



CITY OF WATERTOWN, NEW YORK

CITY PLANNING BOARD
ROOM 302, WATERTOWN CITY HALL
245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601-3380
(315) 785-7730

MEETING: November 5, 2013

PRESENT:

Sara Freda, Chair
Michele Capone
Larry Coburn
Lin Fields
Lori Gervera
Neil Katzman

ALSO:

Kenneth A. Mix, Planning and Community
Development Coordinator
Michael Lumbis, Planner
Andrew Nichols, Planner
Justin Wood, Civil Engineer II

ABSENT:

William Davis

The November 5, 2013 Planning Board Meeting was called to order at 3:00 PM by Planning Board Chair Sara Freda. Mrs. Freda then called for a reading of the Minutes from the October 1, 2013 Planning Board Meeting. Mrs. Fields made a motion to waive the reading of the Minutes and accept them as written. The motion was seconded by Mr. Coburn, and all voted in favor.

**ZONE CHANGE – LIGHT INDUSTRY TO RESIDENCE B
VL-1 INDIANA AVE NORTH – PARCEL 6-16-107**

The Planning Board then considered a request submitted by Janel Donnelly to change VL-1 Indiana Avenue North, parcel 6-16-107, from *Light Industry* to *Residence B*.

Ms. Donnelly approached the board to explain her request. She explained that she lives next door to the subject parcel. She received a demolition permit to tear down her carport, and when she returned to apply for a building permit to reconstruct, she was told that the footprint of the old garage extended across the property line. She contacted the owner of VL-1 Indiana Avenue North, Brad White, and he subsequently agreed to change the parcel to Residence B and sell at least a portion to Ms. Donnelly. She mentioned that he was considering donating the remainder for use by Habitat for Humanity.

Mr. Katzman said that he would prefer to see a purchase offer prior to considering the zone change.

Mr. Mix noted that since the owner has agreed to the change request, the City may proceed with changing the parcel regardless of whether any land transaction ever occurs.

Mrs. Freda clarified that the whole rectangle that constitutes parcel 6-16-207 is being changed.

Mrs. Gervera asked if the Light Industry district was just the old rail bed, or if there was more land involved.

Mr. Mix noted that the former Ogilvie Foods plant site is also industrial and would likely be changed in the future, once the brownfield cleanup is resolved.

Hearing no further discussion, Mr. Katzman moved to recommend that the City Council approve the request submitted by Janel Donnelly to change VL-1 Indiana Avenue North, parcel 6-16-107, from *Light Industrial* to *Residence B*.

Mrs. Fields seconded, all voted in favor.

**SITE PLAN – QUICKLEES CONVENIENCE STORE
1279 COFFEEN ST – PARCEL 8-40-101.006**

The Board then considered a request by Scott Shearing of Bohler Engineering for construction of a 1,090 square foot building addition, plus parking area and drive through lane, at 1279 Coffeen Street, parcel 8-40-101.006.

Chris Boyea of Bohler Engineering was in attendance to represent the project. He briefly outlined the proposed changes to the planning board. He noted that ADA compliance would be improved, the number of pumps reduced, and an exterior rebranding would be executed after the site work.

Mr. Katzman asked if NYSDOT had been consulted regarding traffic issues at the site.

Mr. Boyea said that city staff had been in touch with NYSDOT.

Mr. Katzman said that he believes Coffeen Street cannot handle the additional traffic generated by the drive through.

Mr. Boyea said that his understanding was that NYSDOT had acknowledged that traffic impact would not be significant after reviewing the plans. He said that the store would not be offering any new product, just changing the sales format.

Mr. Katzman, referring to Sheet SP4, explained that he thought the stacking lane for the drive through was insufficient. It would block some of the parking spaces, and it would be difficult to turn left when exiting.

Mr. Boyea responded, saying that the client was looking to pick up eastbound morning commuters with the drive through menu. The customers would be making right-

in/right-out movements with minimal impact on street traffic. They would be mostly individuals who already travel this route as part of their commute.

He further explained that the site has stacking space for eleven 20-foot vehicles. The drive through portion of the store is a small operation and there are more stacking spaces proposed for cars than some of the McDonald's restaurants in the area, for which he has consulted.

