

S T A T E O F N E W Y O R K
COUNTY OF JEFFERSON

-----x
ZONING BOARD OF APPEALS

PUBLIC HEARING

#599

Area Variance to decrease the required building
façade transparency

-----x
ZONING BOARD OF APPEALS

PUBLIC HEARING

#600

Area Variance to increase the allowed sign
surface area

-----x
Roswell P. Flower
Memorial Library
229 Washington Street
South Reading Room
Watertown, New York 13601
Wednesday, August 21, 2024

B E F O R E:

Chairperson:

Samuel S. Thomas

Board Members:

Adam Ruppe (Absent)
Morgan Mayer
James Corriveau
Timothy Virkler

City Planner:

Geoffrey Urda
Sharlice Bonello

City Attorney:

Christina Stone, ESQ.

REPORTED BY:

Tiffany-Jo Ponce
Court Reporter

ZONING BOARD OF APPEALS

1 CHAIRPERSON THOMAS: I'd like to call the
2 Zoning Board of Appeals meeting to order of the
3 City of Watertown, New York. And we'll begin with
4 attendance.

5 Mr. James Corriveau?

6 MR. CORRIVEAU: Here.

7 CHAIRPERSON THOMAS: Morgan Mayer?

8 MS. MAYER: Present.

9 CHAIRPERSON THOMAS: Adam Ruppe, absent.

10 Timothy Virkler?

11 MR. VIRKLER: I'm here.

12 CHAIRPERSON THOMAS: Very good.

13 And let the record show that Geoff Urda,
14 City Planner, is here, along with Sharlice Bonello.
15 She's city planner. And representing corporation
16 counsel is Ms. Christina Stone. And I'll take a
17 second to read the public meeting notice, which I
18 had in a folder.

19 Notice is hereby given that the Zoning
20 Board of Appeals of the City of Watertown,
21 New York, will meet on Wednesday, August 21, 2024,
22 at 6:30 p.m. in the South Reading Room at the
23 Flower Memorial Library for the purpose of hearing
24 two variance requests.

25 Variance Request Number 599 is for the

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1 property located at 178 Duffy Street, being Parcel
2 Number 9-13-110.000, submitted by Jennifer Cook of
3 Northern New York Value Homes on behalf of
4 Katharina Lawson, to decrease the required building
5 façade transparency.

6 The other request is Number 600, is for
7 the property located at 611 West Main Street, being
8 Parcel Number 1-14-125.000, submitted by Thrive
9 Wellness and Recovery, Incorporated, to increase
10 the maximum signage allowed in the neighborhood
11 mixed-use district.

12 The meeting is open to the public.
13 Copies of the request are available for public
14 inspection by contacting the planning department at
15 the phone number listed in this correspondence.
16 This is dated August 13, 2024, and is authored by
17 Geoffrey Urda, Planner.

18 And we'll begin with Case Number 1, being
19 that of 178 Duffy Street. Is the applicant
20 present?

21 Could you stand? State your name for the
22 record, your address, so that we have it.

23 *(A discussion was held off the record.)*

24 CHAIRPERSON THOMAS: Yeah. If you could
25 come forward, right up.

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1 MS. COOK: My name is Jennifer Cook, and
2 I'm here representing Northern New York Value Homes
3 on behalf of Katharina Lawson.

4 MS. LAWSON: Katharina Lawson.

5 CHAIRPERSON THOMAS: And would you take a
6 few minutes to talk about your application?

7 MS. COOK: Yeah. Absolutely.

8 Ms. Lawson is obviously purchasing a
9 piece of property in the city limits of Watertown.
10 She came to me looking to buy a modular home to
11 place on the property. We're also doing an
12 attached garage as well.

13 The size of her home is a 28-by-48,
14 1,280 square foot. I know that you folks were
15 looking for as much transparency as possible at
16 30 percent. With her home, what we did is I took
17 out the double windows in the living room and added
18 a large picture window. In the master bedroom, she
19 has two double windows, which are 36-by-58s. She
20 also has a half-glass front door as well. And in
21 the spare bedroom up front, there is one 36-by-58
22 window. That room is just a little over 10-foot in
23 width by about 12-foot in length.

24 With modular homes, we have to have
25 stamped blueprints from New York State. With that,

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1 they also have what they call a REScheck. The
2 REScheck shows everything on the U-factor of
3 windows, doors, insulation from ceiling, roof, and
4 walls. Within that, everything has to be able to
5 match with the insulation factors. So when we
6 start taking and putting more windows into a home,
7 what takes place is, even though they're a U-factor
8 window that's for that particular modular home, is
9 we start getting into where a REScheck will not
10 meet and pass. And without that, the house can't
11 be built or a customer couldn't get certificate of
12 occupancy.

13 So could we put an additional window in
14 Bedroom Three? Yes, we could. However, I got word
15 from the engineer from New York State and from the
16 company stating that if we do that, the REScheck
17 would fail. With modulars, the floor has no
18 insulation because it goes on a crawl space that is
19 fully insulated. And the walls are all 2-by-6
20 construction, and they've got the most insulation
21 in there, which is an R-21 high density. Within
22 her roof with a 5:12 roof pitch, we do have an R-38
23 in there as well.

24 Right now, her house, as it sits, is
25 about 22.58 percent transparency. If we were to

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1 add another 36-by-58 window, again, in Bedroom
2 Three on the front side of the home, again, the
3 REScheck would fail. Not only that, but now the
4 structural integrity of the home. That would be
5 6-foot of window span, a little over 6-foot with
6 the center casing, and that would be less than
7 4-foot on each side of both windows, so now we're
8 taking away from the structural integrity of the
9 home as well.

