



MEMORANDUM

CITY OF WATERTOWN 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: Subdivision Approval – 603 Prospect Street West

DATE: April 2, 2014

Request: Subdivision Final Plat Approval for a two-lot subdivision of 603 Prospect Street West, Parcel Number 7-14-101.

Applicant: Timothy F. Titus on behalf of Jane Morgia Thomas

Proposed Use: N/A

Property Owner: Jane Morgia Thomas

Comments: This proposal is being submitted for Planning Board review under Chapter A322 (Subdivision Regulations) of the City Code. The Planning Board has the option of not requiring a preliminary plat submission. Since this is a minor subdivision, Staff is processing this application as a final plat. A public hearing is required and a notice has been published for it to be held at 3:05 p.m. during the Planning Board meeting. After the public hearing and completion of Part II of the Environmental Assessment Form, the Planning Board will be free to make a decision on the proposal.

The applicant correctly states in his letter that the proposal is for the subdivision of 603 West Prospect Street (actually Prospect Street West). However, the map was prepared for the purpose of assembling the two parcels identified in the title of the drawing. The parcel that is being divided is not identified. The Planning Board's authority is to approve subdivision plats, not assemblage maps. Though an assemblage may be a condition of approval, especially if necessary to make a conforming lot.

The one stamped drawing that was submitted is different from all the other drawings submitted. The applicant has not submitted proof from the property owner that he has authorization to make this application. That can be in the form a letter from the owner or an executed purchase agreement. The letter states that 603 is .45 acres, but it is actually .34 acres. It should also be noted that the correct name of the street is Prospect Street West.

The applicant apparently wishes to divide the vacant lot at 603 Prospect Street West diagonally from the corner of Prospect Street West and Cedar Street to a point on the western boundary of the parcel, and is proposing to assemble the constituent halves with their adjacent parcels, 609 Prospect Street West, and 187 Cedar Street, respectively. He has submitted metes and bounds descriptions for Lot 1 and the assemblage of Lot 1 and Lot 2, but nothing for the other half of 603 or its assemblage with 187 Cedar Street.

All of the lots involved in the subdivision and the assemblages are in a Residence C District. Both lots proposed to be created from 603 conform with the zoning regulations, so do not have to be combined with any other parcel.

609 West Prospect Street is currently nonconforming with 38.17' of frontage, where Residence C requires 50 feet in width. The proposed subdivision and subsequent assemblage will create a frontage of over 133' which would bring the lot into conformance with the Zoning Ordinance. 187 Cedar Street currently meets, and would continue to meet the Residence C width requirement.

A shed in the eastern side yard of 609 Prospect St. W. currently sits 0.2' from the property line. The proposed assemblage would bring this shed into conformity.

The house at 187 Cedar Street is set back 2' from the northern property line, where Residence C requires a 5-foot side yard setback. The house is set back 4' from the rear property line, where Residence C requires a 25-foot rear yard setback. The proposed assemblage would bring both the side and rear yard setbacks into conformity.

Prior to approval, the Planning Board must complete Part II of the Environmental Assessment Form and make a determination of significance relative to SEQR. As you will note, question 12B was checked yes indicating that the project site is located in an archeological sensitive area. Question 15 was also checked yes indicating the site may contain species of animal or associated habitats that are listed as threatened or endangered. Question 20 was also checked yes indicating that the site or a nearby property is the subject of remediation for hazardous waste. DEC's new EAF Mapper automatically checks these boxes when the applicant fills out Part 1 of the EAF. Many times a positive response is generated by the Mapper because an address is in proximity to a site with environmental concerns. An example would be question 20 in which the box was checked yes due to the relative proximity of the site to the Engine Street Manufactured Gas Plant hazardous site. Although the boxes are checked yes, the Planning Board has to determine whether or not this particular action (the subdivision of the land) will have an impact on the items listed when answering the questions in Part 2.

The words "**Subdivision Final Plat**" should be added as the title of the drawing and the following certification language should be included on the plat:

It is hereby certified that this Subdivision Final Plat was approved by the Planning Board of the City of Watertown, New York on _____, pursuant to Sections 32, 33, and 34 of the General City Law.

Kenneth A. Mix
Planning and Community
Development Coordinator

After approval, the applicant must submit two (2) reproducible mylars of the plat for signature by the clerk of the Planning Board. One of the mylar copies will be returned, and must be filed in the County Clerk's Office within 62 days of signing.

Summary: The following should be included as contingencies with the motion for approval:

1. A subdivision plat shall be submitted that clearly identifies the parcel being divided on the drawing and in the title with appropriate line weights, labeled boundary lines, correct areas and correct street names.
2. If required, after approval, the applicant shall combine the northwestern half of the subdivided parcel with 609 West Prospect Street, Parcel Number 7-14-133, owned by Timothy F. Titus, by way of a new metes and bounds description that is filed with the County Clerk.
3. If required, after approval, the applicant shall combine the southeastern half of the subdivided parcel with 187 Cedar Street, Parcel Number 7-14-102, owned by Jane Morgia Thomas, by way of a new metes and

bounds description that is filed with the County Clerk. A copy of the metes and bounds description shall be submitted to the Planning Office before the plat is signed.

4. The words “**Subdivision Final Plat**” shall be added as the title of the drawing and the certification language noted above shall be included on the drawing.
5. The applicant shall submit a letter of authorization or executed purchase agreement allowing the applicant to apply for a subdivision.

cc: Robert J. Slye, City Attorney
Brian Drake, Civil Engineer II
Timothy F. Titus, 609 Prospect Street West, Watertown, NY 13601