



# MEMORANDUM

CITY OF WATERTOWN, NEW YORK – PLANNING OFFICE  
245 WASHINGTON STREET, ROOM 304, WATERTOWN, NY 13601  
PHONE: 315-785-7730 – FAX: 315-782-9014

**TO:** Planning Board Members

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

**SUBJECT:** Special Use Permit Approval – 301 Pearl Street

**DATE:** December 23, 2011

**Request:** Special Use Permit to allow the operation of a metals recycling facility at 301 Pearl Street on a portion of Parcel Number 4-01-101.

**Applicant:** Ed Kowalsky of Empire Recycling Corp.

**Proposed Use:** Indoor metals recovery recycling facility, offices, and warehouse space.

**Property Owner:** Railstar Corp.

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## Submitted:

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8 ½” x 11” Copy of Parcel Map: Yes                      A Sketch of the Site to Scale: Yes

Completed Part I of an Environmental Assessment Form: Yes                      SEQRA: Unlisted Action

County Planning Board Review Required: No

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**Comments:** The applicant proposes an indoor recycling facility for ferrous and non-ferrous metals in an industrial building in the northeast quadrant of parcel 4-01-101 at 301 Pearl Street. The entire parcel is zoned for Heavy Industry, in which the proposed use, termed “Junkyard,” is allowed by Special Use Permit (SUP).

A SUP for a sweat furnace operation (smelter and junkyard) was granted to a different applicant by the City Council for this property on January 19, 2010. That project did not go forward and the SUP expired. This applicant was involved in a SUP that was granted for a junkyard on Purdy Avenue in 2006 that also did not come to fruition.

The applicant intends to subdivide and purchase a section of the parcel in question, but the purchase agreement is contingent upon the passage of this SUP application. The SUP should be conditioned to apply only to the area of the proposed subdivision. The applicant must provide a

proposed legal description of the area to be subdivided (“Parcel 1” on the supplied map). Prior to the conveyance of that portion of parcel 4-01-101, the current owner or their representative must make an application to the Planning Board for subdivision approval.

It is unclear from the application exactly how the recycling operation will be run at the site, i.e. will the facility be run as a “consumer” type operation where individuals can drop off small loads of scrap materials or will the client base be limited to large suppliers or wholesalers of scrap metals. The applicant should provide a clearer picture of how the facility will be operated as it may impact the Planning Board’s discussion and ultimate recommendation to the City Council.

The City’s Draft Local Waterfront Revitalization Plan recommends that this area be rezoned for commercial use. Because the applicant plans to subdivide the lot and use only the northern portion, which has no shoreline, the proposed use will not likely interfere with the LWRP’s goals.

The applicant proposes a large paved area to the north of the building. If this area is not already a parking area (it is difficult to tell from the aerial photos or outside the fence), the applicant will be required to apply for Site Plan Approval in addition to this SUP.

There is a significant amount of debris left outdoors on the site. Most notable are the remains of an electrical substation which has toppled over in the parking lot near Pearl Street, and an apparently abandoned truck located near the bay doors on the south face of the building. The western section of the property appears to have some scrap metal and what may be a disused train car.

**Summary:**

1. The applicant shall provide the City with a proposed legal description of the portion of the parcel to which the Special Use Permit will apply. This documentation must be received before City Council will consider the application.
2. The property owner or their representative shall apply for and obtain Subdivision Approval from the Planning Board prior to conveying any divided portion of the parcel.
3. The applicant shall apply for and obtain Site Plan Approval from the City prior to any new parking area in excess of 400 square feet.
4. The applicant shall not store refuse, scrap metal, or similar material outdoors.
5. The applicant shall remove and dispose of all scrap and debris in the existing parking area at the eastern end of the site. This specifically includes, but is not limited to, the abandoned electric substation.

cc: City Council Members  
Robert Slye, City Attorney  
Justin Wood, Civil Engineer II  
Brian Phelps, City Assessor  
Ed Kowalsky, 64 N. Genesee St, Utica, NY 13503  
March Associates, 258 Genesee St, Utica, NY 13502  
Railstar Corp, PO Box 285, Cape Vincent, NY 13618