10 If we were to add another window, we're
11 still not at the 30 percent transparency. We're
12 only at about 26 -- a little over 26 percent. So,
13 again, if we were able to get a REScheck to meet,
14 which it would not, pretty much, if we tried to put
15 anymore window space in the front of that home,
16 definitely, the integrity of home, the structure of
17 it, would not suffice, being that there's not
18 enough wall space and it's all window space.

19 MS. LAWSON: Yeah.

20 CHAIRPERSON THOMAS: So my understanding,
21 a REScheck has certain standards for modular homes
22 that have applied --

23 MS. COOK: That is correct.

24 CHAIRPERSON THOMAS: -- in order for that
25 home to be constructed.

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1 MS. COOK: That is correct. For
2 New York State compliance, yes.

3 CHAIRPERSON THOMAS: Thank you.
4 Questions?

5 MS. MAYER: No.

6 MS. STONE: I just have a question. What
7 does "REScheck" stand for? I mean, that sounds
8 like it's an abbreviation for something.

9 MS. COOK: It is. It's a New York State
10 code of when -- you have a whole packet of
11 blueprints, and within that, it's a certain amount
12 of pages which they do as a REScheck. So basically
13 what that's stating is -- the terminology of that,
14 I would actually have to go back and look it for
15 that.

16 But what it is, is it states what every
17 window insulation U-factor is, what the insulation
18 within the walls and everything is. And they do
19 their calculations down in New York State, and they
20 have to be at a certain amount in order for that to
21 pass. So that's --

22 MS. STONE: So that's like New York State
23 requirement for modular homes?

24 MS. COOK: That is correct. And that's
25 all part of the stamped blueprints, which I do have

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1 a copy, if you want them.

2 MR. CORRIVEAU: Yeah, I don't think it's
3 just for modular homes. It's to ensure compliance
4 with the state energy code.

5 MS. STONE: Okay. So it applies for all
6 residential homes?

7 MR. CORRIVEAU: I think so.

8 MS. COOK: Yeah.

9 MR. CORRIVEAU: There's RESchecks.
10 There's commercial software program to calculate
11 the energy loss or giving corporate so many windows
12 and (unintelligible) the walls. And it's to
13 compliance with the New York State Energy Code that
14 they're looking for.

15 MR. VIRKLER: Would it be possible to
16 put -- I have your sketch here -- like maybe some
17 type of decorative, like a half circle there or
18 small glass on the side?

19 MS. COOK: Like, they don't have any kind
20 of, like, fan-shaped things, but what they do
21 have -- the only thing that they do have would be
22 what they call a transom window, which is a
23 36-by-9.

24 MR. VIRKLER: Would that defeat the
25 ability to get the REScheck or ...

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1 MS. COOK: Good possibility. I mean,
2 it's something that I could go back and check, but
3 when I went through to try to, okay, how can we get
4 this to comply to meet within the city codes and
5 stuff, and they're just like, unfortunately, if you
6 try to put any kind of window siding, it's just --
7 the REScheck will not meet, and we're going to have
8 a hard time trying to get that to go through, along
9 with the integrity of the home.

10 MR. VIRKLER: It sounds like you've done
11 your homework on all types of options and
12 possibilities.

13 MS. COOK: I tried. I tried everything,
14 tried to avoid having you folks come out tonight
15 and do all this, but, unfortunately, there's no --
16 there's no proof that if it was a larger home, but,
17 then again, we would probably be in the same
18 situation of, okay, larger home, then we're still
19 going to need a larger window, anyway.

20 But if you were to walk inside that home
21 and actually take a look at it on my lot, trying to
22 put everything else in there, is just where you
23 would you put it, you know. There's just not a lot
24 of wall space left.

25 MR. VIRKLER: Yeah. I see, like, behind

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1 the door on the right sight, there's a closet or
2 something on the right side or --

3 MS. COOK: Yes. Yeah.

4 CHAIRPERSON THOMAS: I know this is not
5 related to the variance. Are you planning any
6 landscaping in the front of the house or ...

7 MS. LAWSON: Eventually, yes. But I
8 haven't -- I haven't thought of that yet, to be
9 honest.

10 CHAIRPERSON THOMAS: That's like the last
11 thing.

12 MS. LAWSON: Yeah. I want to plant some
13 flowers, for sure.

14 CHAIRPERSON THOMAS: Yeah. Understood.
15 Okay. Other questions? Comments?

16 MR. CORRIVEAU: Just one. The street
17 address, 178, the lot's on the odd side of the
18 street.

19 MS. LAWSON: I noticed that, yes.

20 MS. COOK: Yes. We were just informed
21 tonight that that's most likely going to change.

22 MR. CORRIVEAU: Okay.

23 MS. BONELLO: Yeah. I talked to Brian
24 Phelps of assessments. And I told him that that
25 address needed to be changed and (unintelligible)

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1 city engineers and is waiting on their response.
2 The assessments office is going to contact them,
3 but if not, I'm --

4 MR. CORRIVEAU: Yeah. There's no 178 on
5 the even side of the street. So the number's up
6 for grabs, but there is no lot there either.

7 MR. URDA: The variance is for the tax
8 parcel ID, anyway, regardless of the mailing
9 address, so the decision form will still be
10 sufficient.

