO YES

Examples that would apply to column 2

- Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)
- Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.
- Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- Other impacts _____

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will Proposed Action affect the character of the existing community? NO YES

Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed Action will conflict with officially adopted plans or goals.
- Proposed Action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects.
- Proposed Action will create or eliminate employment.
- Other impacts _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?

NO YES

If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

Ord No. 1

May 19, 2011

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Margin Parking Exemption at 1214 Bronson Street

At its regular meeting on May 2, 2011, City Council was asked by Mrs. Raymonda Deshowitz to grant an exemption to the margin parking ordinance approved January 18, 2011. The requested exemption is for her home at 1214 Bronson Street.

Council Members also received a letter from Mrs. Deshowitz in their agenda packet for the May 16, 2011 Council meeting. At that meeting, Mayor Graham asked that the attached ordinance, exempting the property on Bronson Street from the margin parking restrictions, be drafted for City Council consideration.

ORDINANCE

Page 1 of 1

Amending City Municipal Code § 293,
Vehicles and Traffic

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

BE IT ORDAINED that Section 293-21 of the City Code of the City of Watertown is amended by adding the following to the schedule below paragraph D:

Margin parking is permitted in the following areas:

Name of Street	Location
Bronson Street	1214

and,

BE IT FURTHER ORDAINED that this amendment shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

Seconded by

OFFICE
MAY 10 2011
WATERTOWN, NEW YORK

5/5/11

To whom it may concern-

This letter is to follow up my appearance at the Council meeting on 5/2/11. My name is Raymonda Deshouitz - 1214 Bronson St Watertown (315) 782-6098.

I asked the council to allow me to park on the paved area in front of my home in response to the ordinance passed in January. I have parked on this paved area for the 11 years I have owned my house. I have recently had both hips replaced and have a safety issue with my driveway. In the winter the incline on the driveway can be very slippery. I am unable to extend the driveway or put another one on the other side of house due to a sinkhole there. Pictures were provided at the council meeting and were in Mrs Courvoisier's possession.

I would appreciate your attention to this matter. Thank you

Sincerely
Raymonda Deshouitz

Public Hearing – 7:30 p.m.

June 1, 2011

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning and Community Development Coordinator

Subject: Approving the Zone Change Request Submitted by Dale Blanding to Change the Approved Zoning Classification of 214 Moulton Street, Parcel No. 3-01-120.001 From Light Industry to Residence C

The City Council scheduled a public hearing on the above subject zone change request for 7:30 p.m. on Monday, June 6, 2011.

The Planning Board reviewed the request at its May 3, 2011 meeting and adopted a motion recommending that the City Council approve the zone change request as submitted. Attached is a report on the zone change request prepared for the Planning Board along with an excerpt from its minutes.

The City Council must adopt the related SEQRA resolution before voting on this ordinance.

ORDINANCE

Page 1 of 1

Approving the Zone Change Request Submitted by Dale Blanding, to Change the Approved Zoning Classification of 214 Moulton Street, Parcel Number 3-01-120.001 from Light Industry to Residence C.

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.
Total

YEA	NAY

Introduced by

Council Member Jeffrey M. Smith

BE IT ORDAINED where Dale Blanding, has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of Parcel Number 3-01-120.001 located at 214 Moulton Street from Light Industry to Residence C, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its meeting held on May 3, 2011, and adopted a motion recommending that the City Council approve the zone change as requested, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change, and

WHEREAS a public hearing was held on the proposed zone change on June 6, 2011, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA,

NOW THEREFORE BE IT ORDAINED that the zoning classification shall be changed for Parcel Number 3-01-120.001 located at 214 Moulton Street, from Light Industry to Residence C, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

Seconded by Council Member Joseph M. Butler Jr.



MEMORANDUM

City of Watertown Planning Office

245 Washington Street, Room 304

Watertown, New York 13601

315-785-7730

Fax: 315-782-9014

TO: Norman J. Wayte II, Chairman, Planning Board

FROM: Kenneth A. Mix, Planning and Community Development Coordinator *KAM*

SUBJECT: Zone Change Request – 214 Moulton Street

DATE: April 20, 2011

Request: To change the approved zoning classification of 214 Moulton Street, Parcel Number 3-01-120.001 from Light Industrial District to Residence “C” District.

Applicant: Dale Blanding and Mary Pat Blanding of Blanding Mechanical, Inc.

Property Owner: Blanding Mechanical, Inc.

SEQRA: Unlisted Action.

County Planning Board review required: No

Comments:

The proposed zone change is being requested by the property owner as outlined in the attached application documents. The structure on the site has been used as a base of operation for a contracting business until recently. This is a legal use in “Light Industrial” districts according to city code, § 310-10. The applicant wishes to convert the building to residential use by creating an initial single apartment on the second floor, with additional apartments in the future as funding allows. The business that owns the building, Blanding Mechanical Inc., is now defunct and no longer operates at this location.

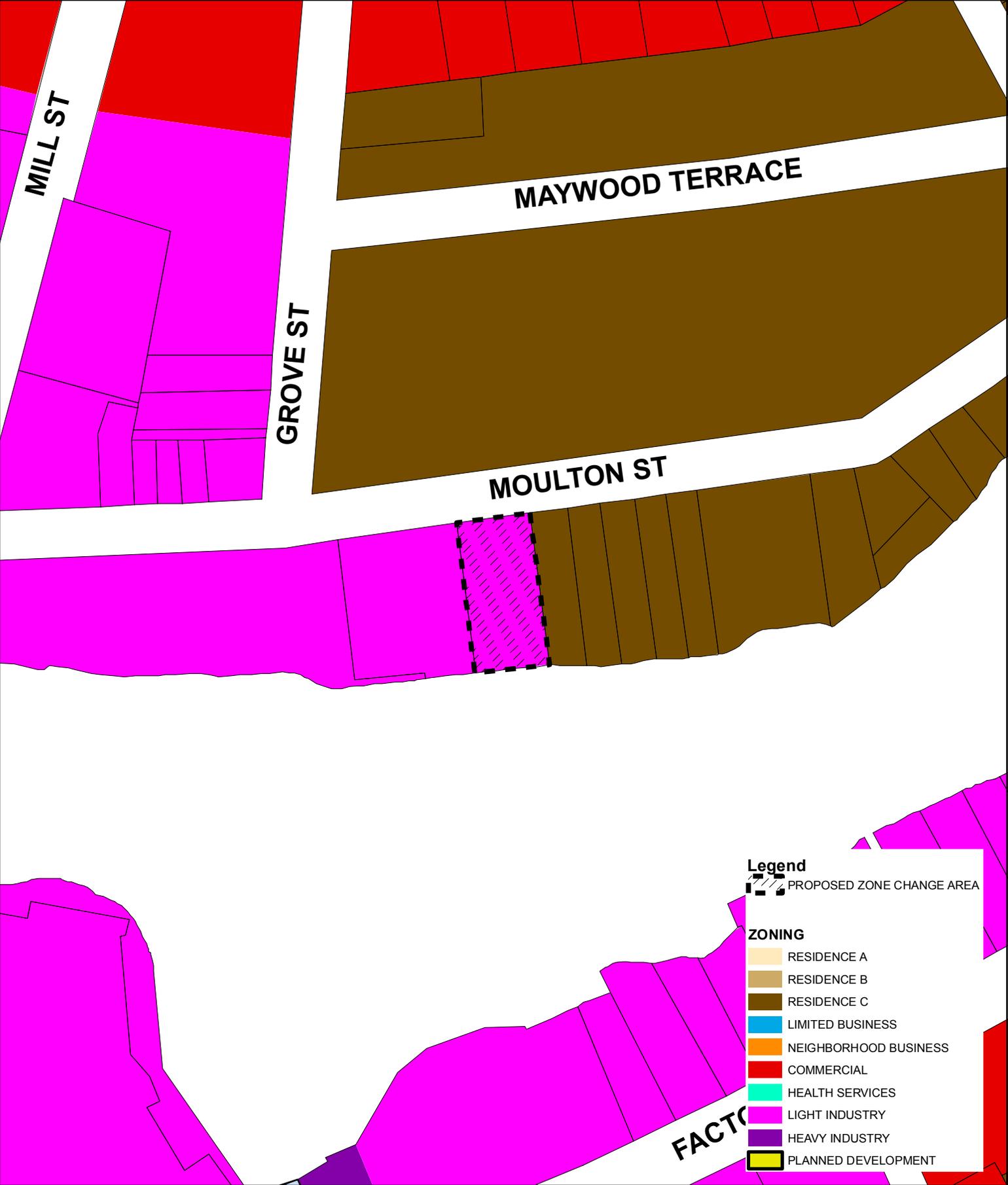
The parcels to the east and north are zoned “Residence C,” the parcels to the west are “Light Industrial.” The southern property boundary is the Black River. The nearest “Commercial” district is roughly 500 feet northwest of the parcel. Based on these conditions, Staff recommended that the applicant request “Residence C.”

More than 3 residential units in the building would require a Special Use Permit in the “Residence C” zoning district. Use of the neighboring property at 208 Moulton Street will be required in order to meet parking requirements, and thus it should be combined with 214 Moulton Street. This combination would result in a parcel split between two zoning districts, if only 214 Moulton Street is changed at this time.

