



CITY OF WATERTOWN, NEW YORK
CITY PLANNING COMMISSION
ROOM 305, WATERTOWN CITY HALL
245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601-3380
(315) 785-7741

MEETING: December 5, 2023

PRESENT:

Larry Coburn, Chairperson
Michelle Capone
TJ Babcock
Maryellen Blevins
Peter Monaco

ALSO:

Michael A. Lumbis, Planning and Community
Development Director
Geoffrey Urda, Planner
Thomas Maurer, Civil Engineer II

ABSENT:

Linda Fields
Lynn Godek

Planning Commission Chair, Larry Coburn called the December 5, 2023, Planning Commission meeting to order at 6:00 p.m. Mr. Coburn then asked for a motion regarding the minutes from the October 3, 2023 meeting. Peter Monaco made a motion to accept the minutes as written, Maryellen Blevins seconded the motion, and all voted in favor.

Geoffrey Urda, Planner, reminded the Commission that the applications presented will need to be tabled due to both applications requiring Variances that are pending before Zoning Board of Appeals, with decisions expected on December 20, 2023.

Additionally, Mr. Urda stated that the regularly scheduled date for the next Planning Commission meeting would be Tuesday, January 2, 2024, but since Monday, January 1, 2024 was a holiday, the City Council will need to use Council Chambers for their meeting on the Tuesday. Mr. Urda recommended that the Planning Commission move its meeting to January 3, 2024. The Planning Commission members agreed, setting the January Planning Commission meeting for Wednesday, January 3, 2024 at 6:00 p.m.

SKETCH PLAN APPROVAL – 312 GOTHAM ST
PARCEL NUMBER 11-02-224.000

The Planning Commission then considered a request for Sketch Plan Approval submitted by Michael J. Contryman, to construct a two-story, 1,113 square-foot (SF) gross floor area building addition at 312 Gotham Street, Parcel Number 11-02-224.000.

Mr. Coburn asked the applicant to provide a summary of what the applicant proposed to do at the subject Parcel. Adam Pittavino then introduced himself as a friend of Mr. Contryman's, attending to represent the application.

Mr. Pittavino began by stating that the proposed building addition would be two stories with a master suite on the top floor and a double stall garage on the ground floor. Mr. Pittavino then stated that there would be lighting above all the doors.

Mr. Monaco asked Staff to clarify that the house is currently grandfathered, but since the addition is being added to a grandfathered structure, the applicant would need to go to the ZBA. Mr. Urda replied in the affirmative. Mr. Monaco then stated that after reading Mr. Urda's comments in the Staff Memorandum, he believed that the Planning Department should not make the applicant move his garage door placement as recommended, placing both garage doors on the west (rear) façade of the building. Mr. Monaco went on to say that it was not the Planning Department's place to make that recommendation and it was intrusive to do so.

Mr. Urda replied to Mr. Monaco's comment by stating that it was a Staff recommendation based on ease of access and functionality. Mr. Urda went on to say that the applicant can place the door where he wishes. Mr. Lumbis then stated that it ties into the vehicular circulation on the property, which was part of the Planning Commission's purview in Site Plan Review. Mr. Monaco then restated his belief that it was the property owner's decision to place the door where he would like. Mr. Urda replied that it is the property owner's choice to use the recommendation or not. Mr. Urda went on to explain that finding the most efficient circulation for a site is part of the Site Plan Review.

Mr. Monaco then said that he went to the site and understood the reason for the recommendation. Mr. Urda said that he spoke to Mr. Contryman on the phone earlier that week and stated that from their conversation, Mr. Countryman is leaning towards placing both doors in the rear facing west, not necessarily because it was staff's recommendation, but because Mr. Countryman felt like it made more sense.

Mr. Pittavino then replied that with both doors in the rear, it will make it easier for cars to enter and leave the garage. Mr. Coburn then stated that the recommendation makes sense.

Mr. Coburn then stated that the Planning Commission would have to table the application. Mr. Coburn went on to ask the applicant if the Planning Commission would see a new sketch at the next meeting. Mr. Pittavino replied yes.

Mr. Urda stated that the proposal was a Type II action pursuant to SEQR, meaning that the application would not need SEQR review. Mr. Monaco asked if the proposed building addition required Site Plan Approval because of the need for a Variance. Mr. Urda replied in the negative and explained that the total gross floor area is for the addition of the two stories which was over 1,000 SF and any building addition over 500 SF of gross floor area required Planning Commission action. Mr. Monaco then asked if it was for the entire structure. Mr. Urda clarified that it was for the entire addition.