11 MR. CORRIVEAU: Okay.

12 CHAIRPERSON THOMAS: Are -- before we
13 close the public hearing, are there others present
14 that would like to offer comment about 178 Duffy
15 Street?

16 MS. REYNOLDS: I live across the street
17 from them. I have no issue with --

18 AUDIENCE MEMBER: We're fine.

19 CHAIRPERSON THOMAS: Could you please
20 state your name for the record.

21 MS. REYNOLDS: Carlene Reynolds.

22 CHAIRPERSON THOMAS: And address?

23 MS. REYNOLDS: 188.

24 CHAIRPERSON THOMAS: 180 [sic] Duffy
25 Street.

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1 Others that would like to offer comment?

2 MS. BURT: We have a vacant lot that
3 we've talked to her about maybe getting a modular
4 also, which is at the very end of Duffy Street. So
5 that's 190-something, the opposite side. So we're
6 just ...

7 CHAIRPERSON THOMAS: Could you -- would
8 you mind stating your name for the record, please.

9 MS. BURT: Penny Burt.

10 CHAIRPERSON THOMAS: Okay. And address?

11 AUDIENCE MEMBER: 196 is --

12 CHAIRPERSON THOMAS: 196.

13 MS. BURT: Our vacant lot.

14 CHAIRPERSON THOMAS: Okay. Very good.

15 It's a quiet neighborhood in that
16 section --

17 MS. LAWSON: Yes.

18 CHAIRPERSON THOMAS: -- because you're on
19 Arsenal Street, then all of a sudden --

20 MS. LAWSON: Because it's a dead-end
21 street, and there's nothing down there.

22 CHAIRPERSON THOMAS: Yeah. Exactly. I
23 know --

24 *(Simultaneous Cross-talk.)*

25 CHAIRPERSON THOMAS: Other comments

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1 or ...

2 City's position?

3 MS. STONE: I take no position.

4 CHAIRPERSON THOMAS: Okay. Mr. Urda?

5 MR. URDA: No.

6 CHAIRPERSON THOMAS: May I have a motion
7 to close the public hearing before we go forward,
8 because we have to do a short form environmental
9 assessment.

10 MS. MAYER: I would move to close the
11 public hearing.

12 CHAIRPERSON THOMAS: May I have a second?

13 MR. CORRIVEAU: I'll second that.

14 CHAIRPERSON THOMAS: All in favor?

15 MR. CORRIVEAU: Aye.

16 MS. MAYER: Aye.

17 MR. VIRKLER: Aye.

18 CHAIRPERSON THOMAS: Very good.

19 Okay. Then we'll begin with the short
20 form environmental assessment. Please answer no
21 or -- in the column, or moderate-to-large impact
22 may occur.

23 One, will the proposed action create a
24 material conflict with adopted land use or zoning
25 regulations? No.

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1 MS. MAYER: No.

2 MR. CORRIVEAU: No.

3 MR. VIRKLER: No.

4 CHAIRPERSON THOMAS: Will the proposed
5 action result in a change in the use of or
6 intensity of the use of land? No.

7 MR. VIRKLER: No.

8 MR. CORRIVEAU: No.

9 MS. MAYER: No.

10 CHAIRPERSON THOMAS: Will the proposed
11 action impair the character or quality of existing
12 community? No.

13 MS. MAYER: No.

14 MR. VIRKLER: No.

15 CHAIRPERSON THOMAS: Will the proposed
16 action have an impact on the environmental
17 characteristics that cause the establishment of a
18 critical environmental area, (CEA)? No.

19 MR. VIRKLER: No.

20 MS. MAYER: No.

21 CHAIRPERSON THOMAS: Will the proposed
22 action result in change -- adverse change in the
23 existing level of traffic or affect existing
24 infrastructure for mass transit, biking, or
25 walkway? No.

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1 MS. MAYER: No.

2 MR. VIRKLER: No.

3 CHAIRPERSON THOMAS: Will the proposed
4 action cause an increase in the use of energy and
5 it fails to incorporate reasonably available energy
6 conservation or renewable energy opportunities?
7 No.

8 MR. CORRIVEAU: No.

9 MR. VIRKLER: No.

10 CHAIRPERSON THOMAS: Will the proposed
11 action impact, A, public/private water supplies?
12 No.

13 MR. VIRKLER: No.

14 MS. MAYER: No.

15 MR. CORRIVEAU: No.

16 CHAIRPERSON THOMAS: B, public/private
17 wastewater treatment utilities? No.

18 MR. VIRKLER: No.

19 CHAIRPERSON THOMAS: Will the proposed
20 action impair the character or quality of important
21 historic, archeological, architectural, or esthetic
22 resources?

23 MR. VIRKLER: No.

24 MR. CORRIVEAU: No.

25 CHAIRPERSON THOMAS: No.

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1 MS. MAYER: No.

2 CHAIRPERSON THOMAS: Will the proposed
3 action result in an adverse change to natural
4 resources? Example would be wetlands, waterbodies,
5 groundwater, air quality, flora or fauna? No.

6 MS. MAYER: No.

7 MR. VIRKLER: No.

8 CHAIRPERSON THOMAS: Will the proposed
9 action result in an increase in the potential for
10 erosion, flooding, or drainage problems? No.