The Land Use Plan calls for "Riverfront Development" on this parcel. This land use category includes a "mix of residential, commercial, park, and recreational uses." Copies of the Land Use Plan map and land use category descriptions are attached—as well as a copy of the current zoning map. Part I of the Short Environmental Assessment Form has been completed and submitted as part of the application.

cc: Planning Board Members
City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Dale and Mary Pat Blanding, PO Box 380, Lacona, NY 13003

PROPOSED ZONE CHANGE
214 MOULTON ST.
LIGHT INDUSTRY to RESIDENCE C



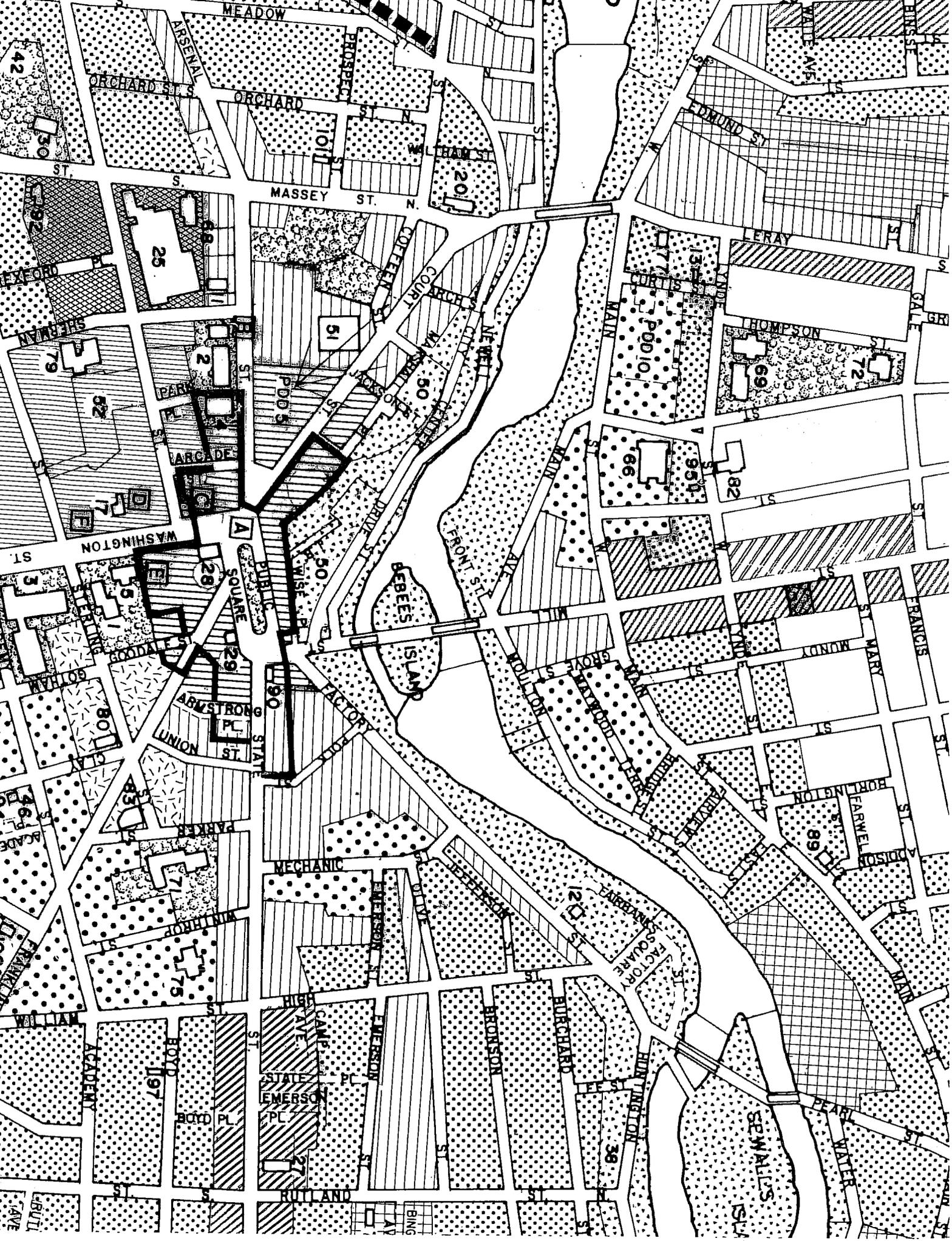
Legend

PROPOSED ZONE CHANGE AREA

ZONING

- RESIDENCE A
- RESIDENCE B
- RESIDENCE C
- LIMITED BUSINESS
- NEIGHBORHOOD BUSINESS
- COMMERCIAL
- HEALTH SERVICES
- LIGHT INDUSTRY
- HEAVY INDUSTRY
- PLANNED DEVELOPMENT

0 100 200 Feet



HIS PLAN ESTABLISHES BASIC LAND USE OBJECTIVES OF THE CITY OF WATERTOWN. THE LAND USE PATTERNS AND FUNCTIONS SHOWN ON THE PLAN SHOULD BE PROTECTED AND PROMOTED THROUGH THE ZONING ORDINANCE AND OTHER LAND USE AND DEVELOPMENT CONTROLS.



CITY CENTER: HIGH DENSITY CONCENTRATION OF SHOPPING, SERVICE, OFFICE, CULTURAL, RESIDENTIAL, AND RELATED USES APPROPRIATE AND NECESSARY TO SERVE THE COMMUNITY AND REGION. PROMOTES RETAIL AND FOOD SERVICE USES ON GROUND FLOOR WITH OTHER SERVICE, OFFICE AND RESIDENTIAL USES IN UPPER FLOORS.



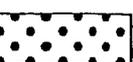
PUBLIC AND INSTITUTIONAL SERVICES INCLUDING PARK AND OTHER OPEN SPACE: ADMINISTRATIVE, EDUCATIONAL, RELIGIOUS, RECREATIONAL, CULTURAL, AND RELATED SERVICE FACILITIES. SUCH USES ARE DETERMINED BY GOVERNMENT AND OTHER SPONSORS, MAY GENERALLY BE LOCATED IN ANY OTHER LAND USE AREAS, AND ARE SUBJECT TO EXPANSION, MODIFICATION, AND REMOVAL AS THE NEED FOR SERVICES CHANGES. SEE LIST: SMALLER FACILITIES ARE IDENTIFIED ONLY BY NUMBER.



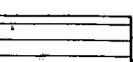
LOW DENSITY RESIDENTIAL: PREDOMINANT USE FOR ONE-FAMILY DWELLINGS.



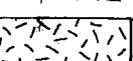
MEDIUM DENSITY RESIDENTIAL: SUBSTANTIAL USE FOR ONE- AND TWO-FAMILY DWELLINGS.



HIGH DENSITY RESIDENTIAL: CONCENTRATIONS OF MULTI-FAMILY DWELLINGS, MAY HAVE OTHER DWELLINGS.



COMMERCIAL: CONCENTRATIONS OF SHOPPING, SERVICE, AND RELATED USES SERVING THE NEIGHBORHOOD, COMMUNITY, OR REGION, AND COMPATIBLE WITH THE LOCATION.



LIMITED OFFICE: NEW CONSTRUCTION AND CONVERSION OF RESIDENTIAL STRUCTURES TO OFFICE AND MIXED (OFFICE PLUS APARTMENT) USE, EXCLUDING RETAIL USE.



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RIVERFRONT DEVELOPMENT: RECOGNIZES AND PROMOTES THE BLACK RIVER AS AN AMENITY WHICH CAN SPUR DEVELOPMENT OF ADJOINING OLDER AREAS OF THE CITY. REDEVELOPMENT WILL COMBINE ADAPTIVE RE-USE OF HISTORIC BUILDINGS AND NEW CONSTRUCTION TO UTILIZE THE RIVERFRONT TO ITS FULLEST POTENTIAL. LAND USES WILL INCLUDE A MIX OF RESIDENTIAL, COMMERCIAL AND PARK AND RECREATIONAL USES.



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DRAINAGE MANAGEMENT AREAS: PORTIONS OF VACANT AREAS MAY HAVE SOME DEVELOPMENT LIMITATIONS TO MAINTAIN DRAINAGE CAPACITY.



MAJOR HIGHWAY SYSTEM IMPROVEMENT.

BLANDING MECHANICAL INC.

216, MOULTOM ST. WATERTOWN, NEW YORK 13601

TO: Watertown New York Planning Board
FROM: Dale & Mary Pat Blanding
REG: Zone Change
DATE: 4/18/11



As the owners of the property and structure located at 214 Moulton St. Watertown New York we are requesting consideration for a zoning change. We purchased the property approximately eight and a half years ago to accommodate our plumbing business, but after twenty six years of continuous operation Blanding Mechanical Inc. had to close its doors for business. Our hopes were to open some type of commercial office space or other small business at that location but we were unable financially to put it together. After two and a half years of being on the market, we have struggled trying to find a buyer. As you know there are a lot of properties in the immediate area that have had for sale signs on them for extended periods. After strong consideration we have decided we would like to change the zoning of the property from light industrial to residential. Our present plan would be to convert part of the upper (2nd) floor space into a personnel residence, then later on as and if finances allow, possibly putting a few rental apartments on the first floor. The inside dimensions of the structure are approximately 40' x 100' on both floors giving roughly 4000 sq. ft. +/- per floor. We have no intention of converting the complete upper floor as our children no longer live at home. We would probably convert approximately 1200 – 1500 sq. ft. and the rest would just be unused, unheated space. We do however feel that the first floor could accommodate two to three comfortable apartments, once again time and finances permitting. We also own the adjoining property located at 208 Moulton St. that could accommodate parking for future tenant vehicles. We would prefer not to apply for a zoning change on that parcel at this time, but would do so if it were required. We both work in Watertown daily and both drive separate cars. We would like to do away with that daily commute of a half hour each way per vehicle and the expenses associated with that drive. We have been renting an apartment in Lacona New York for six and a half years now and feel financially it is time to do something with the building that

would be beneficial to our future as far as a permanent residence and as potential income. We are submitting all the requested information regarding both parcels for your review. We would appreciate your consideration on this request. Please feel free to contact us @ 783-1240.

Sincerely, Dale & Mary Pat Blanding

Dale & Mary Pat Blanding

ZONE CHANGE REQUEST
214/216 MOULTON STREET - PARCEL NUMBER 3-01-120.001

The Planning Board considered a request submitted by Dale Blanding of Blanding Mechanical to change the zoning classification of 214 Moulton St., parcel 3-01-120.001, from *Light Industrial* to *Residence C*.

Mr. Blanding was present. He approached the Board and explained his request. He stated that he wishes to rezone the property so that he may use it as his personal residence, with the option of adding tenants at a later date. He said he was aware that *Residence C* classification only allows for three units without a Special Use Permit. He went on to explain that he only wants to rezone parcel 3-01-120.001 at this time, and that he believes this parcel has space for three parking spaces.