Michelle Capone made a motion to table the application. Mr. Babcock seconded the motion, and all voted in favor.

Mr. Urda reminded the applicant of the upcoming ZBA meeting on December 20, 2023 and to bring an updated drawing to the next Planning Commission meeting on January 3, 2024.

**SITE PLAN APPROVAL – 1067 MARBLE STREET,
VL-1 MARBLE STREET & VL-8 WATER STREET
PARCEL NUMBERS 4-27-330.000, 4-27-331.000 & 4-27-301.000**

The Planning Commission then considered a request for Site Plan Approval submitted by Mark Tompkins of G.Y.M.O. Architecture, Engineering and Land Surveying, D.P.C. (GYMO) on behalf of Stephen Hale of Hale's Bus Garage, LLC to construct a 4,500 square-foot (SF) building addition and associated site improvements at 1067 Marble Street, VL-1 Marble Street and VL-8 Water Street, Parcel Numbers 4-27-330.000, 4-27-331.000 and 4-27-301.000.

Mark Tompkins approached the stand and introduced himself and stated that he would be representing Stephen Hale of Hale's Bus Garage. In addition to Mr. Tompkins, Matthew Cervini, P.E. of GYMO and Stephan Hale of Hale's Bus Garage were also in attendance. Mr. Tompkins then spoke about the proposed addition that would be added to the west side of the facility. Mr. Tompkins stated that the gray area on the map is where new asphalt would be placed. This is where grades were changing and most of the site building activity was occurring.

Mr. Tompkins then discussed the other proposed site improvements, such as adding a new façade to the existing building, new overhead doors to the existing building that will match the overhead doors that are on the addition. Mr. Tompkins went on to explain that the project included moving the roof drains of the existing building such that all the water from the roof drains would flow into the storm water management area and that the grading on the site would place the building at a high point, resulting in the flow of stormwater away from the building.

Mr. Tompkins then stated that the disturbance is under an acre, so a Storm Water Pollution Prevention Plan (SWPPP) was not required or provided. Mr. Tompkins then said that there would be a dry swale along the western edge and the retention area to keep the storm water flowing off the property.

Mr. Tompkins then mentioned there will be lighting improvements which will be added to the building and replacing existing lights above the overhead doors. Mr. Tompkins then mentioned that the existing leach field will be used for the proposed addition. Mr. Tompkins noted that they located the leach field with ground penetrating radar to determine its size of and conducted percolation (perc) tests on site. They used the data to reverse engineer the capacity for the septic system and found that the capacity is more than adequate for both the existing building and proposed addition. It meets the most recent DEC regulations and had a passing certification for development.

Mr. Tompkins then asked if the Planning Commission had any comments or questions. Mr. Monaco stated that the building addition and improvements will make the building look nice. Mr. Monaco then went on to mention that the applicant is proposing a façade length of 337 linear feet versus the maximum allowed façade length of 60 linear feet. Mr. Monaco then discussed the transparency requirement in the Zoning Ordinance and how a typical repair shop does not have windows, but there is glass on the overhead doors. Mr. Monaco stated that glass is expensive; it loses heat unlike a wall. Mr. Monaco questioned if anyone thought of costs when the Zoning Ordinance was put together.

Mr. Monaco then discussed the Zoning Ordinance's requirement to provide two EV charging stations for every 20 parking spaces for new development, stating that they were expensive. Mr. Monaco then suggested that developers do not want to develop projects in the City and instead look for land in the Town. Mr. Monaco then further stated that he did not like requiring people to plant a variety of tree species and forcing that requirement on applicants. Mr. Monaco stated that fire code and setbacks are needed, but other requirements are a stretch.

Michael Lumbis responded that there are good reasons for all the requirements that are listed in the Zoning Ordinance. Mr. Lumbis referred to Mr. Monaco's concern about EV charging station, pointing out that in New York State, every vehicle sold by 2035 has to be electric. Mr. Lumbis went on to talk about the diversity requirements for tree planting, stating that invasive species come into the city and by planting a monoculture of only spruce trees, for example, will result in what is happening now with the Ash trees all over Watertown. Mr. Lumbis went on to say that the Ash trees are all dying because of the Emerald Ash Borer. Mr. Lumbis gave an example from the Life Church of the Nazarene on Thompson Blvd. where a row of approximately 15 trees was just removed. He said 20 years ago, these Ash trees were planted and are just now developing into a nice canopy along the sidewalk. Mr. Lumbis stated that if the planting plan for that project was diversified, we would not be losing all those trees now which has made a dramatic impact. He said this not only affects aesthetics but also affects stormwater runoff and absorption among other things.