11 MS. MAYER: No.

12 CHAIRPERSON THOMAS: Will the proposed
13 action create a hazard to environmental resources
14 or human health?

15 MS. MAYER: No.

16 MR. CORRIVEAU: No.

17 MR. VIRKLER: No.

18 CHAIRPERSON THOMAS: Okay. Very good.

19 Well, we need to have a statement to pass
20 a resolution about this.

21 MR. CORRIVEAU: I make the motion that we
22 adopt the resolution of finding that the proposed
23 variance will have no significant adverse affect or
24 environmental impact.

25 CHAIRPERSON THOMAS: Second on the

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1 motion?

2 MS. MAYER: Seconded.

3 CHAIRPERSON THOMAS: All in favor?

4 MR. CORRIVEAU: Aye.

5 MR. VIRKLER: Aye.

6 CHAIRPERSON THOMAS: Okay. Very good.

7 Thank you.

8 We're going to begin the voting process,
9 and this is for Case 599. I think I started at 500
10 when I became chair. Maybe 200.

11 MS. STONE: I thought there was one --

12 CHAIRPERSON THOMAS: I saw the -- oh,
13 gosh. Time goes by.

14 178 Duffy Street, I've reviewed the
15 petition for an area variance request in order to
16 reduce the required building transparency at the
17 ground floor -- ground level for a modular
18 one-story house that is being constructed in a
19 residential district, located at 178 Duffy Street.

20 I do not consider the requested
21 transparency variance to be significant. It will
22 not pose a detriment to nearby properties or have
23 an adverse affect on the neighborhood. There are
24 no environmental impacts. The applicant had
25 considered adding a third window on the northwest

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1 corner of the home, but it would cause
2 structural -- it could compromise the structural
3 integrity of the house and still would not meet the
4 30 percent requirement. Therefore, it would be
5 difficult for the applicant to achieve the required
6 area variance by some other means.

7 I do not consider this to be a
8 self-created difficulty. I think all avenues have
9 been thoroughly explored. It's my understanding,
10 transparency requirements may possibly be reviewed
11 be the city planning office; however, it is -- I
12 vote yes for the area variance to reduce the
13 required transparency on ground floor for the
14 modular home to be built at 178 Duffy Street.

15 MS. MAYER: So I appreciate all the work
16 that you've done to try and keep this within
17 compliance, and it's my opinion you've done
18 everything. It's just not feasible to meet the
19 30 percent transparency requirement because of the
20 size of the house.

21 It's a small -- fairly small variance
22 you're looking for. There's no undesirable change
23 to the neighborhood, no environmental impact caused
24 by the variance. And I don't think this is a
25 self-created problem. These are the factors we're

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1 supposed to be looking at when making our decision.

2 And based on that, I vote yes.

3 MR. VIRKLER: I would certainly agree
4 with the comments of the chairman and my colleague.
5 Again, I think -- again, it's a small variance
6 here. I do see one, two, three, four, five windows
7 on the facility. I know also that the neighbors of
8 the area were given notice, and the ones that have
9 shown up are not opposed to it, so I vote yes.

10 CHAIRPERSON THOMAS: Very good. Thank
11 you, Mr. Virkler.

12 MR. CORRIVEAU: I vote yes.

13 CHAIRPERSON THOMAS: So we have four yes
14 votes and one abstention because we have a member
15 absent. Your variance has been granted.

16 MS. LAWSON: Thank you.

17 CHAIRPERSON THOMAS: So you will meet
18 with --

19 Sharlice, are you dealing with that?

20 MS. BONELLO: Mm-hmm.

21 CHAIRPERSON THOMAS: And get the
22 necessary permits. And welcome to Watertown.

23 MS. LAWSON: Thank you.

24 CHAIRPERSON THOMAS: I'm glad you're
25 settling on -- in a debted neighborhood that we

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1 will not talk about.

2 MS. COOK: Thank you very much. I really
3 appreciate your time, everybody.

4 MS. LAWSON: Yes. Thank you very much.

5 CHAIRPERSON THOMAS: Good luck to you.

6 Okay. Next on the agenda is 611 Main
7 Street West, Parcel Number 14-13-101.001 to discuss
8 monument sign in front façade mounted sign. It's
9 for an area variance. Staff has indicated it's
10 4.17 square feet, as opposed to 5 square feet.

11 If the applicant would approach and
12 discuss your proposal here.

13 MR. BUSH: My name's Dave Bush. I'm the
14 facilities manager for Thrive Wellness and
15 Recovery. It used to be two different agencies:
16 Credo Community and Transitional Living Services,
17 and we just finished our merger July 1st.

18 So Credo had purchased the property at
19 611 West Main before that and had full intentions
20 of renovating the building and moving their clinic
21 over there. That's all been completed.

22 What we're asking to get a variance on
23 the sign requirements on here, it's a
24 20,000-square-foot building. So out front, there's
25 a 7-foot-by 4-foot-wide base and a sign that's 24

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1 inches high and 42 inches wide on that. And then
2 we want to put a sign that's 20 inches high and 30
3 inches wide on the building in between the two
4 front main doors.

5 CHAIRPERSON THOMAS: I believe we gave --
6 you were here a few years ago. We gave a variance
7 to reduce the parking lot size for the new -- well,
8 for the old building that used to --

9 MR. BUSH: I wouldn't remember that. I
10 came in on the TLS end of it, so ...

11 CHAIRPERSON THOMAS: Now, I have a
12 question because it appears -- I went by there, and
13 I did see a sign erected in front of the building.
14 It was a -- is that the sign you're looking for?