Mr. Harris asked about the recommendation in the Staff report to rezone the adjacent property. Mr. Mix explained that this is not critical, but would be an issue if the property ever has more than three residences—the adjacent parcel would have to be assembled with 3-01-120.001 and used for parking, but the land would remain *Light Industrial*, thus creating a parcel with split zoning classification.

Mr. Harris expressed concern that some documentation showed the address for this parcel as 214 and some showed it as 216. Mr. Mix explained that it is common for addresses to change, or for parcels to have multiple street numbers.

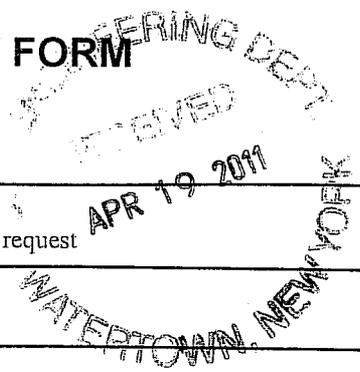
Mrs. Freda asked Mr. Blanding to confirm that only he would be living there at this point. Mr. Blanding confirmed that there would only be one unit in the near future.

Mr. Blanding then asked if he would have to use the entire neighboring parcel for parking if he ended up building more than three units. Mr. Mix responded that he would not, but depending on what other use he had in mind for the property it may require a subdivision.

Mrs. Freda then moved to recommend that the City council approve the zone change request submitted by Dale Blanding of Blanding Mechanical to change the approved zoning classification of 214 Moulton St., Parcel 3-01-120.001, from *Light Industrial* to *Residence C*. Mr. Harris seconded the motion and all voted in favor.

Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

**PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR Dale Blanding/Mary Pat Blanding	2. PROJECT NAME 214 Moulton St. zoning change request
3. PROJECT LOCATION: Municipality City of Watertown, New York 13601 County Jefferson	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) (208/214 Moulton Street) located kitty corner to the intersection of Grove Street & Moulton Street with National Grid Hydro located immediately to the West, Maywood Terrace Housing located immediately to the North and bordering the Black River immediately to the South.	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Convert existing warehouse warehouse to residential status living quarters	
7. AMOUNT OF LAND AFFECTED: Initially <u>.24</u> acres Ultimately <u>.64</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly The property is currently zoned as light industrial, we are requesting residential zoning	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: The property is bounded by both private and city housing and several commercial business'	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: The project would require a building permit issued by the City of Watertown New York	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>Dale Blanding/Mary Pat Blanding</u>	Date: <u>4/18/11</u>
Signature: <u><i>Dale Blanding / Mary Pat Blanding</i></u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II – ENVIRONMENTAL ASSESSMENT / To be completed by Agency

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?

If yes, coordinate the review process and use the FULL EAF.

Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If NO, a negative declaration may be superseded by another involved agency.

Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?

Yes No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

Yes No If yes, explain briefly

PART III – DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

Public Hearing – 7:30 p.m.

June 1, 2011

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning and Community Development Coordinator

Subject: Approving the Zone Change Request Submitted by Patrick J. Scordo, Changing the Approved Zoning Classification of a 13.618 Acre Portion of Parcel No. 13-23-101 From Residence A to Commercial and a 2.485 Acre Non-Zoned Portion of Parcel No. 13-23-102.1 to Commercial

The City Council scheduled a public hearing on the above subject zone change request for 7:30 p.m. on Monday, June 6, 2011.

The Planning Board reviewed the request at its May 3, 2011 meeting and adopted a motion recommending that the City Council approve the zone change request as submitted. Attached is a report on the zone change request prepared for the Planning Board along with an excerpt from its minutes.

The County Planning Board reviewed the request on March 29, 2011 and adopted a motion that the zone change is a matter of local concern.

The City Council must adopt the related SEQRA resolution before voting on this ordinance.

ORDINANCE

Page 1 of 2

Approving the Zone Change Request Submitted by Patrick J. Scordo, changing the approved zoning classification of a 13.618 acre portion of Parcel 13-23-101 from Residence A to Commercial, and a 2.485 acre non-zoned portion of Parcel 13-23-102.1 to Commercial

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.
Total

Table with 2 columns: YEA, NAY. It contains empty cells for recording votes from the council members listed to the left.

Introduced by

Council Member Roxanne M. Burns

BE IT ORDAINED where Patrick J. Scordo of GYMO, P.C., has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of a 13.618 acre portion of Parcel 13-23-101 from Residence A to Commercial, and a 2.485 acre non-zoned portion of Parcel 13-23-102.1 to Commercial, and

WHEREAS the portion of Parcel 13-23-101 subject to this request is shown as "Parcel 1" in the Final Plat Subdivision submitted by Gregory F. Ashley of GYMO, P.C. to the City of Watertown on May 10, 2011, and

WHEREAS that Final Plat Subdivision map is filed in the Engineering Department as "Subdivision M-01-11", and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its meeting held on May 3, 2011, and adopted a motion recommending that the City Council approve the zone change as requested, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change, and

WHEREAS a public hearing was held on the proposed zone change on June 6, 2011, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA,

NOW THEREFORE BE IT ORDAINED that the zoning classification shall be changed for a 13.618 acre portion of Parcel Number 13-23-101 located on the 1500 block of Washington Street, as described above, from Residence A to Commercial, and

BE IT FURTHER ORDAINED that the zoning classification shall be changed for the non-zoned 2.485 acre portion of Parcel Number 13-23-102.1, located on the 1500 block of Washington Street, to Commercial, and

ORDINANCE

Page 2 of 2

Approving the Zone Change Request Submitted by Patrick J. Scordo, changing the approved zoning classification of a 13.618 acre portion of Parcel 13-23-101 from Residence A to Commercial, and a 2.485 acre non-zoned portion of Parcel 13-23-102.1 to Commercial

Council Member BURNS, Roxanne M.

Council Member BUTLER, Joseph M. Jr.

Council Member MACALUSO, Teresa R.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

Seconded by Council Member Jeffrey M. Smith



MEMORANDUM

City of Watertown Planning Office

245 Washington Street, Room 304

Watertown, New York 13601

315-785-7730

Fax: 315-782-9014

TO: Norman J. Wayte II, Chairman, Planning Board

FROM: Kenneth A. Mix, Planning and Community Development Coordinator KAM

SUBJECT: Zone Change Request – 1500 Block of Washington Street

DATE: March 30, 2011

Request: To change the approved zoning classification of a 13.618 acre portion of Parcel Number 13-23-101 from Residence A to Commercial and to designate a 2.485 acre non zoned portion of Parcel Number 13-23-102.1, Commercial.

Applicant: Patrick J. Scordo, P.E. of GYMO, P.C. on behalf of Samaritan Medical Center.

Property Owner: Watertown City School District and the City of Watertown.

SEQRA: Unlisted Action.

County Planning Board review required: Yes.

Comments: The proposed zone change is being requested per the attached documents and consists of a portion of Parcel 13-23-101 and a portion of Parcel 13-23-102.1. The portion of Parcel 13-23-101 is the same property that the applicant has requested subdivision approval for from the Planning Board. Parcel Number 13-23-102.1 is currently owned by the City. A portion of this property was previously located outside of the City boundary and has only been recently annexed which is why it is currently not zoned.

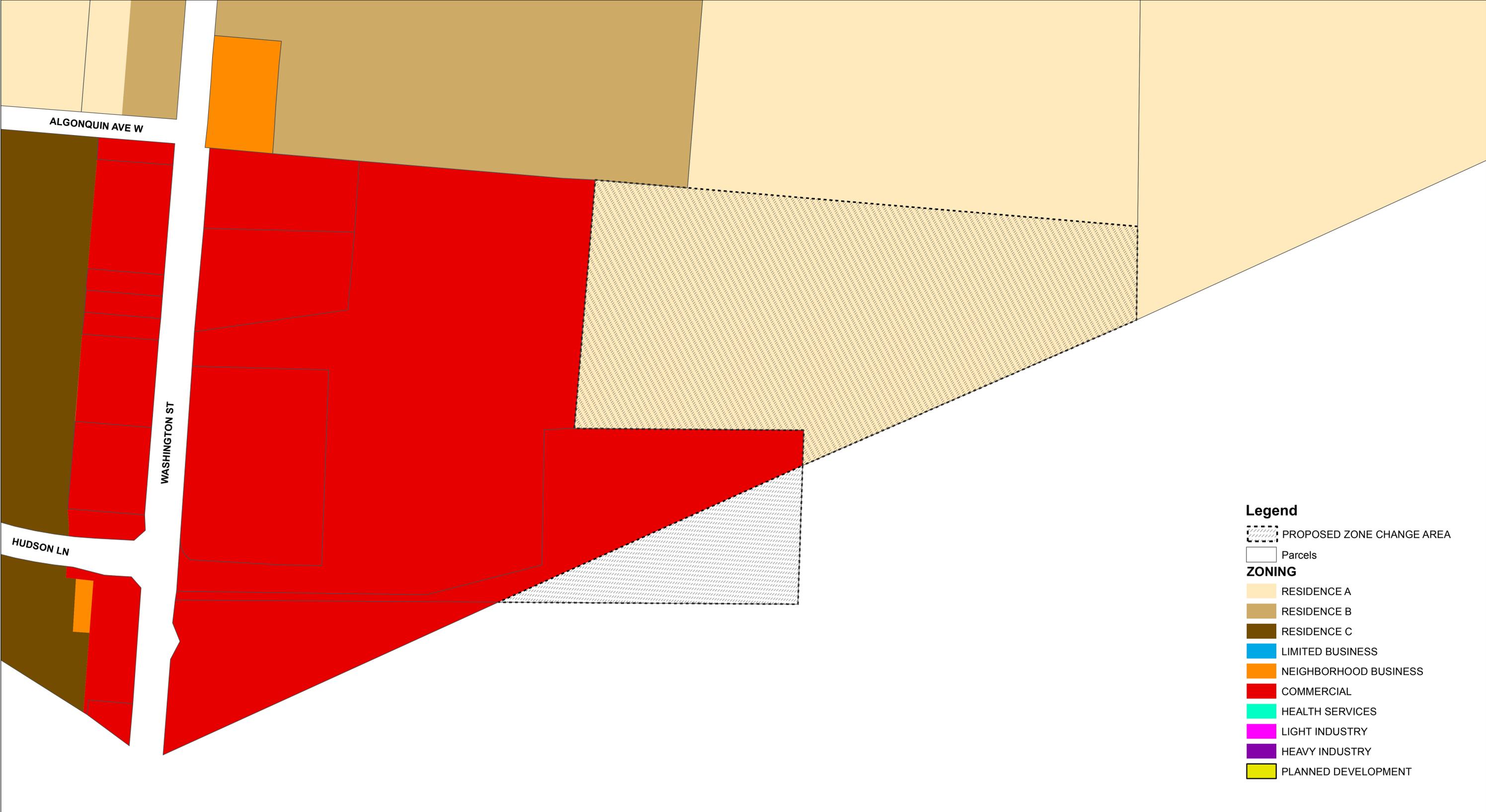
The proposed zone change is being requested for the future development of Samaritan Senior Village, a 288 bed senior living facility. The facility will consist of a three story, 120 unit assisted living wing and a four story, 168 unit skilled care wing. The development will also include related site work, utilities, roads, parking and landscaping. The applicant has included a conceptual site development plan as part of the application to allow the Planning Board an opportunity to review the proposed plan and make comments and suggestions on it prior to the formal site plan submission.

