



**INTEROFFICE MEMO
PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT**

DATE: July 2, 2026

TO: James Corriveau, ZBA Chairperson

FROM: Joseph Albinus, Planner

SUBJECT: 268 Bellew Ave South
Parcel Number 9-43-105.000
Zoning – Industrial
Petition for a Use Variance to allow for Front Yard Parking in an Industrial District.
File #623

This petition, presented by Christopher Todd of Aubertine and Currier, PLLC on behalf of Roth Industries, is to vary the requirements of Section 310-37 (A) of the Zoning Ordinance to allow for a parking lot in the front yard in an Industrial District. In all districts except the Commercial District, the Zoning Ordinance prohibits parking in all front yards except the driveway.

The site plan that the applicant submitted depicts 10 additional parking spaces in the front yard. There are currently 20 existing parking spaces in the front yard. The granting of this variance would represent an expansion of a nonconforming use by 50 percent.

All adjacent parcels with developed sites, 275 Bellew Avenue South, 875 Waterman Drive, 981 Waterman Drive, 997 Waterman Drive, 1011 Waterman Drive, 901 Rail Drive have some amount of front yard parking.

The applicant is concurrently seeking an additional Area Variance from the Zoning Board of Appeals to increase the maximum area lot coverage. Granting this Variance to allow front yard parking represents an Unlisted Action pursuant to SEQRA. However, it is part of a “whole action” that includes the other Variance request. To avoid segmenting the review, the ZBA must consider the environmental impacts of both Variances as a single “whole action” when completing Par 2 of the Short EAF.

cc: ZBA Members
File

June 24, 2026

City of Watertown
Michael Lumbis, Planning and Community Development Director
245 Washington Street
Watertown, NY 13601

Re: **Area Variance Application – Front Yard Parking
2026 Expansion Project
Roth Industries and Roth Global Plastics (A&C Proj. #2016-033.007)
268 Bellew Avenue South, Watertown, NY 13601**

Dear Mr. Lumbis:

Aubertine and Currier Architects, Engineers & Land Surveyors, PLLC on behalf of Roth Industries and Roth Global Plastics is requesting to be included on the agenda for the July City of Watertown Zoning Board of Appeals meeting for an area variance request. The 2023 City of Watertown Zoning Section 310-37A prohibits front yard parking. The area variance is being requested to allow expansion of the existing front yard parking area. Included with this submission are eight (8) copies of this Cover Letter, Area Variance Application, Short EAF, Property Deed, Tax Map, Record of Denial, and Conceptual Site Plan.

The project includes two (2) additions to the building, expanded asphalt parking lot, reconfigured ADA parking spaces, expanded asphalt shipping drive and connection to Rail Drive, expanded asphalt storage areas, chain link fence, relocated site light poles, and expanded infiltration basins. The infiltration basins will be expanded to water quality treatment and attenuate peak runoff to predevelopment levels in accordance with NSYDEC SPDES GP-0-25-001 requirements.

The area variance is being requested due to business expansion needs. The proposed building additions will enable additional machinery and additional jobs, which in turn requires additional asphalt storage area and parking spaces. The additional parking spaces will be located north of the existing employee parking area, both of which are located in the front yard of the parcel.

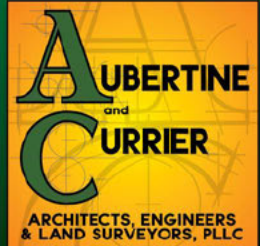
The following responses address the hardship tests as defined in New York State General City Law, Section 81-b.

Hardship Test #1

Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

Response #1

The parcel is located within the City Center Industrial Park (CCIP) and neighboring commercial/industrial properties. The front yard employee parking area will be consistent with the



NYS WBE/DBE Certified
SBA Woman Owned
Small Business (WOSB)

aubertinecurrier.com

Managing Partner

Annette M. Mason, P.E.
Structural Engineer

Partners

Brian A. Jones, AIA.,
LEED AP BD+C
Architect

Matthew R. Morgia, P.E.
Civil Engineer

Jayson J. Jones, P.L.S.
Land Surveyor

Brian M. Krueger, AIA.,
Architect

Jonathan D. Boomhower, P.L.S.
Land Surveyor

character of the surrounding properties within the CCIP as each neighboring property contains front yard parking. The expanded parking area is also adjacent to the existing employee parking area.

Hardship Test #2

Whether the benefit sought by the applicant can be achieved by some method feasible for the application to pursue, other than an area variance.

Response #2

The parcel is bounded by three (3) streets to west, south, and east, and therefore has three (3) front yards. The area not considered a front yard is the industrial storage yard, enclosed by chain link fence with industrial loading and storage activities occurring daily.

Hardship Test #3

Whether the requested area variance is substantial.

Response #3

The proposed area variance is requested to expand the existing employee/visitor parking lot. Considering the existing parking lot is located in the front yard and each neighboring property contains front yard parking, the variance requested does not seem substantial.

Hardship Test #4

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Response #4

The proposed area variance would allow an increase in impervious coverage for the property. To accommodate increased stormwater runoff, the pretreatment peastone diaphragms and two (2) existing infiltration basins will be expanded to provide water quality treatment and attenuate peak runoff to predevelopment levels. All additional site lighting will be provided by pole and/or building mounted downfacing cutoff LED fixtures (dark sky compliant) and located to prevent light spillage onto neighboring properties.

Hardship Test #5

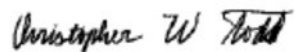
Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

Response #5

The need for the area variance was not self-created. The city prohibited front yard parking within the Industrial zoning district in 2023 when the zoning ordinance was adopted 02/21/2023. Prior to that, front yard parking was not prohibited within the Industrial zoning district.

If there are any questions, please feel free to contact our office at your earliest convenience.

Sincerely,
Aubertine and Currier Architects, Engineers & Land Surveyors, PLLC



Christopher Todd
Junior Civil Engineer

Attachments

Area Variance Application
SEQR Short EAF
Property Deed
Tax Map
Record of Denial
Conceptual Site Plan

Cc: Dave Gerber – Roth Industries and Roth Global Plastics



City of Watertown
AREA VARIANCE APPLICATION FORM

City of Watertown, Planning and Community Development Dept.
245 Washington Street, Room 305, Watertown, NY 13601
Phone: 315-785-7741 Email: planning@watertown-ny.gov

Application #:

Received:

Please Note: Applying for an Area Variance does not guarantee that the Zoning Board of Appeals (ZBA) will grant the request. The burden of proof is on the applicant for meeting the hardship tests and the ZBA will weigh each application on its own merits.