15 MR. BUSH: That's one of them, and the
16 other one would be on the building itself.

17 CHAIRPERSON THOMAS: Okay. So you did --
18 you already --

19 MR. URDA: I'll jump in for a second,
20 Sam.

21 CHAIRPERSON THOMAS: Okay.

22 MR. URDA: If you look at the staff
23 report, the second paragraph will note that the
24 applicant has already obtained a sign permit for a
25 20-square-foot monument sign, and that is likely

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1 the one you saw. The variance is that they're
2 requesting an additional 5 feet for an exterior
3 building mounted sign.

4 CHAIRPERSON THOMAS: Okay. I'm sorry.

5 MR. URDA: So the 20-foot monument sign
6 has already been permitted and is fully legal, and
7 there's no issue there. The variance is for the
8 square footage necessary for their building mounted
9 sign.

10 CHAIRPERSON THOMAS: Now, I see a
11 calculation of 5 square feet, but then you're
12 saying it's 4.17 square feet.

13 MR. URDA: The applicant applied for 5
14 and their denied sign permit lists 5, but on the
15 denied sign permit, it mentions 20 inches by
16 30 inches, and if you actually multiply those
17 inches, that's only 4.17.

18 So in keeping with the ZBA's mission to
19 grant the least variance necessary --

20 So the board is simply asking
21 clarification so the decision form, should the
22 board vote yes, would accurately say a limit to 25
23 or 24.17, whichever was truly the necessary number.
24 That was the reason we asked for the clarification
25 on that.

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1 CHAIRPERSON THOMAS: Okay. Thank you.

2 MS. MAYER: So at 611, are you guys the
3 only people using that building?

4 MR. BUSH: Yes.

5 MS. MAYER: Okay. I guess I'm just
6 wondering because, in your statement, you mentioned
7 you want people to know which building to go to.
8 So I'm wondering if the front façade sign is really
9 necessary.

10 MR. BUSH: Well, they moved the clinic
11 from 595 over to 611 --

12 MS. MAYER: Mm-hmm.

13 MR. BUSH: -- so it's the folks -- the
14 clients, you know, missing where they're supposed
15 to go, and it's still happening right now.

16 MS. MAYER: I'm just wondering if that's
17 accomplished by the monument sign. With the front
18 façade sign, I'm just wondering if that's just kind
19 of superfluous.

20 MR. BUSH: No. That front one, the sign
21 is on the building. So it's down from the bus stop
22 a little bit, so that can cause some confusion of
23 should we still go to the old building or should we
24 go to the new building? It's still happening quite
25 a bit, because we've been in 595 doing renovations

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1 and we still have people coming to the doors.

2 MS. MAYER: Okay. Thank you.

3 CHAIRPERSON THOMAS: I recall -- and
4 there was this variance -- correct me if I'm
5 wrong -- but it was about the parking situation. I
6 think you needed a reduction in parking spaces, if
7 I -- but then I -- at the same time, there was a
8 high number of people that are just pedestrian
9 walkers that use the facility.

10 MR. BUSH: Correct.

11 CHAIRPERSON THOMAS: Okay.

12 MR. CORRIVEAU: I've got a question about
13 the sign application for the pedestal sign out
14 front. The sign itself, you know, measures
15 24-by-42 inches. That's only 7 square feet. Why
16 was a permit granted for 20 and the sign is so
17 small?

18 MR. BUSH: I believe that's simply
19 because it includes the placard, because it has a
20 concrete placard --

21 MR. CORRIVEAU: Yeah. The whole monument
22 is probably 20 square feet, but the sign itself is
23 what's germane, I believe.

24 MR. URDA: I cannot speak for any
25 interactions between the applicant and code

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1 enforcement on the sign. All I know is what code
2 enforcement reported to me.

3 MR. CORRIVEAU: Did they go look at it?

4 MR. URDA: I cannot speak for code
5 enforcement.

6 MR. CORRIVEAU: That's what it looks
7 like. It's a tiny thing. I don't think there's a
8 variance needed at all, but I'm not the guy who's
9 signing the sign permits either. But it just seems
10 kind of silly.

11 CHAIRPERSON THOMAS: I mean, I had to
12 look hard to see that when I was passing by.

13 MR. CORRIVEAU: It's literally 7 square
14 feet. That leaves 13 more square feet to get to 20
15 for this sign on the building, which is not going
16 to break that threshold by any specs, so I don't
17 get it.

18 CHAIRPERSON THOMAS: Okay. I have a
19 question not related to the variance. Did the City
20 plant all the trees in the front or did you?

21 MR. BUSH: I'm not sure.

22 CHAIRPERSON THOMAS: I thought it looks
23 great.

24 MR. BUSH: I think that was done --

25 CHAIRPERSON THOMAS: No. It just totally

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1 transformed the neighborhood driving by it.

2 There's lots of them, all different species, too,
3 which is a good thing.

4 MR. BUSH: Yes.

5 CHAIRPERSON THOMAS: It just looks -- it
6 just changes the whole character of the
7 neighborhood.

8 MR. URDA: The sign permit application,
9 so the -- it is -- and whether it's accurate or
10 not, I -- I'm not going to go on the record for,
11 but at least on the application, the sign that's
12 already there is listed at 48 inches by 60 inches,
13 which would be 4 by 5, which is 20.

14 And I don't know if you can lend anything
15 to that; otherwise, I would -- I would need to get
16 that information from codes. But we processed this
17 under the information when they applied.

