



MEMORANDUM

CITY OF WATERTOWN, NEW YORK
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
245 WASHINGTON STREET, ROOM 305, WATERTOWN, NY 13601
PHONE: 315-785-7741 – FAX: 315-782-9014

TO: Planning Commission Members

FROM: Michael A. Lumbis, Planning and Community Development Director

PRIMARY REVIEWER: Geoffrey T. Urda, Planner

SUBJECT: Sketch Plan Approval – 312 Gotham Street

DATE: December 29, 2023

Request: Sketch Plan Approval to construct a two-story 1,113 SF gross floor area building addition at **312 Gotham Street**, Parcel Number 11-02-224.000

Applicant: Michael J. Contryman

Proposed Use: Two-Unit Dwelling

Property Owners: Michael J. Contryman

Submitted:	
Project Description: Yes	Area Map: Yes
Site Plan: Yes	Site Topography Map: Yes

SEQRA: Type 2 Jefferson County 239-m Review: No

Zoning Information:	
District: Downtown	Maximum Lot Coverage: None
Setback Requirements: None	Buffer Zones Required: No

Project UPDATE: The applicant has submitted a revised building drawing that depicts the proposed garage door locations as both being on the west (rear) facade of the proposed building addition. This satisfies Summary Item 1, which the Planning Commission may remove.

The Zoning Board of Appeals (ZBA) tabled the applicant’s Use Variance request at its December 20, 2023, meeting after requesting further information and has set a special meeting for 5:30 p.m. on Wednesday, January 3, 2024, a half hour ahead of the Planning Commission meeting, at which the ZBA expects to vote on the Use Variance. Staff will communicate the ZBA’s decision at the Planning Commission meeting.

– COPY FROM ORIGINAL NOVEMBER 30, 2023 STAFF REPORT –

Project Overview: The applicant proposes to construct a two-story building addition on the rear (west) side of the existing two-unit dwelling at 312 Gotham Street. The ground floor addition would be 21' x 21.5' (451.5 SF) and the second story addition would be 21' x 31.5' (661.5 SF).

The existing dwelling contains one residential unit on the ground floor and the other unit on the second floor. The ground floor of the proposed building addition would be a garage for use by both units. The second floor of the proposed addition would become an additional bedroom for the upstairs unit.

Existing Conditions: The subject parcel (11-02-224.000) is a 0.21-acre lot that fronts Gotham Street. The parcel is 173 feet deep and the existing two-family dwelling is situated at the front of the parcel, set back approximately 20 feet from the Gotham Street sidewalk. The parcel contains a large rear yard that is mostly lawn.

The subject parcel is bounded on the south by a three-family dwelling with which the subject parcel shares a driveway. It is partially bounded to the north by another two-family dwelling that fronts Gotham Street. Most of the northern parcel boundary and the entire western (rear) boundary abut surface parking lots that respectively serve the American Legion, an apartment building and a mixed-use building, all of which front Sterling Street. The lands of the Dulles State Office Building make up much of the remainder of the subject block, which is formed by Washington, Sterling, Gotham and Academy Streets.

Vehicular and Pedestrian Circulation: Vehicular access to the subject parcel is via a shared driveway with the adjacent triplex at 318 Gotham Street. Tenants of both units on the subject parcel would use this driveway to access the proposed garage. Existing sidewalks on both sides of Gotham Street also serve the block and a concrete path connects the front door of the subject duplex to the sidewalk.

The drawings depict an orientation for the proposed garage with one garage door on the west (rear) façade and one on the south (side) façade, meaning that under the depicted orientation, the two vehicles parking in the proposed garage would enter via perpendicular entrances. This would create a situation where only an extremely compact car could use the south entrance, lest the two vehicles come into conflict with one another. The applicant shall be prepared to discuss the rationale for this orientation.

It merits consideration that while one of the current tenants might own a compact car today, the design should reflect the fact that both the owner and the tenants of this property may change in the future and have different needs than today. For this reason, Staff recommends that the applicant consider reorienting the proposed garage with both garage doors on the west (rear) façade of the building, particularly since the driveway must connect to the rear anyway and it would not involve additional paving. The applicant has communicated to Staff an openness to this change.

Zoning: The existing two-family dwelling use is not permitted in the Downtown District. Therefore, the subject property enjoys legal-nonconforming (“grandfathered”) status. Section 310-99 (A)(1)(a) of the City Zoning Ordinance states:

“A nonconforming use that existed at the time of adoption of this Chapter may be expanded within any portion of the existing structure in which it is located. It shall be prohibited to expand a nonconforming use beyond the area of the existing structure in which the use is located, unless granted a Use Variance from the Zoning Board of Appeals.”