A copy of the Land Use Plan is attached. The plan calls for low density residential land use in this area although the area directly to the west of the subject properties is designated for commercial land use.

cc: Planning Board Members
City Council Members
Robert J. Slye, City Attorney

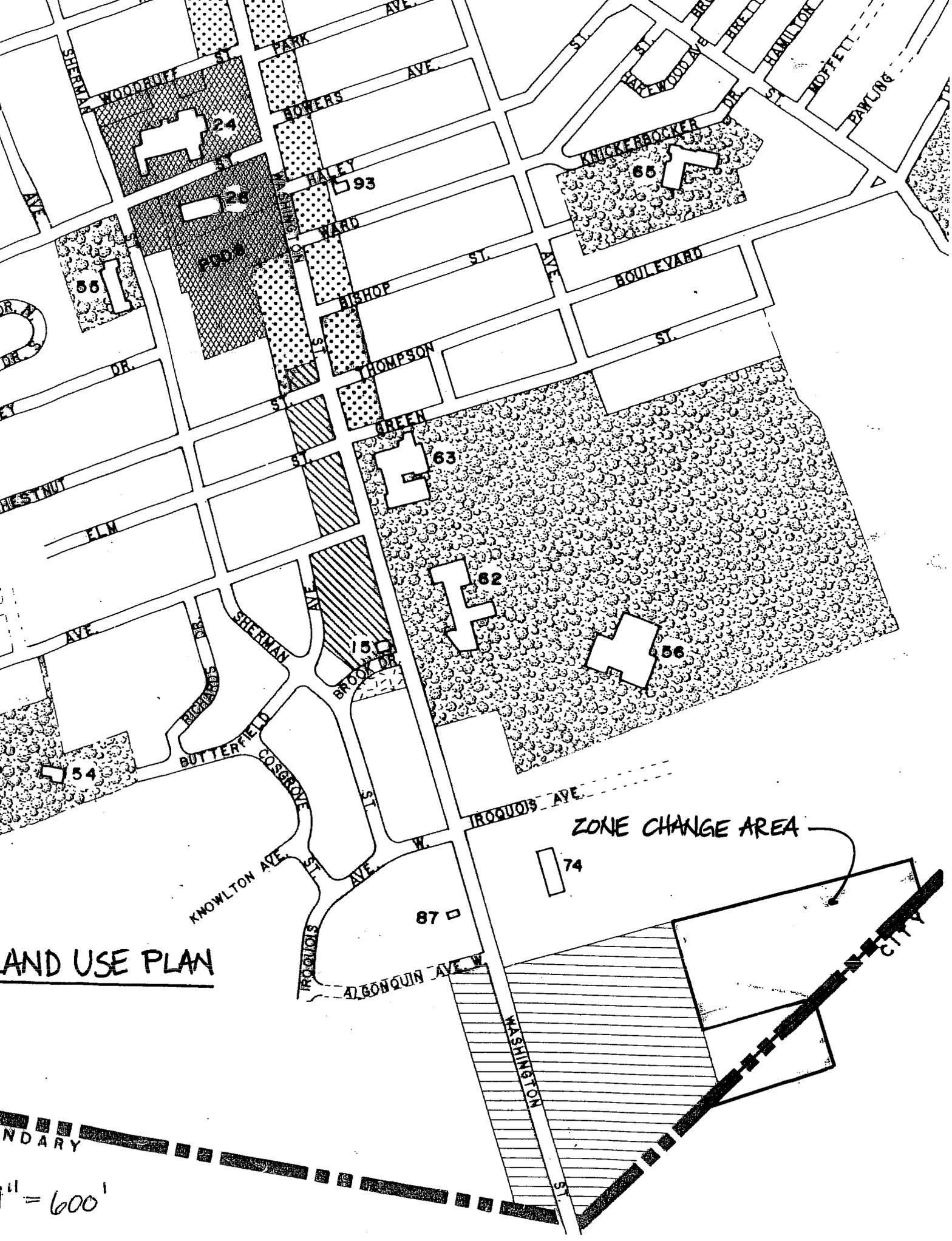
Justin Wood, Civil Engineer II
Patrick J. Scordo, P.E., GYMO, P.C.

PROPOSED ZONE CHANGE
1500 BLOCK of WASHINGTON ST.,
A PORTION OF PARCELS NUMBER 13-23-101.000 and 13-23-102.100
RESIDENCE A and NON-ZONED AREA to COMMERCIAL



- Legend**
- PROPOSED ZONE CHANGE AREA
 - Parcels
- ZONING**
- RESIDENCE A
 - RESIDENCE B
 - RESIDENCE C
 - LIMITED BUSINESS
 - NEIGHBORHOOD BUSINESS
 - COMMERCIAL
 - HEALTH SERVICES
 - LIGHT INDUSTRY
 - HEAVY INDUSTRY
 - PLANNED DEVELOPMENT

0 200 400 Feet



LAND USE PLAN

ZONE CHANGE AREA

BOUNDARY

1" = 600'

CITY

SHERMAN ST
 WOODRUFF ST
 PARK AVE
 BOWERS AVE
 DALEY ST
 BISHOP ST
 THOMPSON ST
 GREEN ST
 ELM AVE
 SHERMAN ST
 BUTTERFIELD ST
 KNOWLTON AVE
 TROQUOIS AVE
 ALGONQUIN AVE W
 WASHINGTON ST
 BRUCE ST
 HAMILTON ST
 KOFFETT ST
 PARLOR ST
 KNICKBOCKER DR
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LAND USE OBJECTIVES

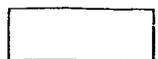
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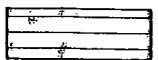
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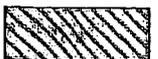
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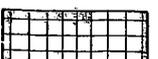
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MAJOR HIGHWAY SYSTEM IMPROVEMENT.

17 March 2011

Leo F. Gozalkowski, P.E.
Stephen W. Yaussi, AIA
Edward G. Olley, Jr., AIA
William P. Plante, P.E.
Patrick J. Scordo, P.E.
Thomas S.M. Compo, P.E.

City Engineer's Office
City Municipal Building, Room 305
245 Washington Street
Watertown, NY 13601

Gregory F. Ashley, P.E.

Re: Zone Change Request
Proposed Samaritan Senior Village
Washington Street, Watertown, NY
File: 2010-267E

Honorable Mayor and City Council:

On behalf of Samaritan Medical Center, GYMO, P.C. is submitting 16 collated sets of the following materials for a Zone Change review and approval at the 29 March 2011 Jefferson County Planning Board Meeting and the 5 April 2011 City of Watertown Planning Board Meeting:

- Conceptual Site Development Plan (C100) of the proposed Samaritan Senior Village;
- Metes and Bounds description of the property for which the Zone Change is requested;
- Tax Map with the property highlighted for which the Zone Change is requested;
- Completed State Environmental Quality Review (SEQR) form, and
- \$100 Application Fee (Check).

Note a pdf file will also be sent of this correspondence and attachments. Also, Conceptual Site Development Plan (C100) is being provided to allow both the Jefferson County and City of Watertown Planning Board's the opportunity to comment on the proposed development. Follow up submissions will be made to obtain appropriate site plan approvals at a later date and any input regarding the design to date would be appreciated.

The land for which the Zone Change is requested consists of a portion each of City of Watertown tax parcels 13-23-101 and 13-23-102.1, as indicated on the attached mapping. Parcel 13-23-104.001 is home to the existing Samaritan Medical Plaza at 1575 Washington Street. The portion of tax parcel 13-23-101 referenced is in the process of being acquired by the Samaritan Medical Center from the Watertown City School District. Tax parcel 13-23-102.1 is currently being sought by Samaritan Medical Center from the City of Watertown. These lands are proposed to be rezoned to Commercial, in order for Samaritan Medical Center to proceed with development as indicated below:

The proposed development will include the construction of a 288 Bed Senior Living Facility to be known as the Samaritan Senior Village (SSV). The SSV will initially include a 120 unit, three story assisted living wing and a 168 unit, four story skilled care wing with a common area connecting structure. The initial proposed gross and footprint square footage (SF) of the structure is 237,000SF and 84,000SF, respectively. Access roads, water, sanitary sewer, storm sewers, site lighting, landscaping and parking areas are to be constructed to serve the facility. Refer to attached drawing C100 for additional information.

If there are any questions, or additional information is required, please feel free to contact our office.