PROPERTY INFORMATION:

PROPERTY ADDRESS: 268 Bellew Avenue South

TAX PARCEL NUMBER: 9-43-105.000

ZONING DISTRICT: IND - Industrial

APPLICANT INFORMATION:

APPLICANT NAME: Roth Industries Inc. - Attn: Dave Gerber

APPLICANT MAILING ADDRESS: 268 Bellew Avenue South, Watertown, NY 13601

PHONE NUMBER:

E-MAIL:

PROPERTY OWNER INFORMATION (if different from applicant):

PROPERTY OWNER NAME:

PROPERTY OWNER MAILING ADDRESS (if different from subject parcel):

PHONE NUMBER:

E-MAIL:

CHECKLIST (please include all of the following in addition to this application form):

- | | |
|---|---|
| ☒ Cover Letter (see Appendix A) | ☒ Metes and bounds description (property deed) |
| ☒ Record of denial | ☒ Tax Map with subject parcel highlighted |
| ☒ \$200 application fee | ☒ State Environmental Quality Review (SEQR) form (if necessary) |
| ☒ Site Sketch/Drawing | |

Applicant Signature:

Date:

Property Owner Signature (if different)

Date:

Appendix A: Checklist Instructions

Cover Letter: The applicant must submit a detailed cover letter describing what the applicant seeks to establish. This letter should summarize the scope and intent of the project, including all proposed physical changes to the property and the proposed future use of the property. The cover letter must also address each of the hardship tests as defined in New York State Law (see Appendix B, which identifies all applicable hardship tests in **bold type**) for an Area Variance.

If there is any other information that would aid the ZBA in understanding the request, the applicant should include this in the cover letter as well.

Metes/Bounds: A legal description of the boundaries of the subject parcel, measured in angles, bearings and distances. Typically, a property deed will contain such a description.

Record of Denial: As the ZBA is a quasi-judicial appellate board, an applicant must have standing to make an appeal. A denied Zoning Compliance Certificate will typically prompt an appeal and is sufficient to serve as the Record of Denial.

Tax Map: A copy of the City Tax Map, with the subject parcel highlighted. Tax maps are accessible using the following website: <https://www.watertown-ny.gov/imo/search.aspx>. Upon entering the required information, the search engine will direct the user to the Parcel Data page for their property. A link to the appropriate tax map will appear on the right hand side of the Parcel Data page.

SEQR Form: All Variance requests must include a completed SEQR Short Environmental Assessment Form (EAF), with the exception of the following two instances, which New York State defines the following as Type 2 Actions that do not require SEQR review:

- granting of individual setback and lot line variances and adjustments
- granting of an area variance for a single-family, two-family or three-family residence

The New York State Department of Environmental Conservation (DEC) offers an online mapping tool that assists in completing the SEQR form. It is available at the following website: <https://gisservices.dec.ny.gov/eafmapper/>

Site Sketch: The sketch/site drawing must accurately depict what the applicant seeks to establish and include any information necessary to help the ZBA comprehend the request. Examples of features to show on the drawing include:

- Site Plan showing existing and proposed building locations, including all property line setbacks
- Vehicular and pedestrian circulation, parking and loading spaces
- Landscaping plans, including site grading (if applicable).

To assist with the drawing, applicants may wish to use the City's public GIS mapping tool, available at: <https://www.watertown-ny.gov/index.asp?NID=168>. However, measurements obtained using the GIS tool are NOT an acceptable substitute for actual measurements taken on site.

Staff and the ZBA reserve the right to require a Property Survey prepared by a Licensed Land Surveyor if deemed necessary to clarify the Variance under consideration.

Required Sets: The items in the checklist (other than the application fee) collectively make up a "set." The applicant is responsible for submitting eight (8) complete collated "sets" to the City Planning Department. If the application requires Jefferson County Planning Board review, then the applicant must submit nine (9) "sets." Planning Staff will inform the applicant if this is necessary.

Submittal Instructions: Submit all required materials to:

Michael A. Lumbis, Planning and Community Development Director
City of Watertown
245 Washington Street
Watertown, NY 13601

*Planning Staff can assist with any of the above if the applicant is having difficulty obtaining any of the required items.

Appendix B: Excerpts from New York State General City Law, Section 81-b.

The following language is the New York State enabling legislation that empowers the Zoning Board of Appeals (ZBA) to grant relief from the Zoning Ordinance. When reading the hardship tests identified below, the applicant should understand that State Law is instructing the ZBA members that these are the burdens of proof an applicant must meet in order for the ZBA to vote yes and grant the applicant the requested Variance.

- **Definitions.** As used in this section:

"Area variance" shall mean the authorization by the zoning board of appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations.

- **Orders, requirements, decisions, interpretations, determinations.**

The board of appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, interpretation or determination appealed from and shall make such order, requirement, decision, interpretation or determination as in its opinion ought to have been made in the matter by the administrative official charged with the enforcement of such ordinance or local law and to that end shall have all the powers of the administrative official from whose order, requirement, decision, interpretation or determination the appeal is taken.

- **Area variances.**

(a) The zoning board of appeals shall have the power, upon an appeal from a decision or determination of the administrative official charged with the enforcement of such ordinance or local law, to grant area variances as defined herein.

(b) In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider:

(i) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

(ii) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;

(iii) whether the requested area variance is substantial;

(iv) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

(v) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

(c) The board of appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

- **Imposition of conditions.**

The board of appeals shall, in the granting of both use variances and area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning ordinance or local law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

Meeting Information: The Zoning Board of Appeals normally meets at 7:00 p.m. on the third Wednesday of every month in Council Chambers at City Hall, although this is subject to change due to holidays, etc. The application deadline is 21 days prior to the scheduled meeting date. Applicants should be aware that applications may require more than one meeting to reach a decision. Resolution is at the sole discretion of the ZBA.