Mr. Monaco then stated that there are reasons for a lot of things, but the proposals are on private property, not City property and that government and the Zoning Ordinance intrudes too much on proposed development. Mr. Monaco stated that he went to the sites of both applications and commended the applicants for their work. Mr. Monaco stated that he understands that there needs to be rules and regulations but feels that the Zoning Ordinance is too restrictive.

Mr. Monaco then went on to talk about applications being sent to the ZBA for transparency and functional entryway spacing, stating that it was wrong. Mr. Urda then said that regarding building transparency, this was very atypical parcel for the Neighborhood Mixed Use District, and that the overwhelming majority of Neighborhood Mixed Use zoned parcels are on arterial streets with short setbacks from the sidewalks and narrower buildings, on which increased first-floor transparency provided sound urban design.

Mr. Urda then explained that this parcel was zoned Light Industry under the old Zoning Ordinance and when the new Zoning Map was being created, the entire Planning Department spent multiple days going from parcel to parcel through the map assigning the most appropriate Zoning district designations. Mr. Urda stated that when this section of Marble Street came up, the Comprehensive Plan envisioned this area as part of the Waterfront Future Land Use Character Area, and Industrial Zoning was not conducive to waterfront development, thus Staff's recommendation to zone these parcels Neighborhood Mixed Use. Mr. Urda also stated that the variance process exists to grant relief from the Zoning Ordinance to parcels that are atypical for their Zoning Districts.

Mr. Monaco then stated that too many applications are being sent to the ZBA. Mr. Coburn replied that there is a process and Mr. Monaco replied that he understands that there is a process. Mr. Coburn stated that it is the Planning Commission's job to conform to the rules that are in place.

Ms. Blevins then asked if Summary Item 8 included the recommendation to not plant trees within the disturbed area. Mr. Lumbis replied that there are some existing trees on the site and there will be some disturbance that will occur near them so a recommendation to use tree protection has been presented by staff. Mr. Urda also stated that the trees are private trees but there is an incentive to protect them from equipment that can potentially compact the soil and damage the existing trees.

Mr. Monaco then noted that there is a 2,000-gallon oil water separator. Mr. Tompkins stated that the oil and water separator is being installed as a holding tank, but it will give the property owner the possibility to connect to the municipal sewer system in the future.

Mr. Monaco asked the applicant if they have closed on the parcels. Mr. Tompkins stated that they have not closed yet but hoped to close before December 19, 2023. Mr. Monaco then asked if the applicant is proposing to combine all three parcels. Mr. Tompkins replied in the affirmative and noted that by combining all the parcels, it will alleviate the issues with light spillage and access to the western driveway.

Mr. Urda made a final comment stating that there are reasons behind having a Zoning Ordinance and abiding by their regulations. Mr. Urda continued by saying that some of the most attractive places in the region, such as Sackets Harbor, Clayton, Lake Placid, and Kingston, Ontario are attractive communities to live in, in part because of strong Zoning Ordinances.

Hearing no further discussion, Mr. Coburn stated the Planning Commission would need to complete the SEQR review. Mr. Coburn then directed the Planning Commission to Part 2 of the Short Environmental Assessment Form, reading each question aloud and answering all of them in the negative. Ms. Capone made a motion to issue a Negative Declaration for the proposed project pursuant to the requirements of SEQR. Mr. Babcock seconded the motion, all voted in favor.

Ms. Capone moved to table Site Plan Approval for the request submitted by Mark Tompkins of G.Y.M.O. Architecture, Engineering and Land Surveying, D.P.C. on behalf of Stephen Hale of Hale's Bus Garage, LLC to construct a 4,500 square-foot (SF) building addition and associated site improvements at 1067 Marble Street, VL-1 Marble Street and VL-8 Water Street, Parcel Numbers 4-27-330.000, 4-27-331.000 and 4-27-301.000.

Mr. Babcock seconded the motion, and all voted in favor.

At 6:32 p.m., Ms. Capone moved to adjourn the meeting. Mr. Babcock seconded the motion, and all voted in favor.

Respectfully submitted,

Sharlice Bonello
Planner