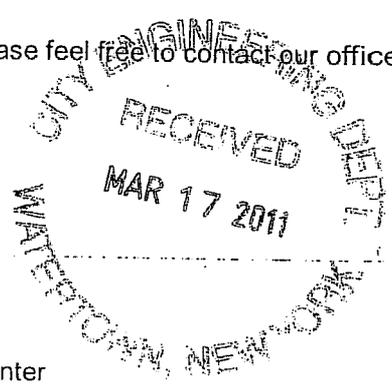
Sincerely,
GYMO, Architecture, Engineering & Land Surveying, PC

Patrick J. Scordo

Patrick J. Scordo, P.E.
Director of Engineering
RGC

Attachments

PC: Tom Carman and Richard Brooks – Samaritan Medical Center
Rick Tague, AIA; Pam Beyor, AIA – Bernier, Carr and Associates
Craig Kimmel, AIA; Eric Endres, AIA – RLPS Architects
Ryan Churchill; Steve Gracey – GYMO, P.C.



**ZONE CHANGE REQUEST – SMC SENIOR VILLAGE
1500 BLOCK WASHINGTON STREET, PARCELS 13-23-101 AND 13-23-102.1**

The Planning Board then considered the tabled request submitted by Patrick J. Scordo of GYMO P.C. on behalf of Samaritan Medical Center to change the zoning classification of a portion of parcel 13-23-101 from *Residence A* to *Commercial*, and a portion of parcel 13-23-102.1 from *Unzoned* to *Commercial*. Both parcels are located on the 1500 block of Washington Street.

Mr. Scordo was present on behalf of Samaritan Medical Center to explain the request. He stated that the purpose of the request was to allow the construction of a proposed senior living village behind the existing Samaritan Medical Plaza. The proposed zone change would bring all Samaritan property in the area into the *Commercial* designation, fix the current split zoning of 13-23-102.1 and would assign a zoning district to an unzoned section of land recently annexed by the City.

With no further discussion, Mrs. Freda moved to recommend that City Council grant the Zone Change Request. Mr. Harris seconded, the motion passed 4-0, with Mr. Coburn abstaining.



Department of Planning
175 Arsenal Street
Watertown, NY 13601

Donald R. Canfield
Director of Planning

(315) 785-3144
(315) 785-5092 (Fax)

March 30, 2011

Michael A. Lumbis, Planner
City of Watertown
245 Washington Street, Room 304
Watertown, NY 13601



Re: Zoning Map Amendment from Residential A to Commercial, outer Washington Street, JCDP File # C 4 - 11

Dear Mike:

On March 29, 2011, the Jefferson County Planning Board reviewed the above referenced project, referred pursuant to General Municipal Law, Section 239m.

The Board adopted a motion that the proposed zoning map amendment is a matter of local concern.

The County Planning Board has the following local advisory comments:

New York State Law requires zoning amendments to be made in accordance with a Comprehensive Plan. The local board should ensure that this amendment is consistent with the current plan and vision for this area of the City.

The map amendment has been proposed to accommodate the siting of an assisted living facility. With the next phase in the application process being a site plan review, potential considerations could involve: traffic generating characteristics; proposed access points and driveways; and vehicle turning movements. Other considerations may involve adequate: drainage facilities, parking, lighting and glare mitigation, pedestrian access, and landscaping. The County Planning Board also noted that alternative access solutions should be explored as opposed to creating a new access on Washington Street hill. The GYMO engineering representatives in attendance at the meeting indicated a traffic impact analysis is underway.

Please note that the advisory comments are not a condition of the County Planning Board's action. They are listed to assist the local board in its review of the project. The local board is free to make its final decision,

General Municipal Law, Section 239m requires the local board to notify the County of its action on this matter within thirty (30) days after taking a final action.
Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Andy R. Nevin".

Andy R. Nevin, AICP
Senior Planner

ARN

Public Hearing – 7:30 p.m.

June 1, 2011

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning and Community Development Coordinator

Subject: Amending Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program

Proposed amendments to the Zoning Ordinance needed to implement the land use recommendations of the Local Waterfront Revitalization Program were drafted and made part of the draft plan. The proposals were reviewed at meetings held for City Council, Planning Board, Advantage Watertown and River Committee members on December 16, 2010 and February 10, 2011.

Revisions were made to the draft and it was presented to the City Council on February 22, 2011. The City Council then referred it to the Planning Board to initiate formal review for possible adoption. The Board reviewed the amendments on May 3, 2011 and adopted a motion recommending that the City Council approve the attached ordinance. The report prepared for the Planning Board and an excerpt from its minutes are attached.

The County Planning Board reviewed the proposal on May 31, 2011 and resolved that the amendments have no significant county-wide or inter-municipal issues and are of local concern only.

The ordinance creates three new districts: “Downtown,” “Waterfront,” and “Open Space and Recreation” with related regulations. The Planning Board will start reviewing Zoning Map changes on June 7th.

The Council scheduled a public hearing on the ordinance for 7:30 p.m. on Monday, June 6, 2011. The Council must approve the related SEQRA resolution before voting on the ordinance.

ORDINANCE

Page 1 of 13

Amending Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

Introduced by

Council Member Jeffrey M. Smith

BE IT ORDAINED where certain amendments to the Zoning Ordinance are required to implement the City of Watertown’s Local Waterfront Revitalization Program, and

WHEREAS the Planning Board of the City of Watertown considered the proposed amendments at its May 3, 2011 meeting and recommended that the City Council approve the amendments, and

WHEREAS the Jefferson County Planning Board reviewed the proposed amendments pursuant to General Municipal Law Section 239-m, and

WHEREAS a public hearing was held on the proposed amendments on June 6, 2011, after due public notice, and

WHEREAS the City Council has made a Negative Declaration concerning the environmental impacts of the proposed amendments according to the requirements of SEQRA,

NOW THEREFORE BE IT ORDAINED that Section 310-1 of the Code of the City of Watertown is hereby amended by adding the following definitions:

COMMERCIAL PARKING – Facilities that provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Commercial Parking facility.

ORDINANCE

Page 2 of 13

Amending Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

OFFICES – Activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services. Examples include professional services such as lawyers, accountants, engineers, or architects; financial businesses such as lenders, brokerage houses, bank headquarters, or real estate agents; data processing; sales offices; government and public utility offices; TV and radio studios; medical and dental clinics; and medical and dental labs.

ORDINARY HIGH WATER MARK – The highest level reached by a body of water that has been maintained for a sufficient period of time to leave evidence on the landscape.

PARKS AND OPEN AREAS – Uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures. Examples include parks, golf courses, cemeteries, public squares, plazas, recreational trails, botanical gardens, zoos, athletic fields, boat launching areas, and nature preserves.

RELIGIOUS ASSEMBLY - Uses intended to primarily provide meeting areas for religious activities. Examples include churches, temples, synagogues, and mosques.

RETAIL SALES AND SERVICE – Uses involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods. These uses can be entertainment-oriented, personal service-oriented, repair-oriented or sales-oriented.

ENTERTAINMENT-ORIENTED RETAIL – A sub-category of Retail Sales and Service. Examples of uses include restaurants, cafes, delicatessens, taverns, and bars; indoor or outdoor continuous entertainment activities such as bowling alleys, ice rinks, and game arcades; pool halls; theaters, health clubs, gyms, membership clubs, and lodges; hotels, motels, and other temporary lodging with an average length of stay of less than 30 days.

ORDINANCE

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Amending Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

PERSONAL SERVICE-ORIENTED RETAIL – A sub-category of Retail Sales and Service. Examples include branch banks; urgent medical care; laundromats; photographic studios; photocopy and blueprint services; hair, tanning, tattooing, body piercing and personal care services; tax preparers, accountants, real estate, legal, financial services; business, martial arts, and other trade schools; dance or music classes; and animal grooming.

REPAIR-ORIENTED RETAIL - A sub-category of Retail Sales and Service. Examples include repair of TVs, bicycles, clocks, watches, shoes, guns, appliances and office equipment; photo or laundry drop off; quick printing; tailor; locksmith; and upholsterer.

SALES-ORIENTED RETAIL – A sub-category of Retail Sales and Service. Examples include stores selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationery, and videos; food sales, and sales or leasing of consumer vehicles.

RIVER SETBACK –The minimum distance allowed between a building, structure, or parking area and the top-of-bank of a river or stream.

TOP-OF-BANK – The point of inflection on the river bank where the trend of the land slope changes by 10 percent to begin its descent to the ordinary high water mark of the river. If there is no major change within a distance of 50 ft from the ordinary high water mark, then the top of bank will be the elevation 2 ft above the ordinary high water level.

WATER-DEPENDENT USE – An activity that can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water.

ORDINANCE

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Amending Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

WATER-ENHANCED USE – An activity that does not require a location adjacent to or over coastal waters, but whose location on land adjacent to the shore adds to the public use and enjoyment of the water’s edge. Water-enhanced uses are primarily residential, recreational, cultural, retail, or entertainment uses.

, and

BE IT FURTHER ORDAINED that Section 310-2 A is amended to read as follows:

A. For the purpose of this chapter, the City of Watertown is divided into the following types of districts:

- Residence A Districts ----- RA
- Residence B Districts ----- RB
- Residence C Districts ----- RC
- Limited Business Districts ----- LB
- Neighborhood Business Districts ----- NB
- Commercial Districts ----- CD
- Downtown Core Overlay District ----- DC
- Downtown District ----- DT
- Health Services Districts ----- HS
- Light Industrial Districts ----- LI
- Heavy Industrial Districts ----- HI
- Riverfront Development Overlay District ----- RD
- Open Space and Recreation District ----- OS
- Waterfront District ----- WD
- Planned Development Districts ----- PD

, and

ORDINANCE

Page 5 of 13

Amending Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

BE IT FURTHER ORDAINED that Section 310-9.1 is added to read as follows:

§ 310-9.1. Downtown District

A. Purpose. The purpose and intent of this district is to regulate development in such a way that the compact pedestrian-oriented quality of the downtown area is maintained. This is primarily a commercially oriented district with a significant amount of upper floor housing where the synergy between the uses is intended to revitalize the activity in the area.