City of Watertown Zoning Compliance Certificate APPLICATION FORM

City of Watertown, Planning and Community Development Dept.
245 Washington Street, Room 305, Watertown, NY 13601
Phone: 315-785-7741 Email: planning@watertown-ny.gov

Application #:

Received:

PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

JUN 23 2026

RECEIVED
CITY OF WATERTOWN, NY

Please Note: Staff will make every effort to process this application in a timely manner. However, some applications may require significant site related and zoning ordinance research. Please allow up to seven (7) business days for review and processing.

PROPERTY INFORMATION (for lookup assistance, visit: <https://www.watertown-ny.gov/imo/search.aspx>):

PROPERTY ADDRESS: 268 Bellew Avenue South

TAX PARCEL NUMBER: 9-43-105.000 ZONING DISTRICT: IND - Industrial

APPLICANT INFORMATION:

APPLICANT NAME: Roth Industries Inc. - Attn: Dave Gerber

APPLICANT MAILING ADDRESS: 268 Bellew Avenue South, Watertown, NY 13601

PHONE NUMBER: [REDACTED] E-MAIL: [REDACTED]

PROPERTY OWNER INFORMATION (if different from applicant):

PROPERTY OWNER NAME:

PROPERTY OWNER MAILING ADDRESS (if different from subject parcel):

PHONE NUMBER: E-MAIL:

PROPOSED USE INFORMATION:

Please check the box that most accurately describes the proposal:

- | | | |
|---------------------------------------|--|-------------------------------------|
| ☐ New Building | ☒ Addition | ☐ Alteration |
| ☐ Parking Lot | ☐ New Use or Occupant | ☐ Other |

Proposed Use (describe fully):

The project includes two (2) building additions, expanded asphalt parking lot, reconfigured ADA parking spaces, asphalt entrance drive, expanded asphalt storage areas, chain link fence, relocated site light poles, and expanded infiltration basins.

PROPOSED DIMENSIONS (if built footprint will not change, list existing dimensions):

PARCEL FRONTAGE (FT.): 648 PARCEL AREA (SQ. FT.): 386,092 BUILDING DIMENSIONS: N/A FT. X N/A FT. = TOTAL (SQ. FT.) 103,317
NUMBER OF STORIES: 4 BUILDING HEIGHT (FT.): 46 SETBACKS (FT.) - FRONT: 31 REAR: 173 LEFT: N/A RIGHT: N/A

PARKING:

EXISTING NUMBER OF SPACES: 20 PROPOSED NUMBER OF SPACES: 30

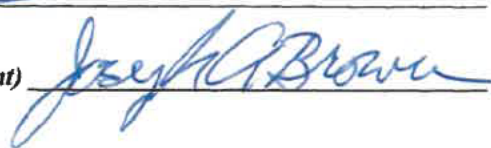
☒ Asphalt ☐ Concrete ☐ Gravel ☐ Other

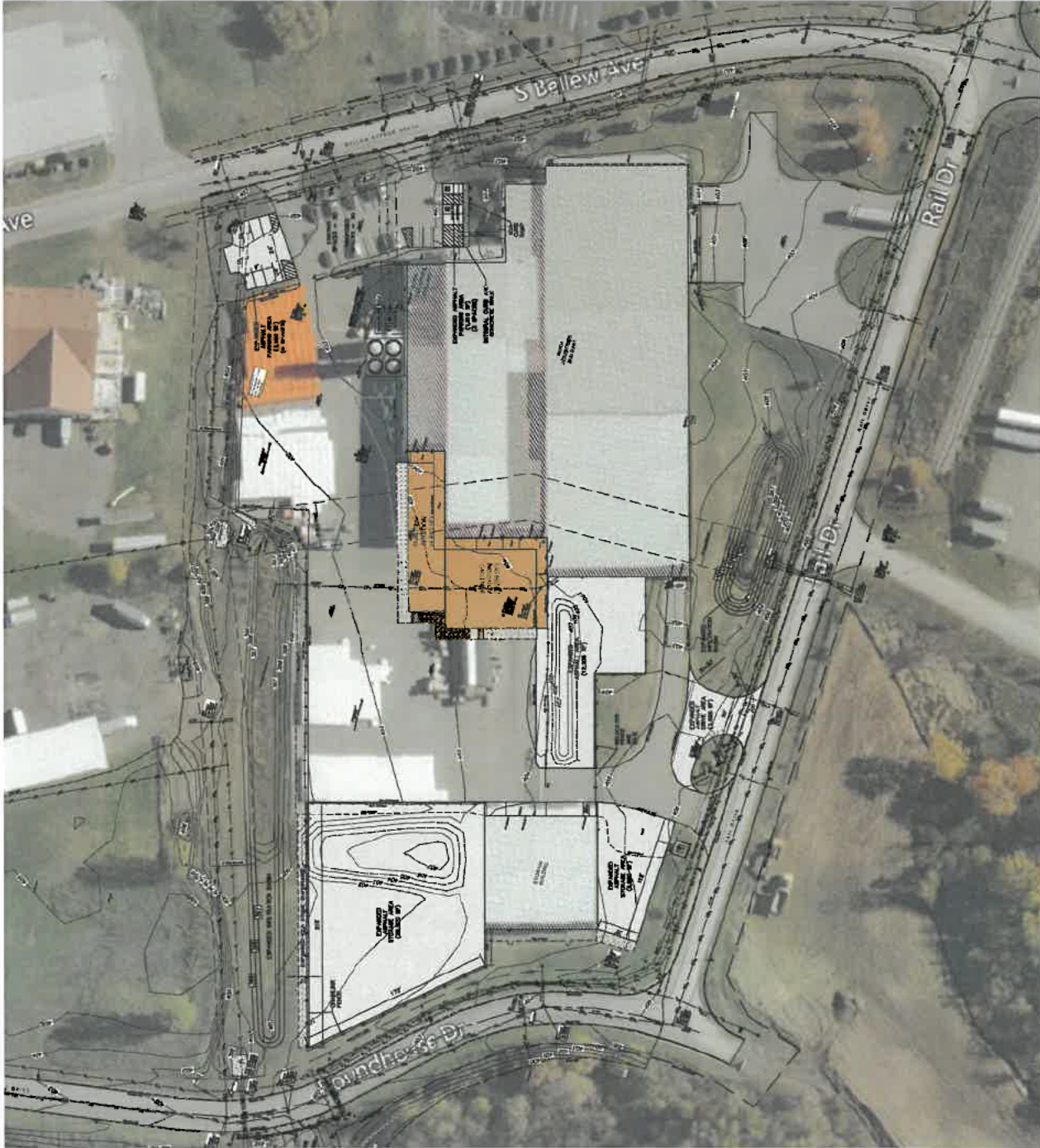
SQ. FT OF NEW IMPERVIOUS SURFACE 53,390

Application must include a proposed site diagram (to scale) that includes measurements (in feet) for all building edges and all setbacks. Surveys and site plans are acceptable as well. Please attach them to this form or use the space below to provide a plan view (aerial view) sketch that includes all measurements and dimensions. Please see attached example for guidance.

See attached conceptual design plan.

Applicant Signature:  Date: 6/23/26

Property Owner Signature (if different)  Date: 6/23/26



CONCEPT PLAN
NOT FOR CONSTRUCTION

WATER DEVELOPMENT PLAN

DATE	TIME	NAME
10/10/10	10:00	JOHN DOE
10/10/10	10:05	JANE SMITH
10/10/10	10:10	BOB JONES
10/10/10	10:15	ALICE BROWN
10/10/10	10:20	CHARLIE WHITE
10/10/10	10:25	DAVID GREEN
10/10/10	10:30	EVE BLACK
10/10/10	10:35	FRANK GRAY
10/10/10	10:40	GRACE HARRIS
10/10/10	10:45	HELEN KING
10/10/10	10:50	IRVING LYNN
10/10/10	10:55	JACK MANN
10/10/10	11:00	JILL NICHOLS
10/10/10	11:05	JOHN O'BRIEN
10/10/10	11:10	JANE PETERSON
10/10/10	11:15	BOB QUINN
10/10/10	11:20	ALICE ROSS
10/10/10	11:25	CHARLIE STEVENSON
10/10/10	11:30	DAVID TAYLOR
10/10/10	11:35	EVE WATSON
10/10/10	11:40	FRANK YOUNG
10/10/10	11:45	GRACE ZIMMERMAN
10/10/10	11:50	HELEN ADAMS
10/10/10	11:55	IRVING BAKER
10/10/10	12:00	JACK CAMPBELL
10/10/10	12:05	JILL COOPER
10/10/10	12:10	JOHN DAVIS
10/10/10	12:15	JANE EVANS
10/10/10	12:20	BOB FOSTER
10/10/10	12:25	ALICE GIBSON
10/10/10	12:30	CHARLIE HARRIS
10/10/10	12:35	DAVID JONES
10/10/10	12:40	EVE KELLY
10/10/10	12:45	FRANK LEWIS
10/10/10	12:50	GRACE MILLER
10/10/10	12:55	HELEN NICHOLS
10/10/10	1:00	IRVING OLIVER
10/10/10	1:05	JACK PETERSON
10/10/10	1:10	JILL QUINN
10/10/10	1:15	JOHN ROSS
10/10/10	1:20	JANE STEVENSON
10/10/10	1:25	BOB TAYLOR
10/10/10	1:30	ALICE WATSON
10/10/10	1:35	CHARLIE YOUNG
10/10/10	1:40	DAVID ZIMMERMAN
10/10/10	1:45	EVE ADAMS
10/10/10	1:50	FRANK BAKER
10/10/10	1:55	GRACE CAMPBELL
10/10/10	2:00	HELEN COOPER
10/10/10	2:05	IRVING DAVIS
10/10/10	2:10	JACK EVANS
10/10/10	2:15	JILL FOSTER
10/10/10	2:20	JOHN GIBSON
10/10/10	2:25	JANE HARRIS
10/10/10	2:30	BOB JONES
10/10/10	2:35	ALICE KELLY
10/10/10	2:40	CHARLIE LEWIS
10/10/10	2:45	DAVID MILLER
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10/10/10	2:55	FRANK OLIVER
10/10/10	3:00	GRACE PETERSON
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10/10/10	3:45	CHARLIE BAKER
10/10/10	3:50	DAVID CAMPBELL
10/10/10	3:55	EVE COOPER
10/10/10	4:00	FRANK DAVIS
10/10/10	4:05	GRACE EVANS
10/10/10	4:10	HELEN FOSTER
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10/10/10	4:45	ALICE NICHOLS
10/10/10	4:50	CHARLIE OLIVER
10/10/10	4:55	DAVID PETERSON
10/10/10	5:00	EVE QUINN
10/10/10	5:05	FRANK ROSS
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10/10/10	5:45	BOB CAMPBELL
10/10/10	5:50	ALICE COOPER
10/10/10	5:55	CHARLIE DAVIS
10/10/10	6:00	DAVID EVANS

ROTH INDUSTRIES AND ROTH GLOBAL PLASTICS
2026 EXPANSION PROJECT
288 BELLEW AVENUE SOUTH
CITY OF WATERLOO
JEFFERSON COUNTY, STATE OF NEW YORK

Phone: (818) 762-3005
Fax: (818) 762-1472Phone: (818) 762-3005
Fax: (818) 762-1472

These studies suggest a new target molecule in the treatment of epilepsy, lamotrigine. The first study was a phase I study involving 10 patients with epilepsy. The study was designed to evaluate the safety and efficacy of lamotrigine in the treatment of epilepsy. The study was conducted in a double-blind, placebo-controlled manner. The results of the study showed that lamotrigine was well tolerated and effective in the treatment of epilepsy. The second study was a phase II study involving 100 patients with epilepsy. The study was designed to evaluate the safety and efficacy of lamotrigine in the treatment of epilepsy. The study was conducted in a double-blind, placebo-controlled manner. The results of the study showed that lamotrigine was well tolerated and effective in the treatment of epilepsy. The third study was a phase III study involving 1000 patients with epilepsy. The study was designed to evaluate the safety and efficacy of lamotrigine in the treatment of epilepsy. The study was conducted in a double-blind, placebo-controlled manner. The results of the study showed that lamotrigine was well tolerated and effective in the treatment of epilepsy.

