



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: January 07, 2025

PRESENT:

Michelle Capone
Maryellen Blevins
Lynn Godek
T.J. Babcock
Peter Monaco
Scott Garrabrant

ALSO:

Michael Lumbis, Planning and Community
Development Director
Geoffrey Urda, Senior Planner
Joseph Albinus, Planner

ABSENT:

Linda Fields

Planning Commission Chairperson, Michelle Capone, called the January 07, 2025, Planning Commission meeting to order at 6:01 p.m. Geoffrey Urda stated that the November minutes are still outstanding, but the Commission is free to accept the December meeting minutes. Maryellen Blevins made a motion to accept the minutes from the December 03, 2024, meeting as written, Lynn Godek seconded the motion, and all voted in favor.

SUBDIVISION FINAL PLAT APPROVAL – 612 SWAN STREET PARCEL NUMBER 7-14-110.001

The Planning Commission then considered a request for Subdivision Final Plat Approval submitted by Adam M. Storino, PLS of Storino Geomatics, LLC on behalf of Steven H. McIlroy for a two-lot subdivision of 612 Swan Street, Parcel Number 7-14-110.001.

Ms. Capone stated that there will be three public hearings at 6:05 p.m.

Thomas M. Storino of Storino Geomatics, LLC attended to represent the request. Mr. Storino began by explaining that the applicant followed what the Planning Department recommended for approval; specifically changing the zoning of the section of land to be conveyed and the zoning of the receiving parcel. Ms. Capone said that there was one outstanding summary item requiring the applicant to assemble the .031-acre eastern section to be assembled with 133 Cedar Street into a single parcel by way of a new metes and bounds description. Mr. Storino acknowledged this requirement.

Ms. Capone asked if there were any questions. Hearing none, Ms. Capone then read aloud the public hearing notice for 612 Swan Street and opened the public hearing at 6:05 p.m. Hearing no one speak, Ms. Capone closed the public hearing at 6:06 p.m.

Ms. Capone then read aloud the public hearing notice for 1108 Harrison Street and opened the public hearing at 6:06 p.m.

Patsy Storino, PLS, approached the stand and noted that he would represent the application. Mr. Storino explained that the applicant recently purchased 1108 Harrison Street which abuts 337 Pleasant Street South, which the applicant also owns. Mr. Storino stated that the proposed subdivision will partially bring the pool building on 337 Pleasant Street South into compliance with the current setback requirements.

Mr. Storino noted that the applicant will assemble Parcel B with Parcel C as shown on the Subdivision Final Plat and that descriptions have been provided for Parcel A, Parcel B, and Parcels B and C combined.

Ms. Capone asked if anyone else would like to speak. Hearing no one speak, Ms. Capone closed the public hearing at 6:10 p.m.

Ms. Capone then read aloud the public hearing notice for 1303 State Street and opened the public hearing at 6:10 p.m. Hearing no one speak, Ms. Capone closed the public hearing at 6:11 p.m.

Ms. Capone then directed the Commission to complete Part 2 of the Short Environmental Assessment Form (EAF) for the proposed subdivision at 612 Swan Street. The Planning Commission reviewed and answered each question of the Short EAF answering no to all of them. Ms. Godek moved to issue a negative declaration for the proposed subdivision, according to the requirements of SEQRA. Ms. Blevins seconded the motion. All voted in favor.

T.J. Babcock then made a motion to grant Subdivision Final Plat Approval for the request submitted by Adam Storino, PLS of Storino Geomatics on behalf of Steven H. McIlroy for a two-lot subdivision of 612 Swan Street, Parcel Number 7-14-110.001, contingent upon the following:

1. The applicant shall assemble the 0.031-acre eastern section (Parcel B) with Parcel Number 7-14-110.000 located at 133 Cedar Street into one single parcel, by way of a new metes and bounds description that is filed with the County Clerk.