18 CHAIRPERSON THOMAS: You know, Mr. Urda,
19 it also said in the zoning district -- they listed
20 it as commercial, but now it's neighborhood mixed.

21 MR. URDA: It is neighborhood mixed-use.

22 CHAIRPERSON THOMAS: Was it, at one time,
23 commercial?

24 MR. URDA: I don't know its zoning under
25 the old zoning ordinance. It would surprise me if

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1 it was commercial, given that location. It feels
2 like, in the old zoning, either neighborhood
3 mixed -- or neighborhood business or light industry
4 or heavy industry would be more likely. But
5 without the old map in front of me, I couldn't tell
6 you for sure.

7 CHAIRPERSON THOMAS: Well, there are some
8 residents still home -- down in the 500 block, so I
9 think there's at least one house -- I think one or
10 two homes. There's a multifamily home. There's a
11 historical stone house not far from the bridge.

12 MS. STONE: Is the sign on the building,
13 is that proposed to say "Trive" (phonetic)? It
14 appears it should say "Thrive."

15 MR. BUSH: Thrive.

16 MS. STONE: All right. So there's a
17 misspelling on the sign permit. That's all it's
18 going to say, is Thrive?

19 MR. BUSH: (Nodding head up and down.)

20 CHAIRPERSON THOMAS: I would suggest,
21 though, that we still go through with this, just in
22 the event that there may be matters of
23 misinterpretation. But I ...

24 MR. CORRIVEAU: Right. Most expedient
25 thing is to approve a variance and get it on the

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1 building.

2 CHAIRPERSON THOMAS: Yeah. So you can go
3 forward and do what you need to do.

4 Are there any questions?

5 MR. VIRKLER: I just have a quick
6 question for the City on this final information.
7 So the sign we're talking about is putting,
8 obviously, the logo sign. But what if -- and,
9 again, this is just for my information. What if
10 they just put enter -- some huge sign "Enter Here"?
11 Would that be --

12 MR. URDA: That would be directional
13 signage and would not count against them.

14 MR. VIRKLER: Okay.

15 MS. STONE: Is it going to have a logo,
16 or is it just going to say Thrive?

17 MR. BUSH: Oh, it will have the logo.

18 MS. STONE: Okay.

19 MR. URDA: I'll make two notes for the
20 Board to consider, and they may seem like opposing
21 thoughts, but they're both for your consideration.
22 On one hand, the Board does have its instructions
23 to grant the least variance necessary, which, to
24 Mr. Corriveau's point, if a variance is not
25 necessary, you know, then the least variance

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1 necessary would be none because it could be legal.

2 However, the other consideration -- and
3 it will come in my discussion after this about our
4 upcoming zoning ordinance patch -- is that it's
5 highly likely that the neighborhood mixed-use
6 allowed signage will go up in the future and
7 possibly the near future. But my discussions with
8 the applicant, the desire was not to wait a few
9 months and they just wanted to get their sign, even
10 if it would be -- the need for the variance would
11 go away in a few months.

12 It was more that timing that was
13 important to you to get it done.

14 MR. BUSH: Right.

15 MR. URDA: So that -- those would ...

16 CHAIRPERSON THOMAS: So, Mr. Urda, and we
17 should go with the 4.17 square feet?

18 MR. URDA: If it is truly 20-by-30, then
19 4.17 is the accurate measure, and the variance
20 would be for 24.17 for its life, which, if the
21 allowed square footage did increase in the future
22 to more than that, then obviously the need for the
23 variance would go away. But for its practical
24 life, it would be 24.17, and that would cover a
25 20-inch-by-30-inch sign.

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1 CHAIRPERSON THOMAS: Very good. Thank
2 you.

3 Before we move on, other questions?

4 MR. VIRKLER: No.

5 CHAIRPERSON THOMAS: City's position?

6 MR. URDA: No position.

7 MS. STONE: No position.

8 CHAIRPERSON THOMAS: Very good.

9 Are there members of the studio audience
10 that would ...

11 MR. WORCESTER: I own 591, the property
12 behind Credo. I have no problem with them putting
13 the sign. I have allowed them to use my property
14 for parking with the construction, and I have no
15 problem if they need extra parking spots for the
16 future. So I have no problem with this.

17 CHAIRPERSON THOMAS: Thank you. Sir,
18 your name and address?

19 MR. WORCESTER: Ray Worcester. My home
20 and business is 152 Winthrop Street, Watertown.

21 CHAIRPERSON THOMAS: Are there others
22 that would like to speak on behalf of ...

23 Very good. All righty. Then we're going
24 to -- before we close the public hearing, we're
25 going to do a short environmental assessment form

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1 and then vote.

2 All right. Just, again, answer no or
3 moderate to large impact.

4 Will the proposed action create a
5 material conflict with an adopted land use plan or
6 zoning regulations?

7 MR. VIRKLER: No.

8 CHAIRPERSON THOMAS: No.

9 MS. MAYER: No.

10 CHAIRPERSON THOMAS: Will the proposed
11 action result in a change in use or intensity of
12 use of land?

13 MS. MAYER: No.

14 MR. VIRKLER: No.

15 CHAIRPERSON THOMAS: Will the proposed
16 action impair the character or quality of the
17 existing community?

18 MR. VIRKLER: No.

19 MS. MAYER: No.

20 CHAIRPERSON THOMAS: No.

21 MR. CORRIVEAU: No.

22 CHAIRPERSON THOMAS: Will the proposed
23 action have an impact on the environmental
24 characteristics that cause the establishment of a
25 critical area (CEA)? No.