[illegible][illegible]



City of Watertown Zoning Compliance Certificate

City of Watertown, Planning and Community Development Dept.
245 Washington Street, Room 305, Watertown, NY 13601
Phone: 315-785-7740 Email: planning@watertown-ny.gov

Accela Application #:

Received:

For Planning and Community Development Department Use Only:

PROPERTY ADDRESS: 268 Bellew Avenue South

TAX PARCEL NUMBER: 9-43-105.000

ZONING DISTRICT: Industrial

PROPOSED USE: Building additions, paved storage areas and a parking lot addition

In accordance with the Zoning Ordinance of the City of Watertown, New York, the proposed use is:

☐ CONFORMING ☒ NONCONFORMING

Please Note: If this review determines the proposal to be nonconforming, the applicant has the right to seek a Variance from the Zoning Board of Appeals (ZBA) granting relief from the Zoning Ordinance. The ZBA is an independent board and all Variance applications carry a burden of proof on the part of the applicant. Submitting an application does not guarantee that the ZBA will grant a Variance.

This certificate alone does not constitute permission to undertake construction, nor does it take the place of any and all other potential required permits. The proposed action would require, minimally, approval for each of the following:

☐ None

☒ Building Permit

☐ Demolition Permit

☐ Use Variance

☒ Area Variance

☐ Special Use Permit

☒ Site Plan Review

☐ Waiver of Site Plan Approval

☐ Other

Notes:

See supplemental comments:

Application / Permit #: 2026-038

Reviewed by: Joseph Albinus

Signature: *Joseph Albinus*

Approved/Denied by: *Michael Albinus*

Date: 6/24/2026

2026-038 Supplemental Comments:

The applicant proposes to add new impervious surfaces, including areas for outdoor storage, expanded parking and two building additions that would put the lot coverage at 74%. Per section 310-21 of the Zoning Ordinance, the maximum lot coverage in an Industrial Zoned District is 60%. Therefore the proposed new impervious surfaces could be legal only with the relief of an Area Variance that increases the lot coverage maximum. Additionally, the applicant is proposing parking in the front yard which is prohibited per section 310-37 of the Zoning Ordinance. Therefore the proposed front yard parking could be legal only with the relief of an Area Variance that would allow for parking in the front yard.



JoAnn M. Wilder, Clerk
175 Arsenal Street
Watertown, NY 13601
(315) 785-3081

Jefferson County Clerk Recording Cover Sheet

Received From :

JAMES HEARY, ATTORNEY AT LAW
OFFICE MAILBOX
120 WASHINGTON ST, STE 500
WATERTOWN, NY 13601

Return To :

JAMES HEARY, ATTORNEY AT LAW
OFFICE MAILBOX
120 WASHINGTON ST, STE 500
WATERTOWN, NY 13601

First GRANTOR

JEFFERSON COUNTY IND DEV AGENCY

First GRANTEE

JEFFERSON COUNTY IND DEV AGENCY

Index Type : Land Records

File Number : 2006-00021552

Type of Transaction : Deed - (Other Property)

Recording Fee : \$0.00

Recording Pages : 4

The Property affected by this instrument is situated in Watertown-City Of, in the County of Jefferson, New York

Real Estate Transfer Tax

RETT # : 2029

Deed Amount : \$0.00

RETT Amount : \$0.00

Total Fees : \$0.00

State of New York

County of Jefferson

I hereby certify that the within and foregoing was recorded in the Clerk's office for Jefferson County, New York

On (Recorded Date) : 12/26/2006

At (Recorded Time) : 2:15:00 PM



Doc ID - 003053490004

JoAnn M. Wilder
JoAnn M. Wilder, Clerk



"AFFIDAVIT FILED"

This sheet constitutes the Clerk's endorsement required by section 319 of Real Property Law of the State of New York and conforms to Jefferson County local Law. THIS PAGE IS PART OF YOUR DOCUMENT AND IS NOT A BILL, ALL FEES HAVE BEEN PAID.

THIS INDENTURE

Made the 20th day of November Two Thousand and Six,

Between

Jefferson County Industrial Development Agency a public benefit corporation of the State of New York with offices at 800 Starbuck Avenue, Watertown, New York

Party of the first part

Jefferson County Industrial Development Agency a public benefit corporation of the State of New York with offices at 800 Starbuck Avenue, Watertown, New York

Party of the second part

Witnesseth that the parties of the first part in consideration of One and 00/100 Dollars (\$1.00) lawful money of the United States and other good and valuable consideration paid by the parties of the second part does hereby grant and release unto the parties of the second part their heirs, successors and assigns forever,

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Watertown, County of Jefferson and State of New York and further described in Schedule "A" attached hereto.

Together with the appurtenances and all the estate and rights of the parties of the second part their heirs, successors and assigns forever.

To have and to hold the premises herein granted unto the parties of the second part, their successors and assigns forever.

In Witness Whereof the party of the first part have hereunto set his hand and seal the day and year first written above.

In Presence of:

Jefferson County Industrial
Development Agency

By: James P. Fayle CEO

State of New York)
County of Jefferson)

On the 20 day of November, 2006, before me, the undersigned a notary public in and for said state, personally appeared James P. Fayle, personally known to me or proved to me on the basis of satisfactory evidence to be the individual who name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Lisa J. Brown
Notary Public
LISA J. BROWN
NOTARY PUBLIC, State of New York
No. 01BR5069444
Qualified in Clinton County
Commission Expires Nov. 25, 20 06

Hand: Atty Henry

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Watertown, County of Jefferson, State of New York and being more particularly described as follows:

BEGINNING at a $\frac{3}{4}$ " iron pipe found in the southwesterly street margin of Bellew Avenue South, said iron pipe being the most southeasterly corner of the parcel of land conveyed by Jefferson County Industrial Development Agency to Alteri Bakery, Inc. by deed recorded in the Jefferson County Clerk's Office in Liber 1706 at Page 257 on November 24, 1999;

THENCE S. $29^{\circ}-22'-53''$ E., along the southwesterly street margin of Bellew Avenue South, a distance of 411.54 feet to a point;