B. Permitted principal uses. In Downtown Districts no building or structure shall be erected, altered or extended, and no land, building, structure or part thereof shall be used for other than one or more of the following uses:

- (1) Multifamily Dwelling, except on any street level floor
- (2) Office
- (3) Retail Sales and Service
- (4) Religious Assembly
- (5) Parks and Open Areas
- (6) Commercial Parking

, and

ORDINANCE

Page 6 of 13

Amending Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

BE IT FURTHER ORDAINED that Section 310-11.1 is amended to read as follows:

§ 310-11.1. Open Space and Recreation District

- A. Purpose. The purpose and intent of this district is to provide a suitable classification for sites designated for park, open space and/or recreational use.
- B. Permitted principal uses. In Open Space and Recreation Districts no building or structure shall be erected, altered or extended, and no land, building, structure or part thereof shall be used for other than one or more of the following uses:

- (1) Parks and Open Areas

And,

BE IT FURTHER ORDAINED that Section 310-11.2 is added to read as follows:

§ 310-11.2. Waterfront District

- A. Purpose. The purpose and intent of this district is to allow the Black River to be used as an economic development catalyst while protecting its environmental characteristics. Priority is given to water dependent uses and then water enhanced uses. Providing public access to the river is an important policy that is promoted through these regulations.

ORDINANCE

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Amending Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

B. Permitted principal uses. In Waterfront Districts no building or structure shall be erected, altered or extended, and no land, building, structure or part thereof shall be used for other than one or more of the following uses:

(1) Water-Dependent Use

(2) Water-Enhanced Use

Water - enhanced uses shall not be allowed on or over surface waters unless the proposed use meets all of the following criteria:

- (a) The proposed use will not be sited so as to encroach upon water uses such as navigational channels.
- (b) The proposed use will not be sited so as to degrade or diminish natural resources.
- (c) The proposed use will not be sited so as to degrade or diminish significant scenic views.
- (d) The proposed use will not be sited so as to degrade or diminish the reasonable exercise of riparian rights by waterfront owners.
- (e) The proposed use will not create conflicts between potential water-dependent uses.
- (f) The proposed use shall provide meaningful public access.

(2) Parks and Open Areas

, and

ORDINANCE

Page 8 of 13

Amending Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

BE IT FURTHER ORDAINED that Section 310-13 is amended to read as follows:

§ 310-13. Minimum Lot Sizes.

Every parcel of land shall meet the following minimum sizes for the district it is located in:

District	Lot Size	Lot Size/ Household	Lot Width
Residence A	7,500 sq. ft.	7,500 sq. ft.	75 ft.
Residence B	6,000 sq. ft.	3,000 sq. ft.	60 ft.
Residence C	5,000 sq. ft.	2,500 sq. ft.	50 ft.
Limited Business		1,000 sq. ft.	
Neighborhood Business		1,000 sq. ft.	
Commercial		1,000 sq. ft.	
Downtown		250 sq. ft.	
Health Services		2,500 sq. ft.	
Light Industrial		N.A.	
Heavy Industrial		N.A.	
Open Space and Recreation		N.A.	
Waterfront		500 sq. ft.	

,and

ORDINANCE

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Amending Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program

Council Member BURNS, Roxanne M.
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 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER ORDAINED that Section 310-15 is amended to read as follows:

§ 310-15. Lot coverage.

The total area of each parcel covered by buildings shall not exceed the following percentages:

District	Maximum Lot Area Covered by Buildings
Residence A	30%
Residence B	35%
Residence C	40%
Neighborhood Business	40%
Downtown	100%
Open Space and Recreation	10%
Waterfront	30%

,and

ORDINANCE

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Amending Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program

Council Member BURNS, Roxanne M.
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 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

BE IT FURTHER ORDAINED that Section 310-16 is amended to read as follows:

§ 310-16. Minimum Setbacks.

Every building shall be setback from property lines according to the minimum distances listed below:

District	Front Yard	Side Yard	Rear Yard
Residence A	20'	5'	25'
Residence B	20'	5'	25'
Residence C	20'	5'	25'
Limited Business	20'	5'	25'
Neighborhood Business	20'	5'	25'
Commercial	20'	5'	25'
Downtown	0'	0'	0'
Health Services	20'	5'	25'
Light Industrial	0'	0'	0'
Heavy Industrial	0'	0'	0'
Open Space and Recreation	50'	50'	50'
Waterfront	20'	5'	50'*

* Except as allowed by §310-21.1.

,and

BE IT FURTHER ORDAINED that Section 310-19 is deleted, and

BE IT FURTHER ORDAINED that Section 310-21 is deleted, and

ORDINANCE

Page 11 of 13

Amending Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

BE IT FURTHER ORDAINED that Section 310-21.1 is amended to read as follows:

§ 310-21.1. River setback.

- A. No building, structure or parking area shall be constructed within 50 feet of the top-of-bank of any river or stream, except for structures built for water-dependent uses or that are designed and built specifically for the purpose of providing pedestrian access and travel along the bank, for improving the safety of such access and travel, or for facilitating boat access to the river without disturbing pedestrian access.
- B. The setback from the top-of-bank may be reduced to 30 feet if public access to the river or stream bank, which has the potential for connecting with a continuous pedestrian trail along the river or stream, is provided through a permanent easement. A licensed engineer must certify that the soils within the reduced setback area are stable and suitable for development.

,and

BE IT FURTHER ORDAINED that Section 310-44 is amended to read as follows:

§ 310-44. Parking facilities or vehicle storage required.

- A. Except as provided in Subsections B and C of this section, for every building or structure hereafter erected or addition to a structure or building hereafter made, to be used for any of the purposes hereinafter set forth, there shall be provided parking facilities or vehicle storage as set forth in § § 310-45 through 310-51.
- B. Off-street parking shall not be required for any use within the Downtown Core Overlay District and Downtown District.
- C. Because the property within Riverfront Development Overlay Districts and Waterfront Districts is valuable for recreational purposes and there exists little space for off-street parking, off-street parking is not required in this district for buildings within 300 feet of a public parking lot. The distance is to be measured in a straight line from the nearest edge of the parking lot to the nearest edge of the building.

D.

,and

ORDINANCE

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Amending Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER ORDAINED that Section 310-52.2 G (1) (a) is amended to read as follows:

- (a) A parcel is allowed a total sign surface area not to exceed two (2) square feet for each linear foot of building frontage. The total sign surface area may be allocated to the occupants of the parcel in any manner, except in no case shall the allocation per occupant exceed the maximum sign surface area listed in the following table:

District	Occupant Max. Sign Surface Area
Res. A, B, & C	4 sq. ft.
Limited Business	35 sq. ft.
Neighborhood Business	75 sq. ft.
Downtown Core Overlay	100 sq. ft.
Commercial	200 sq. ft.
Downtown	100 sq. ft.
Health Services	200 sq. ft.
Light & Heavy Industrial	200 sq. ft.
Open Space & Recreation	200 sq. ft.
Waterfront	100 sq. ft.

,and

ORDINANCE

Page 13 of 13

Amending Chapter 310, Zoning of the Code of the City of Watertown to Implement the Local Waterfront Revitalization Program

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
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 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

BE IT FURTHER ORDAINED that Section 310-52.2 G (1) (g) is amended to read as follows:

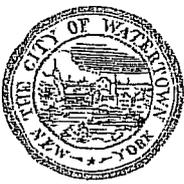
(g) Commerce Centers shall be allowed additional sign surface area to identify the center, up to the maximum per parcel for each district in the chart below:

District	Commerce Center ID Max. Sign Area
Limited Business	10 sq. ft.
Neighborhood Business	15 sq. ft.
Downtown Core Overlay	20 sq. ft.
Commercial	100 sq. ft.
Downtown District	20 sq. ft.
Light & Heavy Industrial	100 sq. ft.

,and

BE IT FURTHER ORDAINED that this Amendment to the City Code shall take effect as soon as it is published once in the official newspaper of the City of Watertown, New York or printed as the City Manager directs.

Seconded by Council Member Joseph M. Butler Jr.



MEMORANDUM

City of Watertown Planning Office

245 Washington Street, Room 304

Watertown, New York 13601

315-785-7730

Fax: 315-782-9014

TO: Norman J. Wayte, II, Chairman

FROM: Kenneth A. Mix, Planning and Community Development Coordinator *KAM*

SUBJECT: LWRP Zoning

DATE: February 23, 2011

The City Council has referred the attached Zoning Ordinance Amendment to the Planning Board for review and recommendation. This is the start of the formal adoption process.

The initial draft of these revisions was included in the Local Waterfront Revitalization Program (LWRP). That draft was reviewed and revised on December 16, 2010 and February 10, 2011. These changes to the Zoning Ordinance must be made before the LWRP can be adopted by the City Council and the Department of State.

This amendment creates three new zoning districts and their regulations that will be used within the boundary of the LWRP. The new districts are "Downtown," "Open Space and Recreation" and "Waterfront."

Appendix C
Proposed Zoning Ordinance Changes
2/10/11

Delete

Add

ARTICLE I Definitions and Word Usage

§ 310-1. Terms defined; word usage.

- A. Words in the present tense include the future; the singular number includes the plural, and the plural the singular; the word “lot” includes the word “plot,” and the word “building” includes the word “structure.”
- B. For the purpose of this chapter, certain words and terms shall have the following meanings:

COMMERCIAL PARKING – Facilities that provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Commercial Parking facility.

OFFICES – Activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services. Examples include professional services such as lawyers, accountants, engineers, or architects; financial businesses such as lenders, brokerage houses, bank headquarters, or real estate agents; data processing; sales offices; government and public utility offices; TV and radio studios; medical and dental clinics; and medical and dental labs.

ORDINARY HIGH WATER MARK – The highest level reached by a body of water that has been maintained for a sufficient period of time to leave evidence on the landscape.

PARKS AND OPEN AREAS – Uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures. Examples include parks, golf courses, cemeteries, public squares, plazas, recreational trails, botanical gardens, zoos, athletic fields, boat launching areas, and nature preserves.