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1 MR. VIRKLER: No.

2 MS. MAYER: No.

3 CHAIRPERSON THOMAS: Will the proposed
4 action result in an adverse change in the existing
5 level of traffic or affect the existing
6 infrastructure for mass transit, biking, or
7 walkway? No.

8 MS. MAYER: No.

9 MR. VIRKLER: No.

10 CHAIRPERSON THOMAS: Will the proposed
11 action cause an increase in the use of energy and
12 it fails to incorporate reasonably available energy
13 conservation or renewable energy opportunities?
14 No.

15 MR. VIRKLER: No.

16 MS. MAYER: No.

17 CHAIRPERSON THOMAS: Will the proposed
18 action impact, A, public/private water supplies?
19 No.

20 MR. VIRKLER: No.

21 MS. MAYER: No.

22 MR. CORRIVEAU: No.

23 CHAIRPERSON THOMAS: B, public/private
24 wastewater treatment utilities?

25 MR. VIRKLER: No.

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1 CHAIRPERSON THOMAS: No.

2 MS. MAYER: No.

3 CHAIRPERSON THOMAS: Will the proposed
4 action impair the character or quality of important
5 historic, archeological, architectural, or
6 aesthetic resources? No.

7 MR. VIRKLER: No.

8 MS. MAYER: No.

9 MR. CORRIVEAU: No.

10 CHAIRPERSON THOMAS: Will the proposed
11 action result in an adverse change to natural
12 resources? Example, wetlands, waterbodies,
13 groundwater, air quality, flora, and fauna? No.

14 MR. VIRKLER: No.

15 MR. CORRIVEAU: No.

16 MS. MAYER: No.

17 CHAIRPERSON THOMAS: Will the proposed
18 action result in an increase in the potential for
19 erosion, flooding, or draining problems? No.

20 MR. VIRKLER: No.

21 MS. MAYER: No.

22 CHAIRPERSON THOMAS: Will the proposed
23 action create a hazard to environmental resources
24 or human health? No.

25 MR. VIRKLER: No.

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1 MS. MAYER: No.

2 MR. CORRIVEAU: I make the motion that we
3 adopt the resolution of finding that the proposed
4 variance will have no significant adverse affect or
5 environmental impact.

6 CHAIRPERSON THOMAS: Second on the
7 motion?

8 MS. MAYER: I second.

9 CHAIRPERSON THOMAS: All in favor?

10 MR. CORRIVEAU: Aye.

11 MS. MAYER: Aye.

12 CHAIRPERSON THOMAS: Aye.

13 Okay. Very good. Thank you.

14 Well, we'll begin the voting process.

15 For 611 West Main Street, I have reviewed
16 the petition for an area variance to increase the
17 allowed surface area of a 24.17 square feet in a
18 neighborhood mixed-use district where the allowed
19 surface area for signage is 20 square feet. I do
20 not consider the requested variance of 4.17 square
21 feet to be significant. It will not pose a
22 detriment to nearby properties or have an adverse
23 impact on the neighborhood. There are no
24 environmental impacts.

25 And the proposed signage will allow for

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1 clear identification of the -- of the agencies that
2 exist at -- in the 500 block and also at 611 for
3 both pedestrian and vehicular traffic. And I don't
4 feel the desired benefits can be achieved by some
5 other means, and this is not a self-created
6 difficulty.

7 Ms. Mayer?

8 MS. MAYER: I agree with Chairman Thomas.
9 I think your request is very reasonable, not a
10 substantial variance at all. The other factors
11 that we are to consider are also satisfied by your
12 request; therefore, I do vote yes.

13 CHAIRPERSON THOMAS: Mr. Virkler?

14 MR. VIRKLER: I vote yes. I certainly
15 concur on the comments of the Chair. Additionally,
16 I note it will serve people getting to where they
17 need to be. One thing make this as easy as
18 possible is the more signage that helps get them
19 there. As the Chair noted, it's a very small
20 variance, and so I vote yes.

21 CHAIRPERSON THOMAS: Mr. Corriveau?

22 MR. CORRIVEAU: I vote yes.

23 CHAIRPERSON THOMAS: Okay. So your
24 request has been granted. You have four yes votes
25 and Mr. Ruppe is absent. And Sharlice will --

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1 Ms. Bonello will help you with -- oh, I'm sorry.
2 Mr. Urda will help you with that transition in
3 getting the necessary permits so we can go forward.

4 MR. BUSH: Thank you, folks.

5 CHAIRPERSON THOMAS: Okay. Thank you.

6 MS. MAYER: Thank you so much.

7 CHAIRPERSON THOMAS: Before we close
8 tonight's meeting, Mr. Urda would just like to
9 offer some comments.

10 MR. URDA: Sure. So thank you, Chair.

11 So the planning department obviously
12 worked on the zoning ordinance rewrite for about
13 two years leading up to its adoption. It was
14 adopted in February of 2023. So now we've been
15 working with the new zoning ordinance for about 18
16 months, a year and a half.

17 We've been using it internally,
18 processing zoning compliance applications, but
19 also, in reporting to yourselves on the zoning
20 board of appeals, as well as to the planning
21 commission and the year and a half of working with
22 applicants. So at this point, with the year and a
23 half experience under our belts with it, we have a
24 pretty good idea of what's working and what might
25 need some adjusting.

