



**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: OCTOBER 1, 2024

**PRESENT:**

Michelle Capone, Chairperson  
Peter Monaco  
T.J. Babcock  
Lynn Godek  
Scott Garrabrant

**ALSO:**

Michael A. Lumbis, Community and  
Development Director  
Geoffry Urda, Planner  
Meredith Griffin, Civil Engineer II

**ABSENT:**

Linda Fields  
Maryellen Blevins

Planning Commission Chairperson, Michelle Capone, called the October 1, 2024, Planning Commission meeting to order at 6:00 p.m. Peter Monaco made a motion to accept the minutes from the September 10, 2024 meeting as written, Lynn Godek seconded the motion, and all voted in favor.

Ms. Capone introduced the newest Planning Commission Member, Scott Garrabrant, and each of the existing Planning Commission Members at the meeting introduced themselves and stated their current time of service on the Planning Commission.

**SITE PLAN APPROVAL – 984 BRADLEY STREET**  
**PARCEL NUMBER 1-11-102.200**

The Planning Commission then considered a request for Site Plan Approval submitted by Mark Tompkins of GYMO, D.P.C. on behalf of 618 James Street, LLC to construct an approximately 4,800 SF building and associated site improvements at 984 Bradley Street, Parcel Number 1-11-102.200.

Matthew Cervini of GYMO approached the stand and introduced Ryan Aubertine who also works with GYMO and gave a quick overview of the project. Mr. Cervini stated that they are proposing a 4,800 square-foot building with the location being on Bradley Street and the owner of the land is Dick Alexander.

Mr. Cervini showed the existing conditions plan and mentioned that the current parcel is vacant. Mr. Cervini noted the parcel is adjacent to Residentially zoned parcels to the north along Hazelhurst Avenue.

Mr. Cervini then provided the Planning Commission with an overview of their proposed site plan that depicted the proposed building location with a 28' asphalt entrance on Bradley Street, which is a New York State Department of Transportation (NYSDOT) maintained highway. He said there will be a 24' gravel driveway surrounding the entire proposed building and a fence along a portion of the northern property line.

Mr. Cervini noted that all the required setbacks have been met and the only necessary utility at the proposed storage building is electric, which would connect from the existing lines in the street. He said that his team will coordinate with National Grid.

Mr. Cervini pointed out the two snow storage areas located at the east and west sides of the proposed storage building along with a stormwater management area at the rear of the site. Mr. Cervini noted that the stormwater management area was intentionally located at the rear of the site to leave room for potential additions in the future and stated the stormwater management area could be expanded to accommodate the potential future expansion. Mr. Cervini clarified that the proposed stormwater management area on the site plan would currently only accommodate the single proposed storage building.

Mr. Cervini then spoke on the proposed landscaping plan and pointed out the landscaped buffers along the north and south sides of the parcel. Mr. Cervini said that there will be a mix of evergreens, trees and shrubs, along with grass. Additionally, Mr. Cervini said that there will be some shrubs at the entrance of the parcel, near the monument sign depicted on Sheet C107.

Mr. Cervini then discussed the proposed lighting at the site and referred to the Photometric Plan, noting that there would not be any light spillage onto adjacent parcels.

Ms. Capone asked Mr. Cervini if the proposed structure would consist of one building with the typical overhead doors that you see at storage building facilities. Mr. Cervini showed the Planning Commission the floor plan of the proposed storage facility along with the elevation drawings to show that the building consists of just one structure. Mr. Cervini did say that the storage units would be a mix of different sizes.

Ms. Capone then referred to the summary items listed in the Staff Report and mentioned that there were two staff recommendations regarding the applicant purchasing flood insurance due to the parcel being located in the 500-year floodplain and providing tree protection for the young trees for the first few years.

Ms. Capone then referred to Staffs Summary Item that referred to the applicant changing the answer to Question 8b on the SEQR Short EAF from “No” to “Yes.”

Mr. Cervini asked Mr. Urda if the change to the SEQR form has been completed and Mr. Urda replied that he did not receive a revised SEQR Part 1 from the applicant, but the Planning Commission can still complete SEQR Part 2 tonight as long as the applicant provides the revised SEQR Part 1 the following day. Mr. Cervini acknowledged Mr. Urda’s statement.

Ms. Capone then continued down the list of summary items and read that the applicant shall be prepared to discuss any future development plans for the rear half of the parcel, which is located within a 500-year floodplain. Ms. Capone stated that Mr. Cervini said the current plans were for only one building, but if an additional building is proposed at a later date, as she understood it, the stormwater retention area at the east end of the parcel could be expanded to accommodate an expansion.

Mr. Cervini replied that Ms. Capone was correct and added that there is enough room on the parcel to accommodate another building the same size as the one being proposed for this application and that the stormwater retention area would be increased.

Ms. Capone then stated that the applicant must obtain all of the permits that are listed in the Summary Item section of the Staff Report.

Ms. Capone then asked Mr. Urda if Summary Items one, two, four and five could be eliminated and Mr. Urda replied yes, as long as the Planning Commission Members felt satisfied with the applicant's response to the discussion items. Mr. Urda noted that Summary Item three would need to stay because the applicant still needs to provide a revised SEQR Part 1 and Summary Item six which discusses the required permits.

Mr. Urda then noted that Summary Items one and two were for discussion as Staff feels like it would strongly benefit the site, but not required. Mr. Cervini noted that he would talk to the owner about Summary Items one and two as a suggestion.

Hearing no further discussion, Ms. Capone directed the Planning Commission to Part 2 of the Short EAF, reading each question aloud and answering all of them in the negative. Lynn Godek then made a motion to issue a Negative Declaration for the proposed Site Plan pursuant to the requirements of SEQRA. TJ Babcock seconded the motion, all voted in favor.