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

SUBDIVISION FINAL PLAT APPROVAL – 1108 HARRISON STREET PARCEL NUMBER 12-13-122.000

The Planning Commission then considered a request for Subdivision Final Plat Approval submitted by Patsy Storino, PLS on behalf of Jaws Property I, LLC for a two-lot subdivision of 1108 Harrison Street, Parcel Number 12-13-122.000.

Ms. Capone stated that Mr. Storino briefed the Commission on the proposed subdivision during the public hearing and then proceeded with the summary items stating that summary item one has been acknowledged by the applicant. Regarding item number two, Michael Lumbis stated that a revised SEQR has been submitted to the Planning Department. Ms. Capone asked if summary item one should remain a summary item and Mr. Lumbis replied in the affirmative.

Ms. Capone asked if there were any questions or comments. Hearing none, Ms. Capone then directed the Commission to complete Part 2 of the Short EAF for the proposed subdivision. The Planning Commission then reviewed and answered each question in Part 2 of the Short EAF, answering no to all of them. Mr. Babcock moved to issue a negative declaration for the proposed subdivision, according to the requirements of SEQRA. Peter Monaco seconded the motion. All voted in favor of the motion.

T.J. Babcock then made a motion to grant Subdivision Final Plat Approval for the request submitted by Patsy Storino, PLS on behalf of Jaws Property I, LLC for a two-lot subdivision of 1108 Harrison Street, Parcel Number 12-13-122.000, contingent upon the following:

1. The applicant shall assemble the 0.044-acre southwestern section (Parcel B) with Parcel Number 12-13-119.000 located at 337 Pleasant Street South into one single parcel, by way of a new metes and bounds description that is filed with the County Clerk.

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

**SPECIAL USE PERMIT APPROVAL – 1303 STATE STREET,
PARCEL NUMBER 5-01-122.000**

The Planning Commission then considered a request for Special Use Permit Approval submitted by Michael Bailine to allow a Restaurant in a Neighborhood Mixed Use District at 1303 State Street, Parcel Number 5-01-204.000.

Mr. Bailine approached the Commission and stated that the proposed use would be a pick-up and take-out restaurant with the hours of 11:00 a.m. to 11:00 p.m. with a multi menu, similar to a ghost kitchen where a third-party company such as Door Dash will pick up the food and deliver.

Ms. Capone asked for confirmation that there will be no indoor seating and Mr. Bailine replied that there would not be any seating, and explained that there will be a counter as soon as a customer walks in.

Ms. Capone then went over all the summary items in Staff's memorandum to the Planning Commission, beginning with summary item one, which required the applicant to provide City Staff with a proposed dumpster location that meets the requirements of Section 310-91 of the Zoning Ordinance. Mr. Bailine stated that the property owner owns other surrounding properties and that a dumpster will be placed near the State Street Market. He also stated that there is an existing grease trap, in reference to summary item three, which required the applicant to install a grease trap and submit the kitchen layout and design to the City Bureau of Code Enforcement for approval prior to installation.

Ms. Blevins asked if summary item three should also include kitchen waste disposal. Mr. Lumbis stated that the first summary item regarding the dumpster would cover the kitchen waste disposal. He noted there was confusion as a section in the staff report referenced kitchen waste, the dumpster and the grease trap in the same sentence but there were separate conditions listed in the summary.

Ms. Godek then asked if Mr. Bailine has any plans to address summary item number four, which recommends that the applicant consider changing the existing step in the front entryway with a ramp to achieve ADA compliance. Mr. Bailine stated that the ramp would protrude onto the sidewalk. Mr. Urda stated that the City Engineering Department recommends that the step be grinded down and create a ramp from the sidewalk to the door. Ms. Godek stated that the ramp would be too short to be ADA-compliant and Mr. Bailine stated that customers will have the option to call and have their food brought out to them.

Ms. Godek asked if there is a rear entrance and Mr. Bailine replied that there is, but it is not any different than the front entrance and it is not an entrance for the public.