THENCE generally southerly, along the southwesterly street margin of Bellew Avenue South and along a curve to the right at a radius of 539.96 feet, a distance of 215.05 feet to a point, said point being situate a direct tie of S. $17^{\circ}-58'-17''$ E., 213.64 feet from the last mentioned point;

THENCE S. $47^{\circ}-55'-14''$ W., along the cutback line between the southwesterly street margin of Bellew Avenue South and the northerly street margin of Rail Drive a distance of 26.62 feet to a point;

THENCE N. $87^{\circ}-04'-46''$ W., along the northerly street margin of Rail Drive a distance of 785.18 feet to a point at the intersection of the cutback line connecting Rail Drive with the northeasterly street margin of Roundhouse Drive;

THENCE N. $42^{\circ}-04'-46''$ W., along the cutback line connecting the northerly street margin of Rail Drive with the northeasterly street margin of Roundhouse Drive a distance of 39.99 feet to point in the northeasterly street margin of Roundhouse Drive;

THENCE generally northwesterly, along the northeasterly street margin of Roundhouse Drive and along a curve to the left at a radius of 283.00 feet, a distance of 177.07 feet to a point, said point being situate a direct tie of N. $24^{\circ}-24'-19''$ W., 174.20 feet from the last mentioned point;

THENCE N. $42^{\circ}-19'-48''$ W., along the northeasterly street margin of Roundhouse Drive a distance of 91.12 feet to a point;

THENCE generally northwesterly, along the northeasterly street margin of Roundhouse Drive and along a curve to the right at a radius of 217.00 feet, a distance of 81.51 feet to $\frac{1}{2}$ " iron pipe found, said pipe being situate a direct tie of N. $31^{\circ}-34'-11''$ W., 81.03 feet from the last mentioned point;

THENCE N. $72^{\circ}-37'-41''$ E., a distance of 278.87 feet to a $\frac{3}{8}$ " rebar with cap found;

THENCE N. $69^{\circ}-15'-15''$ E., a distance of 201.91 feet to a $\frac{3}{8}$ " rebar with cap found;

THENCE N. $78^{\circ}-01'-38''$ E., a distance of 290.00 feet to the POINT OF BEGINNING.

CONTAINING 8.863 acres of land, more or less.

SUBJECT TO that portion of a 40' Sewer and Drainage Easement that lies along the northerly boundary line of the subject premises.

SUBJECT TO that portion of a 40' Drainage Easement that passes generally in a northerly-southerly direction through the above described premises.

SUBJECT TO any other rights or restrictions of record that may exist.

IT BEING the intent to describe a portion of the parcel of land conveyed by The Owasco River Railway, Inc. to City of Watertown by deed recorded in the Jefferson County Clerk's Office in Liber 1012 at Page 254, on February 7, 1986 and the parcel of land conveyed by City of Watertown to Watertown Local Development Corp. by deed recorded in the Jefferson County Clerk's Office at File Number 2003-12310 on August 1, 2003.

Schedule "A" Continued

Being the same premises described in a deed from Roth Industries, Inc. dated December 21, 2005 and recorded in the Jefferson County Clerk's office on December 28, 2005 as Instrument No. 2005-00021236, which deed had the above described premises as two parcels. The purpose of this deed is to describe these premises as a single parcel.



JEFFERSON COUNTY - STATE OF NEW YORK
GIZELLE J. MEEKS, JEFFERSON COUNTY CLERK
175 ARSENAL STREET
WATERTOWN, NEW YORK 13601

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT - DO NOT DETACH



INSTRUMENT #: 2016-00016766

Receipt#: 2016023323

Clerk: JN

Rec Date: 11/22/2016 03:39:06 PM

Doc Grp: DEE

Descrip: CORRECTIVE DEED

Num Pgs: 3

Rec'd Frm: JEFFERSON ABSTRACT CORPORATION

Party1: WATERTOWN CITY OF

Party2: LOCAL DEVELOPMENT CORP OF CITY
OF WATERTOWN

Town: WATERTOWN-CITY OF

Recording:

Cover Page	5.00
Recording Fee	30.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
Cross References	0.50
TP584	5.00
RP5217 All others - State	241.00
RP5217 - County	9.00

Sub Total: 310.50

Transfer Tax
Transfer Tax - State 0.00

Sub Total: 0.00

Total: 310.50

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****

Transfer Tax #: 1426

Transfer Tax

Consideration: 0.00

Total: 0.00

WARNING***

***Information may change
during the verification process
and may not be reflected on this
page

Gizelle J. Meeks
Jefferson County Clerk

Record and Return To:

SALINA ABSTRACT
SUITE 525 EMPIRE BLDG
472 SOUTH SALINA ST
SYRACUSE NY 13202

CORRECTIVE
BARGAIN & SALE DEED WITH COVENANT AGAINST GRANTOR

THIS INDENTURE, made the 7th day of November, 2016.

BETWEEN

City of Watertown, a Municipal Corporation organized under the laws of the State of New York with its municipal office located at 245 Washington Street, Watertown, New York 13601 Grantor,

And

Local Development Corporation of the City of Watertown, 800 Starbuck Avenue, Watertown, New York 13601 Grantee,

WITNESSETH, that the Grantor, in consideration of One (\$1.00) Dollar, lawful money of the United States and other good and valuable consideration, paid by the Grantee, does hereby grant and release unto the Grantee, its successors, heirs and assigns forever:

9 **ALL THAT TRACT OR PARCEL OF LAND** situate in the City of Watertown, County of Jefferson and State of New York and being more particularly described as follows:

BEGINNING at a 3/4" iron pipe found in the southwesterly street margin of Bellew Avenue South, said iron pipe also being the southeast corner of the parcel of land conveyed by Jefferson County Industrial Development Agency to Alteri Bakery, Inc., by deed recorded in the Jefferson County Clerk's Office in Liber 1706 at Page 257, on November 24, 1999;

THENCE S 29° 22' 53" E, along the southwesterly street margin of Bellew Avenue South, a distance of 411.54 feet to a point;

THENCE generally southerly, along the southwesterly street margin of Bellew Avenue South and a curve to the right at a radius of 539.96 feet, a distance of 215.05 feet to a point, said point being situate a direct tie of S 17° 58' 17" E, 213.64 feet from the last mentioned point;

THENCE S 47° 55' 14" W, along the cutback line between the southwesterly street margin of Bellew Avenue South and the northerly street margin of Street B (Rail Drive), a distance of 26.62 feet to a point;

THENCE N 87° 04' 46" W, along the northerly street margin of Street B (Rail Drive), a distance of 422.04 feet to a point;

THENCE N 00° 01' 56" E, a distance of 230.32 feet to a point;

THENCE N 22° 24' 44" W, a distance of 289.55 feet to a point in the southerly boundary line of the aforementioned Alteri Bakery, Inc. parcel;

THENCE N 78° 01' 38" E, a distance of 290.00 feet to the Point of Beginning.