Mr. Mix clarified that Coffeen Street is a city right-of-way, but NYSDOT reserves some jurisdiction over the nearby intersection because it affects ingress and egress from I-81 and affects the traffic signals associated with the interchange. He said NYSDOT has been provided a copy of the site plans, and verbally indicated that no Highway permit was required. No written determination was to be provided.

Mr. Wood explained that their determination was based on the fact that the project is small in size and is occurring on a pre-existing site.

Mr. Katzman asked about the impact of noise on Ontario Village apartments.

Mr. Boyea said that in response to staff comments, a row of trees would be provided along the eastern property line to help mitigate noise pollution and visual impact.

Mrs. Fields said that she is concerned that motorists will be confused when exiting the drive through, because the exit is skewed to the left slightly, but the ideal exit path is to turn right onto Coffeen St. In order to turn left onto Coffeen, people would have to cut through the pumps.

Mr. Boyea said that there is space to the north of the canopy for left-turners to pass the pumps.

Mrs. Freda said that AmeriCU on Arsenal Street had been limited to a right-out only for their curb cut.

Mr. Wood said that AmeriCU was on a DOT right-of-way, and it was a new build so there was no allowance for preserving existing curb cuts.

Mr. Boyea explained that the fuel delivery truck uses the western curb cut on Coffeen Street, so it needs to stay open for the station to operate.

Mr. Katzman asked where snow would be stored.

Mr. Boyea said that it would be pushed to the large green space behind the building.

Mrs. Fields said that she would like to see evergreen shrubs planted around the HVAC pad rather than stockade fencing as recommend in the staff report. Mr. Boyea said that this is fine, and that the pad will also be shifted to the west.

Mr. Coburn said that the site plan looks fine, and that it's not the board's job to design the project.

Mrs. Capone said that the board should recognize that this is an existing site with existing traffic problems. The board can try to mitigate these issues to a reasonable degree.

Mr. Boyea said that, overall, the site is being made more orderly, with fewer obstacles and more control measures.

Mrs. Fields asked if the applicant would be willing to install a sidewalk as suggested in the Staff report.

Mr. Boyea said that the sidewalk would make sense from a long term perspective, but he would rather not give his client the liability of a sidewalk with no connection. He suggested putting money in escrow for future construction of the sidewalk.

Mr. Mix said that the pedestrian connection makes sense; the path is already being used. The city does not typically use escrow for things like this, and the account would have to be funded and tied up for a very long period of time.

Mrs. Freda suggested that the western curb cut on Coffeen Street be marked as "exit only."

Mr. Katzman asked if sidewalks were required by code.

Mr. Mix explained that the city code gives DPW the authority to order sidewalk installation along any right-of-way. However, the city has not typically done this where sidewalks don't exist.

Mr. Katzman said that he would like to see the city mandate that Ontario Village install a sidewalk along Coffeen Street.

Mr. Boyea explained the lighting plan. A few wall-packs would be installed on the rear of the building, but spillage would not be a problem.

Mr. Katzman asked about site drainage. Mr. Boyea explained that the site currently has sheet flow to the south which percolates into the lawn. The existing condition will not change much, but a rip rap apron has been added to interrupt any stream flow coming off the drive through lane.

Mrs. Gervera asked if the drive-through would operate 24 hours per day.

Mr. Boyea said that they have based their application on that assumption, but the actual hours of operation have not been determined yet.

There was some discussion regarding the merits of planting low shrubbery as opposed to trees along the Coffeen Street margin. The board agreed that trees are preferable, but that only one tree is needed along the margin, rather than two as recommended in the staff report.

After further discussion regarding the curb cut configuration, Mr. Wood suggested that the western curb cut on Coffeen Street could be limited to right turns only rather than exit only. Mr. Boyea said he was fine with this suggestion. Mrs. Freda asked that a sixth condition be added requiring that the western curb cut on Coffeen Street be marked as “right turn only.”