Ms. Capone asked if any of the Planning Commission members had any other questions.

Hearing no comments, Mr. Babcock made a motion to grant Site Plan Approval, for the request submitted by Mark Tompkins of GYMO, D.P.C. on behalf of 618 James Street, LLC to construct an approximately 4,800 SF building and associated site improvements at 984 Bradley Street, Parcel Number 1-11-102.200, contingent upon the following:

1. The applicant shall change the answer to Question 8b on the SEQR Short EAF from "No" to "Yes."
2. The applicant must obtain the following permits and other documentation, minimally, prior to construction: Zoning Compliance Certificate, Building Permit and a Highway Work Permit from NYSDOT.

Ms. Godek seconded the motion, all voted in favor.

Mr. Monaco's asked when construction will start. Mr. Cervini replied most likely in the Spring of 2025.

## **ZONING ORDINANCE AMENDMENT DISCUSSION**

Ms. Capone then introduced Agenda Item three to discuss the proposed Zoning Ordinance Amendment. Ms. Capone said that City Staff is still working on the proposed changes to the Zoning Ordinance as discussed at the September 10, 2024, Planning Commission meeting. Ms. Capone asked if Staff wanted to discuss any definition changes.

Mr. Urda replied that at the last meeting, Staff and the Commission discussed the proposed Zoning Ordinance Amendment for two hours before the meeting was adjourned. Mr. Urda noted that definitions were not discussed at the meeting, although they were listed as part of the first Staff Report that the Planning Department submitted as a guide for discussion. Mr. Urda also stated that Staff is still working on the subsequent Staff Report for the November meeting that will describe additional proposed changes.

Mr. Urda explained that if there were any definitions over the past month that the Commission Members wanted Staff to specifically look at and discuss at the November Staff Report, it should be brought up at this meeting to discuss as a group or emailed to Mr. Urda with individual questions.

Ms. Capone asked if the recommendation to amend the definitions for “Accessory Structure” and “Accessory Use” stemmed from the Site Plan review for the Ives Hill Country Club storage building earlier in 2024. Both Mr. Urda and Michael Lumbis answered yes.

Mr. Urda said that Staff does not yet have a specific recommendation for amending the Code, but the issue with the current Code is that it does not cleanly account for a primary use that is not housed within a building. Mr. Urda explained when proposing a structure that is an accessory to that unhoused primary use, it leaves the Planning Department no alternative but to determine that the building is the primary use, because it is the first building on the site.

Ms. Capone then described some of the details from the Ives Hill Site Plan and Mr. Urda agreed with the accuracy of her description.

Mr. Monaco asked if the proposed storage structure would still be allowed if the City Council approved the proposed Zoning Amendment within the next six months. Mr. Urda replied in the affirmative and further discussed the limitations that the Zoning, as written, placed upon Staff in reaching the most accurate determinations. Mr. Urda elaborated that the definitions for “Accessory Structure” and “Accessory Use” require improvement, but Staff does not have proposed language at this time. Ms. Capone asked if Staff was working with a planning firm or researching other communities’ definitions to see how the two are defined. Mr. Lumbis stated that Staff still needs to conduct research and brainstorm some better definitions.

Mr. Urda mentioned that there are some other definitions that also need improvements as listed in the first Staff Report Zoning Ordinance Amendment.

Mr. Monaco wanted to discuss the proposed change to the Fuel/Convenience Station definition. Mr. Urda explained that the change came from a Zoning Compliance Certificate that was submitted to the Planning Department, where a Fuel/Convenience Station located in the Downtown Zoning District wanted a food truck outside that would essentially be used as a kitchen. Mr. Urda explained that nothing would be sold at the food truck, and instead could be purchased inside of the convenience station.

Mr. Urda explained that Planning Staff had multiple discussions about how to define the use being proposed since none of the definitions in the Code encapsulated the proposed use. Mr. Urda stated that all the Planning Staff felt like it was a great use to approve, but as the Code was written, Staff had to deny the application. Mr. Urda explained that Staff would like to come up with a solution to not deny future applications similar in nature.

Mr. Lumbis stated that this was a unique situation with the food truck kitchen being located outside, but when you think of the Fuel/Convenience Stations that have a Tim Hortons or a Dunkin Donuts, the current definition of Fuel/Convenience Station does not allow these types of uses as part of the Fuel/Convenience Station use.

Ms. Godek brought up the point that anomalies that do not fit our definitions provided in the Zoning Ordinance still have the option to get a variance. Mr. Urda confirmed that an applicant with a denied Zoning Compliance Certificate can apply for a variance, but in this specific case with the food truck being used as a kitchen, it would require a use variance which required a much higher burden of proof meaning that the applicant would need to prove that the zoning is depriving them of all economic use of the property, and if that case is not made by the applicant then the Zoning Board of Appeals would have most likely denied the variance request.

Mr. Urda noted that the changes to the definition for “Retail, General and Service” was another example where the proposed change to the definition stemmed from a Zoning Compliance Certificate. Mr. Urda explained that the word “personal” in the definition only applies to a business-to-consumer sale and excluded business-to-business sales.

Ms. Capone asked about the changes to the “dwelling” definition. Mr. Urda explained that the only change was substituting the word “habitation” for “living” since it is more accurate and specific.

Ms. Capone asked if there were any other questions. Hearing none, Mr. Urda explained that Staff anticipates having a Staff Report for the November Planning Commission meeting and hope to have some discussion at the Planning Commission meeting.

At 6:29 p.m., Mr. Babcock moved to adjourn the meeting. Mr. Monaco seconded the motion, and all voted in favor.

Respectfully submitted,

Sharlice Bonello, Planner