CONTAINING 4.565 total acres of land, more or less.

SUBJECT TO a Storm and Drainage Easement along the northerly property line of the above described 4.565 acre ± parcel and a Drainage Easement along the westerly property line of said parcel, as shown on a map titled "Subdivision Final Plat of a Portion of the Land of City of Watertown, City Center Industrial Park (CCIP), Bellew Avenue South and Waterman Drive, City of Watertown, County of Jefferson, State of New York, dated November 15, 2000, prepared by GYMO, Architecture, Engineering & Land Surveying, P.C., Watertown, New York.

SUBJECT TO a certain Declaration of Covenants and Restrictions for the City of Watertown, City Center Industrial Park made effective July 17, 2003, which document may be filed before or after the recording of this Deed.

SUBJECT TO any other rights or restrictions of record that may exist.

(continued)

Page Two
Corrective Bargain and Sale Deed
With Covenant Against Grantor

IT BEING the intent to describe a portion of the parcel of land conveyed by the Owasco River Railway, Inc. to City of Watertown, by Quitclaim Deed recorded in the Jefferson County Clerk's Office in Liber 1012 at Page 254, February 7, 1986, as shown on a map titled "Survey Map of Parcels 2 & 3 of the Land of City of Watertown, City Center Industrial Park (CCIP), Bellew Avenue South, City of Watertown, County of Jefferson, State of New York, dated November 15, 2002, prepared by GYMO, Architecture, Engineering & Land Surveying P.C., Watertown, New York.

IT BEING the intention of this Corrective Deed to correct the name of the Grantee incorrectly described in a Bargain and Sale Deed with Covenant Against Grantor, recorded August 1, 2003, in the office of the Jefferson County Clerk as Instrument Number 2003-12310.

TOGETHER with the appurtenances and all the estate and rights of the Grantor, in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the Grantee, its successors, heirs and assigns forever. This Deed is subject to the Trust Provision of Section 13 of the Lien Law.

AND the said Grantor covenants that the Grantor has not done or suffered anything whereby the said premises have been encumbered in any way whatever.

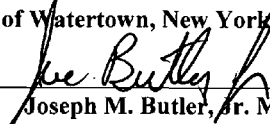
The words "Grantor" and "Grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the Grantor has executed this deed the day and year first above written.

In presence of:

City of Watertown, New York

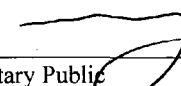
By:


Joseph M. Butler, Jr. Mayor

L.S.

STATE OF NEW YORK)
COUNTY OF JEFFERSON) ss.:

On this 7th day of November, 2016, before me, the undersigned, a notary public in and for said State, personally appeared Joseph M. Butler, Jr. personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