Ms. Capone asked if summary item four should remain as a condition and Mr. Urda replied that it should.

Mr. Garrabrant then asked if the dumpster would be at the rear of the parcel. Mr. Urda directed the Commission members' attention to satellite maps and an elevation profile that were included with Staff's memorandum that depicted the subject storefront and the abutting properties that the owner owns. Mr. Urda stated that there is no available space within the required setbacks to add a dumpster at the rear of the subject parcel. Mr. Urda explained that the applicant would likely need to locate the dumpster on one of his landlord's adjacent properties.

Mr. Lumbis stated that besides the setback requirements for dumpsters, there are also screening requirements that the applicant must adhere to.

Vishal Sudera, the property owner, stated that there is a grease trap in the basement of the structure. Mr. Lumbis stated that they will need to address and verify any requirements regarding the grease trap with the Bureau of Code Enforcement.

Ms. Capone then read summary item two, which required the applicant to clarify ownership and use of the shared driveway abutting the property line between 1303 State Street and 108 Michigan Avenue North.

Mr. Sudera stated that it is a shared driveway between his property and 108 Michigan Avenue North, although it is primarily used by residential tenants of the Michigan Ave property.

Ms. Capone then read summary item five, which required the applicant to provide answers to questions 3a and 3c of the SEQR Short EAF. Mr. Urda stated he provided the applicant with the original SEQR form for the applicant to change, but the applicant had not yet done so. Mr. Urda said that the applicant could submit the answers now if the Planning Commission felt it would be necessary for them to complete Part 2 of the EAF. Ms. Capone said that was not necessary, but this would need to remain as a condition.

Ms. Capone noted that the applicant shall obtain a Building Permit prior to construction.

Ms. Capone asked if there were any further questions or comments. Hearing none, Ms. Capone then directed the Commission to complete Part 2 of the Short EAF for the proposed Special Use Permit. The Planning Commission then reviewed and answered each question of Part 2 of the Short EAF, answering no to all of them. Ms. Godek moved to issue a negative declaration

for the proposed Special Use Permit, according to the requirements of SEQRA. Ms. Blevins seconded the motion. All voted in favor of the motion.

Mr. Garrabrant asked if the applicant would need to re-apply for a Special Use Permit if this use were to evolve into a full-service restaurant. Mr. Urda replied in the affirmative and said that the new SUP, if approved, would supersede the current application being reviewed at this meeting.

A citizen in attendance asked if there could be something in writing that states that the business will deliver food to an individual's car if the individual cannot enter the building due to it not being ADA compliant.

Ms. Capone stated that the Commission cannot dictate how the business will deliver their food, but since it is a takeout restaurant and the business owner stated that they can deliver food to individuals' cars, it should not be an issue.

Ms. Babcock made a motion to grant approval for a Special Use Permit submitted by Michael Bailine to allow a Restaurant in a Neighborhood Mixed Use District at 1303 State Street, Parcel Number 5-01-204.000, contingent upon the following:

1. The applicant shall provide a proposed dumpster location that meets the requirements of Section 310-91 of the Zoning Ordinance regarding location and screening of dumpsters.
2. The applicant shall install a grease trap and submit the kitchen layout and design to the City Bureau of Code Enforcement for approval prior to installation.
3. The applicant shall consider changing the existing step in the front entryway into a ramp to achieve ADA compliance.
4. The applicant shall provide answers to Questions 3a and 3c of the SEQR Short EAF.
5. The applicant shall obtain a Building Permit from the Bureau of Code Enforcement.

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

Mr. Lumbis then introduced, Joseph Albinus, a new Planner that had just started work with the Planning and Community Development Department.

At 6:39 p.m., Mr. Monaco moved to adjourn the meeting. Ms. Godek seconded the motion, and all voted in favor.

Respectfully submitted,

Sharlice Bonello
Planner