RELIGIOUS ASSEMBLY - Uses intended to primarily provide meeting areas for religious activities. Examples include churches, temples, synagogues, and mosques.

RETAIL SALES AND SERVICE – Uses involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods. These uses can be entertainment-oriented, personal service-oriented, repair-oriented or sales-oriented.

ENTERTAINMENT-ORIENTED RETAIL – A sub-category of Retail Sales and Service. Examples of uses include restaurants, cafes, delicatessens, taverns, and bars; indoor or outdoor continuous entertainment activities such as bowling alleys, ice rinks, and game arcades; pool halls; theaters, health clubs, gyms, membership clubs, and lodges; hotels, motels, and other temporary lodging with an average length of stay of less than 30 days.

PERSONAL SERVICE-ORIENTED RETAIL – A sub-category of Retail Sales and Service. Examples include branch banks; urgent medical care; laundromats; photographic studios; photocopy and blueprint services; hair, tanning, tattooing, body piercing and personal care services; tax preparers, accountants, real estate, legal, financial services; business, martial arts, and other trade schools; dance or music classes; and animal grooming.

REPAIR-ORIENTED RETAIL - A sub-category of Retail Sales and Service. Examples include repair of TVs, bicycles, clocks, watches, shoes, guns, appliances and office equipment; photo or laundry drop off; quick printing; tailor; locksmith; and upholsterer.

SALES-ORIENTED RETAIL – A sub-category of Retail Sales and Service. Examples include stores selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationery, and videos; food sales, and sales or leasing of consumer vehicles.

RIVER SETBACK –The minimum distance allowed between a building, structure, or parking area and the top-of-bank of a river or stream.

TOP-OF-BANK – The point of inflection on the river bank where the trend of the land slope changes by 10 percent to begin its descent to the ordinary high water mark of the river. If there is no major change within a distance of 50 ft from the ordinary high water mark, then the top of bank will be the elevation 2 ft above the ordinary high water level.

WATER-DEPENDENT USE – An activity that can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to

that water body, and which involves, as an integral part of such activity, the use of the water.

WATER-ENHANCED USE – An activity that does not require a location adjacent to or over coastal waters, but whose location on land adjacent to the shore adds to the public use and enjoyment of the water’s edge. Water-enhanced uses are primarily residential, recreational, cultural, retail, or entertainment uses.

ARTICLE II Establishment of Districts

§ 310-2. Enumeration of districts; Zone Map

A. For the purpose of this chapter, the City of Watertown is divided into the following types of districts:

Residence A Districts -----	RA
Residence B Districts -----	RB
Residence C Districts -----	RC
Limited Business Districts -----	LB
Neighborhood Business Districts -----	NB
Commercial Districts -----	CD
Downtown Core Overlay District-----	DC
<u>Downtown District -----</u>	<u>DT</u>
Health Services Districts -----	HS
Light Industrial Districts -----	LI
Heavy Industrial Districts -----	HI
Riverfront Development Overlay District -----	RD
<u>Open Space and Recreation District -----</u>	<u>OS</u>
<u>Waterfront District -----</u>	<u>WD</u>
Planned Development Districts -----	PD

ARTICLE III District Use Regulations

§ 310-9.1. Downtown District

A. Purpose. The purpose and intent of this district is to regulate development in such a way that the compact pedestrian-oriented quality of the downtown area is maintained. This is primarily a commercially oriented district with a significant amount of upper floor housing where the synergy between the uses is intended to revitalize the activity in the area.

B. Permitted principal uses. In Downtown Districts no building or structure shall be erected, altered or extended, and no land, building, structure or part thereof shall be used for other than one or more of the following uses:

(1) Multifamily Dwelling, except on any street level floor

(2) Office

(3) Retail Sales and Service

(4) Religious Assembly

(5) Parks and Open Areas

(6) Commercial Parking

§ 310-11.1. Open Space and Recreation District

A. Purpose. The purpose and intent of this district is to provide a suitable classification for sites designated for park, open space and/or recreational use.

B. Permitted principal uses. In Open Space and Recreation Districts no building or structure shall be erected, altered or extended, and no land, building, structure or part thereof shall be used for other than one or more of the following uses:

(1) Parks and Open Areas

§ 310-11.2. Waterfront District

A. Purpose. The purpose and intent of this district is to allow the Black River to be used as an economic development catalyst while protecting its environmental characteristics. Priority is given to water dependent uses and then water enhanced uses. Providing public access to the river is an important policy that is promoted through these regulations.

B. Permitted principal uses. In Waterfront Districts no building or structure shall be erected, altered or extended, and no land, building, structure or part thereof shall be used for other than one or more of the following uses:

(1) Water-Dependent Use

(2) Water-Enhanced Use

Water - enhanced uses shall not be allowed on or over surface waters unless the proposed use meets all of the following criteria:

(a) The proposed use will not be sited so as to encroach upon water uses such as navigational channels.

(b) The proposed use will not be sited so as to degrade or diminish natural resources.

(c) The proposed use will not be sited so as to degrade or diminish significant scenic views.

- (d) The proposed use will not be sited so as to degrade or diminish the reasonable exercise of riparian rights by waterfront owners.
- (e) The proposed use will not create conflicts between potential water-dependent uses.
- (f) The proposed use shall provide meaningful public access.

(3) Parks and Open Areas

ARTICLE IV Area and Yard Regulations

§ 310-13. Lot area.

~~A. No building used in whole or in part for dwelling purposes shall be erected, altered or extended so as to provide for less lot area per family than specified below:~~

- ~~(1) Residence A: five thousand (5,000) square feet.~~
- ~~(2) Residence B: three thousand (3,000) square feet.~~
- ~~(3) Residence C: two thousand five hundred (2,500) square feet.~~
- ~~(4) Limited Business: one thousand (1,000) square feet.~~
- ~~(5) Neighborhood Business: one thousand (1,000) square feet.~~
- ~~(6) Commercial: one thousand (1,000) square feet.~~

~~B. Except as permitted by Sec. 310-14, no single family dwelling in any district shall be erected on a lot of less than five thousand (5,000) square feet and less than fifty (50) feet frontage for Residential C; six thousand (6,000) square feet and sixty (60) feet frontage for Residential B; seven thousand five hundred (7,500) square feet and seventy-five (75) feet frontage for Residential A.~~

~~C. This section shall not apply to housing for the elderly as described in federal or state statutes, provided that the housing facilities meet the applicable standards for project density land use of the statute of the federal or state government aiding such project.~~

§ 310-13. Minimum Lot Sizes.

Every parcel of land shall meet the following minimum sizes for the district it is located in:

<u>District</u>	<u>Lot Size</u>	<u>Lot Size/ Household</u>	<u>Lot Width</u>
<u>Residence A</u>	<u>7,500 sq. ft.</u>	<u>7,500 sq. ft.</u>	<u>75 ft.</u>
<u>Residence B</u>	<u>6,000 sq. ft.</u>	<u>3,000 sq. ft.</u>	<u>60 ft.</u>

<u>Residence C</u>	<u>5,000 sq. ft.</u>	<u>2,500 sq. ft.</u>	<u>50 ft.</u>
<u>Limited Business</u>		<u>1,000 sq. ft.</u>	
<u>Neighborhood Business</u>		<u>1,000 sq. ft.</u>	
<u>Commercial</u>		<u>1,000 sq. ft.</u>	
<u>Downtown</u>		<u>250 sq. ft.</u>	
<u>Health Services</u>		<u>2,500 sq. ft.</u>	
<u>Light Industrial</u>		<u>N.A.</u>	
<u>Heavy Industrial</u>		<u>N.A.</u>	
<u>Open Space and Recreation</u>		<u>N.A.</u>	
<u>Waterfront</u>		<u>500 sq. ft.</u>	

§ 310-15. Lot coverage.

In Residence and Neighborhood Business Districts, no building or structure shall be erected, altered or extended so as to cover more of the lot than prescribed below:

A. Residence A Districts: thirty percent (30%)

B. Residence B Districts: thirty-five percent (35%)

C. Residence C Districts: forty percent (40%)

D. Neighborhood Business Districts: forty percent (40%)

The total area of each parcel covered by buildings shall not exceed the following percentages:

<u>District</u>	<u>Maximum Lot Area Covered by Buildings</u>
<u>Residence A</u>	<u>30%</u>
<u>Residence B</u>	<u>35%</u>
<u>Residence C</u>	<u>40%</u>
<u>Neighborhood Business</u>	<u>40%</u>
<u>Downtown</u>	<u>100%</u>
<u>Open Space and Recreation</u>	<u>10%</u>
<u>Waterfront</u>	<u>30%</u>

§ 310-16. Front yard requirements.

In Residence, Limited Business, Neighborhood Business and Health Services Districts, there shall be provided in connection with all buildings and structures a front yard of at least twenty (20) feet in depth.

§ 310-16. Minimum Setbacks.

Every building shall be setback from property lines according to the minimum distances listed below:

District	Front Yard	Side Yard	Rear Yard
Residence A	20'	5'	25'
Residence B	20'	5'	25'
Residence C	20'	5'	25'
Limited Business	20'	5'	25'
Neighborhood Business	20'	5'	25'
Commercial	20'	5'	25'
Downtown	0'*	0'	0'
Health Services	20'	5'	25'
Light Industrial	0'	0'	0'
Heavy Industrial	0'	0'	0'
Open Space and Recreation	50'	50'	50'
Waterfront	20'	5'	50'**

*Also the maximum.

** Except as allowed by §310-21.1.

§ 310-19. Required side yards.

A. In Residence, Limited Business and Health Services Districts there shall be provided in connection with all buildings and structures, two (2) side yards of at least five (5) feet each.

B. In Neighborhood Business, Commercial, Light Industrial and Heavy Industrial Districts, no side yards will be required, except as required in Sections 310-20, 310-22 and 310-23.

§ 310-21. Required rear yards.

A. In Residence, Limited Business, Neighborhood Business, and Health Services Districts there shall be provided a rear yard of at least twenty five (25) feet in depth.