The applicant has submitted a Use Variance request to the Zoning Board of Appeals, which the ZBA heard at its November 15, 2023 meeting and tabled, pending both additional information requested of the applicant. The ZBA will take the request from the table at its December 20, 2023 meeting.

The Downtown District does not contain any setback or lot area coverage restrictions.

Parking: The Downtown Zoning District does not allow surface parking spaces without a Transportation Demand Management Plan (TDMP). The surface driveway spaces that subject parcel presently utilizes also enjoy legal-nonconforming (“grandfathered”) status. However, the proposed transition from outdoor surface parking to indoor parking contained within the primary structure will bring the dwelling into harmony with the urban design intent of the Downtown District by reducing visible surface parking.

Engineering: The City Engineering Department has no concerns regarding site drainage or storm water implications resulting from the proposed building addition.

Lighting: The applicant did not submit a photometric plan. The applicant does propose wall-mounted lighting on the south and west faces of the proposed building addition.

Landscaping: The applicant did not submit a landscaping plan. It is normally the Planning Department’s practice to use the Site Plan review process to bring nonconforming parcels gradually into compliance. However, by granting a Sketch Plan Approval, the Planning Commission would be waiving the requirements of a full Site Plan review.

SEQR: The proposed building addition is considered a Type 2 Action under the State Environmental Quality Review Act (SEQRA) and requires no further environmental review. While a Use Variance constitutes an Unlisted Action, a coordinated review is not necessary and the ZBA will perform that review.

Miscellaneous: While the Zoning Ordinance does not contain any setback requirements in the Downtown District, the applicant is still responsible for meeting International Building Code. As such, since the northern face of the proposed addition would be within five (5) feet of a property line, the City’s Bureau of Code Enforcement will require the applicant to fire-rate this wall as a condition of a Building Permit. It is also necessary to fire rate the new internal wall that will connect the proposed addition to the rest of the dwelling.

Permits: The applicant has already applied for a Zoning Compliance Certificate. The applicant must also, minimally, obtain a Building Permit prior to construction.

Sketch Plan Approval (review and recommendation): The City’s newly adopted Zoning Ordinance contains a provision in Section 310-106: Site Plan Review Submission Procedures that enables the Planning Commission to grant Site Plan Approval based on a Sketch Plan, and without the full requirements of Site Plan Approval. Specifically, Section 310-106 (B)(2) of the Zoning Ordinance states:

“After staff review, upon referral to the Planning Commission, the Commission may determine that the information provided is sufficient to grant approval and may waive further Site Plan review and approve the Sketch Plan as agreed to by the applicant and the Planning and Community Development Department if the Commission determines that such approval is in the interest of the public health, safety, and welfare.”

Following Planning Staff’s review of the proposed two-story building addition, Staff recommends that the Planning Commission grant approval based on the Sketch Plan.

This recommendation represents the Planning and Community Development Department's agreement to the submitted Sketch Plan contingent on the Summary Items contained in this memorandum. It does not necessarily represent the final position of the Planning Commission, which must reach its own determination pursuant to the quoted Zoning clause above.

Summary: The following should be included in the motion to recommend approval:

1. ~~The applicant shall be prepared to discuss the rationale for the depicted orientation of the proposed garage door and should consider reorienting it with both garage doors on the west (rear) facade.~~
2. The applicant must fire-rate the northern exterior and eastern interior walls of the proposed addition and meet all other applicable building codes as a condition of obtaining a Building Permit.
3. The applicant must obtain a Building Permit prior to construction.

cc: City Council Members
Thomas Maurer, Civil Engineer II
Meredith Griffin, Civil Engineer II
Michael J. Contryman, 24142 County Route 54, Dexter, NY 13634



Above: A satellite view of the subject parcel and its surrounding lands.

Site Photos



Above: A view of the front of the existing two-unit dwelling on the subject parcel.

Below: A view of the shared driveway with 318 Gotham Street that provides vehicular access for both properties. The Dulles State Office Building is visible in the background.





Above: A view of the existing outdoor surface parking area looking west.

Below: A reverse shot of the existing outdoor surface parking area looking east.





Above: A view of the existing rear façade of the two-unit dwelling where the applicant proposes to construct the two-story addition. The applicant proposes to remove the existing lean-to roof and construct the upper floor addition to the existing second story façade.