Mrs. Gervera then moved to recommend that City Council approve the request submitted by Scott Shearing of Bohler Engineering for construction of a 1,090 square foot building addition, plus parking area and drive through lane, at 1279 Coffeen Street, parcel 8-40-101.006, subject to the following conditions:

1. The applicant shall install a sidewalk adhering to City specifications along the Coffeen Street right-of-way.
2. The applicant shall depict the proposed building lights on the south and east sides of the building, and ensure that spillage across property lines is limited to 0.5 foot candles or less at ground level.
3. The applicant shall depict water and sewer services on the survey and site plan.
4. The applicant shall revise the landscaping plan to better comply with the Landscaping and Buffer Zone Guidelines, including a minimum of 4 large-maturing trees along the eastern property line, 1 large-maturing tree along the Coffeen Street margin. The applicant shall submit the revised plan to the City Engineer for approval prior to issuance of a building permit.
5. The applicant shall shift the HVAC equipment to the west and surround the pad with evergreen shrubs.
6. The applicant shall mark the western curb cut on Coffeen Street as “right turn only.”

Mrs. Fields seconded.

Mr. Katzman voted in opposition.

Mrs. Freda, Mrs. Capone, Mr. Coburn, Mrs. Fields, and Mrs. Gervera voted in favor. The motion passed 5 to 1.

**SITE PLAN APPROVAL – CAR WASH
142 EASTERN BLVD – PARCEL 5-16-325**

The Board then considered a request submitted by Tim Hogan, PE for construction of a 3,300 square foot car wash at 142 Eastern Boulevard, parcel 5-16-325.

Mr. Hogan was in attendance to present the project. He briefly addressed the summary items in the staff report.

He noted that one of the maple trees in front could be preserved, but the other would be within the asphalt and must be taken down. He also worried that the tree plantings along the rear property line might interfere with the nearby storm sewer line.

He explained that the plaza sign would be taken down, and plaza owners would be reinstalling it on their property further north. The plaza had also agreed to adjust the parking lot striping to improve traffic patterns near the northeast corner of the carwash parcel.

Mrs. Fields asked what kind of car traffic was anticipated.

Mr. Hogan said that they expected about 150 cars per 24-hour period.

Mr. Katzman asked about the parcel size compared to other locations.

Mr. Hogan says that they have installed 5-bay facilities on smaller lots. The key dimension is the stacking depth, which is a sufficient 130'.

Mr. Hogan discussed the curbing proposed to the north of the site. He said he would prefer to keep it out of the sewer easement to avoid future complications with sewer repairs.

Mr. Mix noted that installing curbing within the neighbor's property is discouraged, but can be done if an easement is acquired. The back of the curb still needs to be shifted out of the city right-of-way.

Mrs. Freda said that summary item #2 should be amended to reflect the need for an easement.

Mr. Hogan described the sanitary sewer service. It will connect to Dundon Avenue, and a plan will be provided later.

Mrs. Fields asked if trees could be added between the car wash and Sunshine Dental (to the south).

Mr. Hogan explained that the lawn area to the south is on Sunshine Dental's property.

Mrs. Freda asked where this was in location to the proposed Eagle's Club. She noted that a car wash had been previously approved on the Eagle's Club parcel.

Mr. Lumbis helped her locate this area on the site map.

Mrs. Freda asked if staff had any objection to passing these plans with the listed conditions.

Mr. Wood said that most of the remaining revisions are simple. The only big issue is the parking lot circulation of the neighboring plaza, which, strictly speaking, is outside the scope of this approval.

Mr. Katzman said that he would abstain from voting due to a business relationship with Randy Soggs, owner of Northland Plaza.

Mr. Mix said that, in the future, board members who abstain from voting should also abstain from discussing the project prior to the vote.

Mrs. Gervera then moved to recommend that City Council approve the site plan submitted by Tim Hogan, PE for the construction of a 3,300 square foot car wash at 142 Eastern Boulevard, parcel 5-16-325, subject to the following conditions:

1. The applicant shall provide revised drawings printed to the marked scale.
2. The applicant shall provide proof of an easement allowing construction of the landscaped island on Northland Plaza's property, just north of the project site. The curbing on the parking lot side of the island must be moved out of the Columbia Street right-of-way.
3. The applicant shall depict the adjacent off-site parking areas so that traffic flow around the project site can be analyzed.
4. The applicant shall delete the erroneous radii dimensions from the plan.
5. The applicant shall provide an off-site utility plan for the sanitary sewer connection.
6. The applicant shall provide details for the dry well, and for the concrete apron around the existing catch basin.
7. The applicant shall show rim and invert elevations for the storm manhole at the northwest corner of the site, and depict the location and invert of the 18" pipe outlet to the south of the property.
8. The applicant shall depict the existing storm sewer system in Eastern Blvd, including pipe sizes, types, and inverts.
9. The applicant shall show the existing elevation contours on the drainage plan.
10. The applicant shall shift the vacuums and light poles so that they are 5' minimum clear distance from the existing storm sewer pipe, and not within the City's storm sewer easement.
11. The applicant shall widen the landscaped island along the eastern property line to accommodate a minimum 8' width planting strip, planted with trees in conformance with the Landscaping and Buffer Zone Guidelines.

12. The applicant shall revise the landscaping plan to show all tree removals and planting quantities, and include a tree protection detail if applicable. The landscaping plan shall be submitted to the City Engineer for approval prior to the issuance of a building permit. All depicted landscaping shall be installed prior to issuance of a Certificate of Occupancy.
13. The applicant shall provide proof of a crossing easement over the plaza property to the north and east, and a sewer easement for the sanitary line, prior to issuance of a building permit.
14. The applicant shall revise the plan to show the side yard setback from the property line, not the easement line.
15. The applicant must provide the following details: Concrete Curb, Pavement within the Right-of-Way, and Sign Detail.

Mr. Coburn seconded. Mr. Katzman abstained, all others voted in favor.

**SPECIAL USE PERMIT – SELF STORAGE
144 EASTERN BOULEVARD – 5-16-320.100**

The board then considered a request submitted by Randy Soggs to operate a self-storage facility in a Commercial District at 144 Eastern Boulevard, parcel 5-16-320.100.

Mr. Katzman stated that he would abstain from discussion and voting on this matter.

Tim Hogan explained to the board that he would also be representing Randy Soggs on this project. He described the project, saying that the storage units would be about 5' to 10' wide and would have open tops. The entire building is already sprinklered so there is no issue with building codes. No hazardous materials would be allowed, and the units would only be accessibly during business hours, when the lobby area would be staffed.

Mrs. Freda asked if all modifications would be on the interior.

Mr. Hogan said that they would. The exterior of the building would look just the same as if it were a skating rink. The lobby area would be climate controlled, and the storage area would be kept above freezing in the winter.

Mr. Mix asked Mr. Hogan to describe the loading process.

Mr. Hogan said that no new loading docks would be built. Customers would simply pull up to the curb in front of the store and use dollies to move things inside.

Anthony Morone, attorney for the owners of 203 Eastern Boulevard, approached the board to explain that his client is opposed to the Special Use Permit as it was described in the application. He urged the board to deny the permit because the storage facility is fundamentally

different from the typical retail use, because customers leave items behind. If the zoning code meant for this to be allowed, it would have been mentioned specifically. He brought up the television show Breaking Bad, in which illegal activities take place within a storage unit, as an example of the potential public nuisance caused by a self-storage facility.

Mr. Mix reminded the board that the character of the proposed use should be compared to all allowed uses in the Commercial District, not just those present nearby. For example, automobile storage is allowed as-of-right in the Commercial District.

Mrs. Freda asked if a condition could be placed on the permit limiting hours of operation.

Mr. Mix said that it could, but this type of restriction is nearly impossible to enforce because Code Enforcement does not have 24-hour staffing.

Mrs. Fields asked if staff would always be present on site.

Mr. Hogan said that it would be staffed during its open hours. Off schedule access would have to be requested ahead of time. Customers would not have 24-hour unlimited access to their units. It would be similar to a safety deposit box, where you have to show up during bank hours and be shown to the box.

Mrs. Gervera then made a motion to recommend that City Council approve the request submitted by Randy Soggs to operate a self-storage facility in a Commercial District at 144 Eastern Boulevard, parcel 5-16-320.100, subject to the following condition:

1. The Special Use Permit shall only be valid within the approximately 22,000 square foot footprint of the former skating rink.

Mrs. Fields seconded. Mr. Katzman abstained, all others voted in favor.

Mrs. Fields moved to adjourn. Mr. Katzman seconded, all voted in favor.

The meeting adjourned at 5:07 pm.