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1 Overwhelmingly, the majority of the
2 zoning board ordinance is working exactly as
3 intended and has been a very positive upgrade from
4 the previous 1959 ordinance. However, there are
5 certainly a few pieces in here that we are
6 cognizant will need to be adjusted and have
7 generated some barriers to develop. I think the
8 most prominent pieces are, quite appropriately, the
9 two pieces of code that you heard variance requests
10 for tonight, particularly transparency across many
11 districts, not just in the district you heard
12 tonight, but -- and then signage, particularly in
13 the neighborhood mixed-use district where that
14 limit right now is 20.

15 So I believe our zoning ordinance patch
16 will be looking at reductions in transparency
17 almost across the board with the potential
18 exception of the downtown or overlay. And then,
19 certainly, we will be looking to adjust the
20 neighborhood mixed-use allowed signage to an amount
21 more in line with the latter, if you will, as we go
22 up the districts from residential all the way to
23 commercial and industrial.

24 And then some other changes, we'll do
25 levels of reviews with some definitions that may

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1 need some tweaking and working with our City
2 attorney's office on that. And another one will be
3 occasional typos that we found and then some
4 contradictory language that appears in different
5 places and cleaning that up. And our goal would
6 be, ultimately, to have City counsel adopt one
7 single ordinance that contains all of the edits all
8 at once. This is one grand slate.

9 That won't be an instantaneous process.
10 Our first formal part of it will be taking a
11 drafted version of a slate of proposed changes to
12 the planning commission at its September meeting,
13 which will be September 10th. We will not be
14 asking the planning commission to make any
15 recommendations to the counsel at that meeting or
16 take any votes. It will almost be a planning
17 commission work session, if you will, where staff
18 will discuss with them the rationale behind the
19 changes we're making.

20 In particular, exactly the two pieces of
21 code that you granted variances for tonight, which
22 we have seen arise multiple times in the 18 months
23 since we've adopted the zoning ordinance. We'll be
24 looking for feedback from the commission members.
25 And then we will take their feedback, come up with

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1 a final amendment that, later in the fall, we will
2 look to the planning commission to make a formal
3 recommendation to counsel on. And then City
4 counsel will need to hold a public hearing before
5 they vote any such ordinance that we have. And
6 there's the appropriate public input period.

7 But I would note that the planning
8 commission dates are also open and available to the
9 public. They're at 6 p.m. They're September --
10 one will be on September 10th, so I certainly would
11 invite any of you, if you wanted to attend that
12 meeting.

13 But this is sort of just a heads-up, if
14 you will, that we are initiating this process. A
15 staff report went to City counsel for the meeting
16 two nights ago informing City counsel that we're
17 going to start this process. And over the coming
18 months, we'll look at writing this up, and
19 hopefully by, you know, sometime early winter, we
20 will have the amendments in place and, ideally,
21 that will reduce some of your workload as, quite
22 potentially, both of the variances tonight will no
23 longer be necessary once that -- once that goes
24 through. So ...

25 MR. VIRKLER: I think Sam wants to get his

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1 numbers up, get to 600.

2 MR. URDA: Well, this was 600.

3 CHAIRPERSON THOMAS: Yeah. We hit 600
4 tonight.

5 MR. URDA: So -- so that is my informal
6 report tonight, and we look forward to making the
7 process even more streamlined.

8 MS. MAYER: Thank you.

9 CHAIRPERSON THOMAS: Well, thank you for
10 that update.

11 Other comments or questions before we
12 close tonight's meeting?

13 MR. CORRIVEAU: What was the time for
14 September 10th?

15 MR. URDA: 6 p.m.

16 MR. CORRIVEAU: Here?

17 MR. URDA: Ideally, we will be back in
18 Counsel chambers. The rumor has it that the
19 elevator will be fixed within a week, and we will
20 be back in our normal environments.

21 MR. VIRKLER: And you're going to be the
22 first one to test it.

23 MR. URDA: Also let the record state that
24 we greatly thank the Flower Memorial Library for
25 accommodating all of our meetings here with us.

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1 CHAIRPERSON THOMAS: It's certainly a
2 different room from what we're used to. The
3 acoustics are a little bit challenging.

4 Well, then, may I have a motion to close
5 tonight's meeting?

6 MS. MAYER: I would move to close
7 tonight's meeting.

8 CHAIRPERSON THOMAS: All in favor?

9 MR. VIRKLER: Aye.

10 MS. MAYER: Aye.

11 CHAIRPERSON THOMAS: Meeting adjourned.
12 Thank you.

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REPORTER'S CERTIFICATE

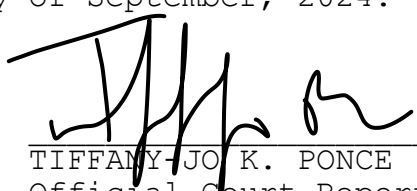
I, TIFFANY-JO K. PONCE, Official Court Reporter and Notary Public in and for the State of New York, do hereby certify:

That the sworn testimony and/or proceedings, a transcript of which is attached, was given before me at the time and place stated therein; that the witness was duly sworn or affirmed to testify to the truth; that the testimony and/or proceedings were stenographically recorded by me and transcribed under my supervision.

That the foregoing transcript contains a full, true, and accurate record of all the testimony and/or proceedings held on August 21, 2024.

That I am in no way related to any party to the matter, nor to any counsel, nor do I have any financial interest in the event of the cause.

WITNESS MY HAND this 16 day of September, 2024.



TIFFANY-JO K. PONCE
Official Court Reporter