B. In Commercial, Light Industrial or Heavy Industrial Districts, no rear yard will be required, except as required in Sec. 310-22.

§ 310-21.1. River setback.

A. In Riverfront Development Overlay Districts, n No building, structure or parking area shall be constructed within 30 50 feet of the top-of-bank of any river or stream, except for structures built for water-dependent uses or that are designed and built specifically for the purpose of providing pedestrian access and travel along the bank,

for improving the safety of such access and travel, or for facilitating boat access to the river without disturbing pedestrian access.

B. The setback from the top-of-bank may be reduced to 30 feet if public access to the river or stream bank, which has the potential for connecting with a continuous pedestrian trail along the river or stream, is provided through a permanent easement. A licensed engineer must certify that the soils within the reduced setback area are stable and suitable for development.

ARTICLE VII Parking and Loading

§ 310-44. Parking facilities or vehicle storage required.

- A. Except as provided in Subsections **B and C** of this section, for every building or structure hereafter erected or addition to a structure or building hereafter made, to be used for any of the purposes hereinafter set forth, there shall be provided parking facilities or vehicle storage as set forth in § 310-45 through 310-51.
- B. Off-street parking shall not be required for any use within the Downtown Core Overlay District **and Downtown District**.
- C. Because the property within Riverfront Development Overlay Districts **and Waterfront Districts** is valuable for recreational purposes and there exists little space for off-street parking, off-street parking is not required in this district for buildings within 300 feet of a public parking lot. **The distance is to be measured in a straight line from the nearest edge of the parking lot to the nearest edge of the building.**

ARTICLE VIII Miscellaneous Provisions

§ 310-52.2. Signs.

- G. Signs Allowed With a Permit. All signs which are not classified under “General Prohibitions” or “Signs Allowed Without a Permit” are considered “Signs Allowed With a Permit” and are subject to the following requirements.

(1) Allowed Sign Surface Area.

- (a) A parcel is allowed a total sign surface area not to exceed two (2) square feet for each linear foot of building frontage. The total sign surface area may be allocated to the occupants of the parcel in any manner, except in no case shall the allocation per occupant exceed the maximum sign surface area listed in the following table:

District	Occupant Max. Sign Surface Area
Res. A, B, & C	4 sq. ft.

Limited Business	35 sq. ft.
Neighborhood Business	75 sq. ft.
Downtown Core Overlay	100 sq. ft.
Commercial	200 sq. ft.
<u>Downtown</u>	<u>100 sq. ft.</u>
Health Services	200 sq. ft.
Light & Heavy Industrial	200 sq. ft.
<u>Open Space & Recreation</u>	<u>200 sq. ft.</u>
<u>Waterfront</u>	<u>100 sq. ft.</u>

- (b) In all districts, except Residence A, B, and C, each occupant located above the ground floor level of a multistory building is allowed window signs covering fifty percent (50%) of the window surface area of the space occupied by the business. This allowed window sign surface area is in addition to the total sign surface area allowed.
- (c) In all districts, except Residence A, B, and C, additional sign surface area is allowed on each parcel for directional and informational signs. One (1) directional sign, not to exceed four (4) square feet, and one (1) informational sign, not to exceed thirty-two (32) square feet, are allowed per parcel.
- (d) In Residence A, B, and C districts, churches, schools and other allowed institutions may have additional sign surface area of not more than thirty-six (36) square feet.
- (e) In Residence A, B, and C districts, subdivisions and multi-family dwellings may have additional sign surface area of not more than sixteen (16) square feet for each street on which it has a frontage.
- (f) In Planned Development Districts, unless signs are addressed in the regulations adopted at the creation of the PDD, as amended, the sign regulations within this section pertaining to Commercial Districts shall apply to commercial uses and sign regulations within this section pertaining to Residential Districts shall apply to residential uses.
- (g) Commerce Centers shall be allowed additional sign surface area to identify the center, up to the maximum per parcel for each district in the chart below:

District	Commerce Center ID Max. Sign Area
Limited Business	10 sq. ft.
Neighborhood Business	15 sq. ft.

Downtown Core Overlay	20 sq. ft.
Commercial	100 sq. ft.
<u>Downtown District</u>	<u>20 sq. ft.</u>
Light & Heavy Industrial	100 sq. ft.



Department of Planning
175 Arsenal Street
Watertown, NY 13601

Donald R. Canfield
Director of Planning

(315) 785-3144
(315) 785-5092 (Fax)

June 2, 2011

Ken Mix
Planning and Community Development Coordinator
City of Watertown Planning Department
245 Washington Street, Suite 304
Watertown, NY 13601

Re: City of Watertown, Zoning Text Amendment Implementing LWRP, JCDP File #
C 6 - 11

Dear Ken:

On May 31, 2011, the Jefferson County Planning Board reviewed the above referenced project, referred pursuant to General Municipal Law, Section 239m.

The Board adopted a motion that the project does not have any significant County-wide or intermunicipal issues and is of local concern only.

During the review the County Planning Board noted that New York State Law requires all zoning amendments to be made in accordance with a local Comprehensive Plan.

Furthermore, the County Planning Board has the following local advisory comment:

The definition for "Retail Sales and Service" is broken into four subcategories. There are some uses that do not seem appropriately categorized and other uses that appear to overlap categories. It is unclear what the need is for each subcategory if "retail sales and service" will be the allowed use in a district.

Please note that the advisory comments are not a condition of the County Planning Board's action. They are listed to assist the local board in its review of the project. The local board is free to make its final decision.

General Municipal Law, Section 239m requires the local board to notify the County of its action on this matter within thirty (30) days after taking a final action.
Thank you.

Sincerely,

Jennifer L. Voss
Community Development Coordinator

Laid Over Under the Rules

June 2, 2011

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Ordinance Establishing Water Rates

The attached Ordinance was prepared for City Council consideration at the June 1, 2011 adjourned City Council meeting as part of the budget adoption. At that time, it was introduced and seconded, and then Laid Over Under the Rules.

If adopted, this will be the third tier in the rate schedule and change the remaining two tiers as follows for quarterly in city customers:

First 1,200 cubic feet (8,976 gallons)	\$37.00 per 1,000 cubic feet (7,480 gallons)
Over 1,200 cubic feet (8,976 gallons)	\$25.00 per 1,000 cubic feet (7,480 gallons)

ORDINANCE

Page 1 of 4

Establishing Water Rates

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

YEA	NAY

Total

Introduced by

Council Member Jeffrey M. Smith

BE IT ORDAINED by the City Council that Chapter 301 of the Municipal Code is hereby amended by deleting Sections 301-17 (A), (B), (D), (E) and (H); and

BE IT FURTHER ORDAINED by the City Council that the Municipal Code, Chapter 301 be and the same is hereby amended by adding thereto new Sections 301-17 (A), (B), (D), (E) and (H) as follows:

301-17. Water Rates and Charges. The rate for both domestic and industrial metered water within the City of Watertown shall be as follows:

A. METER RATES

(1) Quarterly Meter Rates:

First 1,200 cubic feet (8,976 gallons)	\$37.00 per 1,000 cubic feet (7,480 gallons)
Over 1,200 cubic feet (8,976 gallons)	\$25.00 per 1,000 cubic feet (7,480 gallons)

(2) Monthly meter rates

First 400 cubic feet (2,992 gallons)	\$37.00 per 1,000 cubic feet (7,480 gallons)
Over 400 cubic feet (2,992 gallons)	\$25.00 per 1,000 cubic feet (7,480 gallons)

ORDINANCE

Page 2 of 4

Establishing Water Rates

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

B. MINIMUM CHARGE QUARTERLY FOR CITY USE

(1) Quarterly charge for City use

Meter Size (inches)	Cubic Feet	Gallons	Minimum Charge
5/8	900	6,732	\$ 33.30
3/4	1,500	11,220	51.90
1	2,700	20,196	81.90
1 1/2	5,100	38,148	141.90
2	8,400	62,832	224.40
3	15,900	118,932	411.90
4	26,400	197,472	674.40
6	51,900	388,212	1,311.90
8	84,000	628,320	2,114.40
10	120,000	897,600	3,014.40

(2) Monthly charge for City use

Meter Size (inches)	Cubic Feet	Gallons	Minimum Charge
5/8	300	2,244	\$ 11.10
3/4	500	3,740	17.30
1	900	6,732	27.30
1 1/2	1,700	12,716	47.30
2	2,800	20,944	74.80
3	5,300	39,644	137.30
4	8,800	65,824	224.80
6	17,300	129,404	437.30
8	28,000	209,440	704.80
10	40,000	299,200	1,004.80

ORDINANCE

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Establishing Water Rates

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

D. METER RATES OUTSIDE CITY

First 1,200 cubic feet (8,976 gallons)	\$44.40 per 1,000 cubic feet (7,480 gallons)
Over 1,200 cubic feet (8,976 gallons)	\$30.00 per 1,000 cubic feet (7,480 gallons)

E. MINIMUM CHARGE QUARTERLY FOR OUSIDE CITY USE

Meter Size (inches)	Cubic Feet	Gallons	Minimum Charge
5/8	900	6,732	\$ 39.96
3/4	1,500	11,220	62.28
1	2,700	20,196	98.28
1 1/2	5,100	38,148	170.28
2	8,400	62,832	269.28
3	15,900	118,932	494.28
4	26,400	197,472	809.28
6	51,900	388,212	1,574.28
8	84,000	628,320	2,537.28
10	120,000	897,600	3,617.28

H. PARTIAL TAX EXEMPTION RATES

Unit	Charge
1	\$ 3.70
2	\$ 7.40
3	\$11.10
4	\$14.80
5	\$18.50
6	\$22.20
7	\$25.90
8	\$29.60

ORDINANCE

Page 4 of 4

Establishing Water Rates

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

And,

BE IT FURTHER ORDAINED that this ordinance shall take effect on July 1, 2011, after it has been published once in the official newspaper of the City of Watertown, or as the City Manager directs.

Seconded by Council Member Teresa R. Macaluso