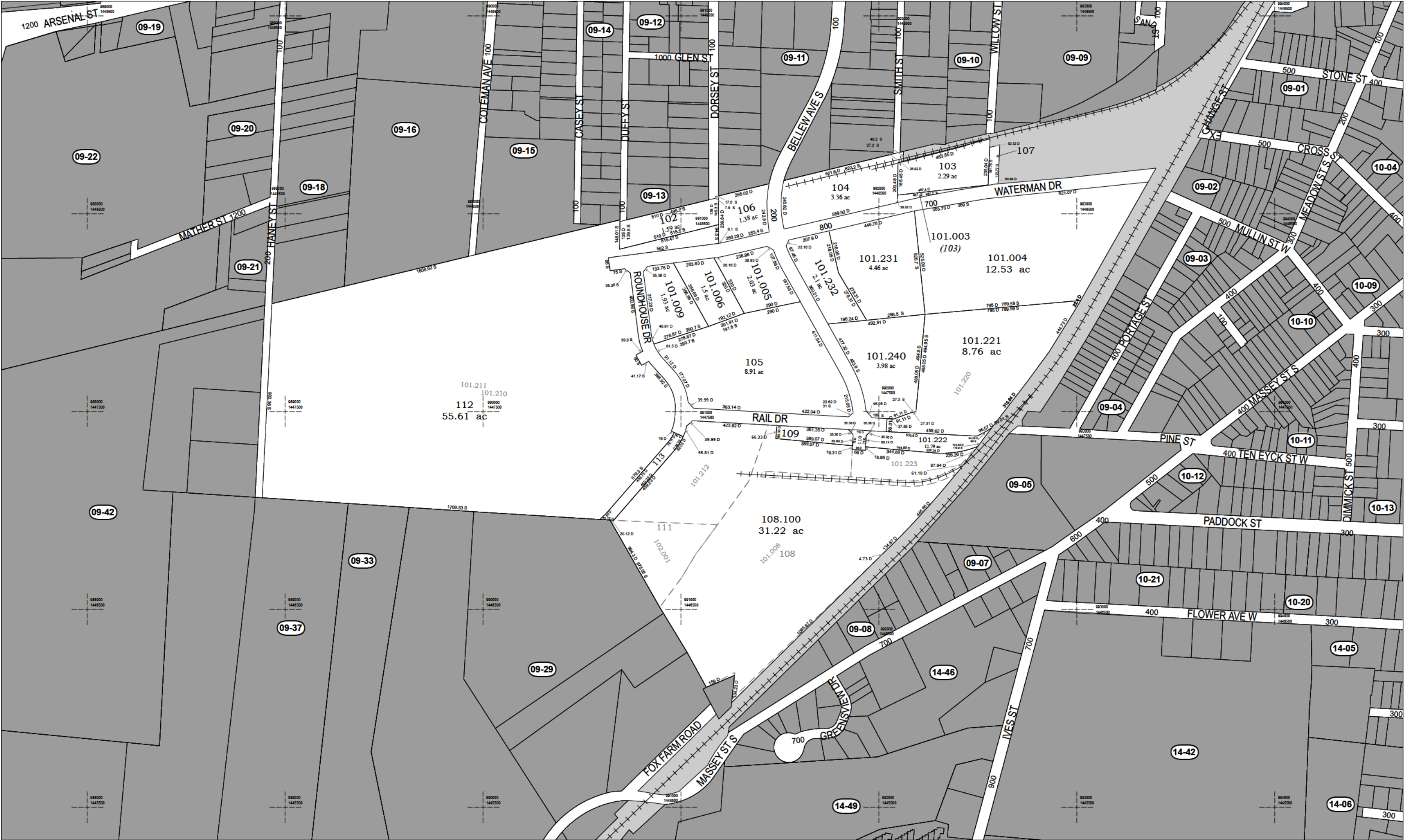

Notary Public

Commission Expires:

ROBERT J. SLYE
Notary Public, State of New York
Qualified in Jefferson County
Commission No. 4829641
Commission Expires Sept. 30, 20 17

Return Record Deed to:

Salina Abstract



Short Environmental Assessment Form

Part 1 - Project Information

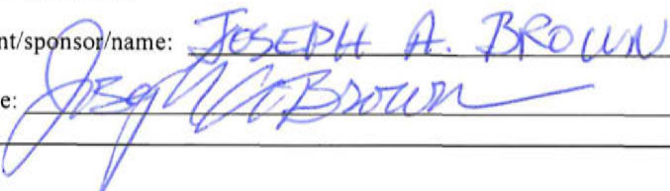
Instructions for Completing

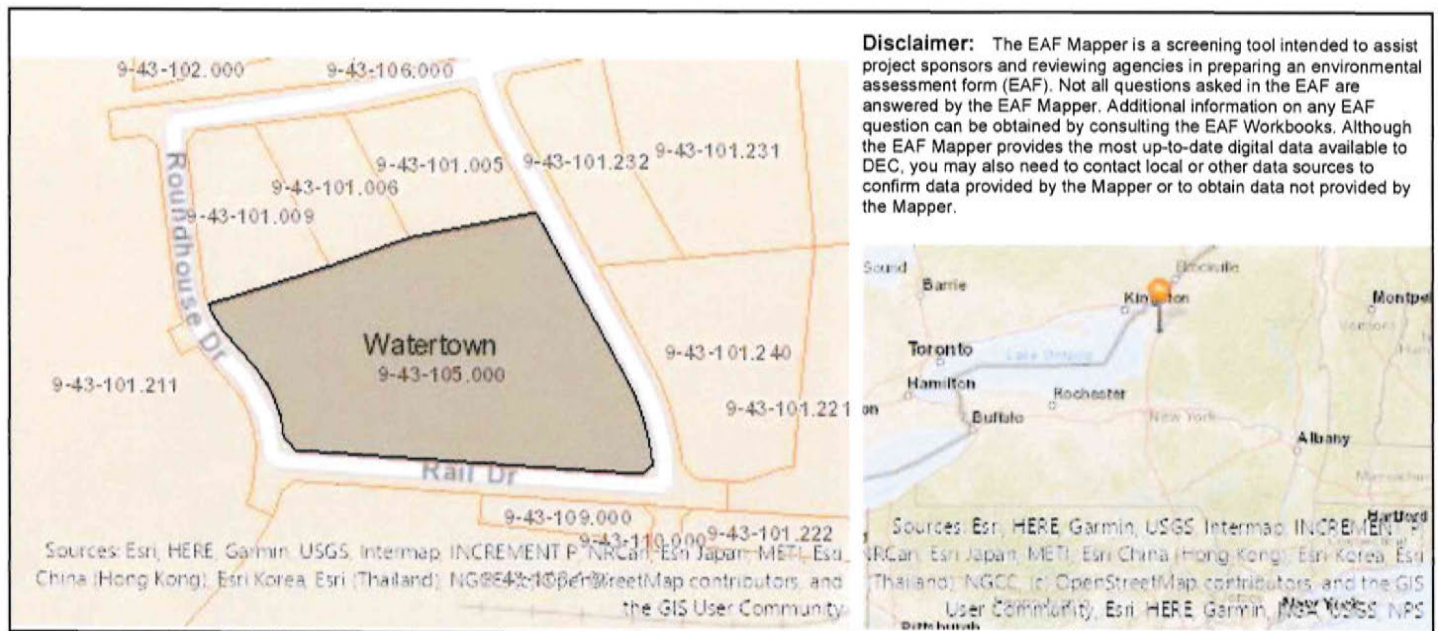
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 2026 Expansion Project			
Project Location (describe, and attach a location map): 268 Bellew Ave South, Watertown, NY - Jefferson County			
Brief Description of Proposed Action: The project includes two (2) building additions, expanded asphalt parking lot, reconfigured ADA parking spaces, asphalt entrance drive, expanded asphalt storage areas, chain link fence, relocated site light poles, and expanded infiltration basins.			
Name of Applicant or Sponsor: Roth Industries Inc. - Attn: Dave Gerber		Telephone: [REDACTED] E-Mail: [REDACTED]	
Address: 268 Bellew Avenue South			
City/PO: Watertown		State: NY	Zip Code: 13601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: City of Watertown Planning Commission - Site Plan Approval		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action?		8.86 acres	
b. Total acreage to be physically disturbed?		2.27 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		8.86 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☒ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ Building additions will connect to existing utilities (lighting, water, sewer, etc.) _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ Building additions will connect to existing utilities (lighting, water, sewer, etc.) _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☒	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☒	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Indiana Bat, Northern Long-...	NO	YES
	☐	☒
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☐	☒
	☒	☐
	☐	☒
The existing infiltration basins will be enlarged to treat the increase in stormwater runoff prior to discharging into the City municipal storm system		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>JOSEPH A. BROWN</u> Date: <u>6/23/2024</u> Signature: <u></u> Title: <u>PRESIDENT & CEO</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat, Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No