



# CITY OF WATERTOWN, NEW YORK

## CITY PLANNING BOARD

ROOM 304, WATERTOWN CITY HALL  
245 WASHINGTON STREET  
WATERTOWN, NEW YORK 13601-3380  
(315) 785-7740

MEETING: January 8, 2019

PRESENT:

Michelle Capone, Acting Chair  
Kerry Johnson  
Neil Katzman  
Linda Fields

ALSO:

Jennifer Voss, Senior Planner  
Michael DeMarco, Planner  
Geoffrey Urda, Planner  
Benjamin Arquitt, Civil Engineer I

ABSENT:

Larry Coburn  
Katerina Dermody

The January 8, 2019 Planning Board Meeting was called to order at 3:17 p.m. by Acting Planning Board Chair, Michelle Capone. Ms. Capone then called for a reading of the Minutes from the December 4, 2018 Planning Board Meeting. Ms. Fields made a motion to accept the minutes as written. Mr. Katzman seconded the motion and all voted in favor.

### **SUBDIVISION FINAL PLAT APPROVAL 101 PAWLING STREET, PARCEL NUMBER 13-02-116.000**

The Planning Board then considered a request submitted by Stephen J. Gracey, PLS on behalf of Richard and Darlene Goforth for a two-lot subdivision of 101 Pawling Street, Parcel Number 13-02-116.000.

Mr. Gracey, Professional Land Surveyor, attended to represent the request.

Ms. Capone noted that the Subdivision Request required the Planning Board to hold a Public Hearing, which was scheduled for 3:05 p.m., and asked since it was already several minutes past that time, if she should open the Public Hearing right away. Mr. Urda replied that going straight to the Public Hearing would be a good idea due to the late start. Ms. Capone then read the legal notice that had been published in the *Watertown Daily Times* and asked for public comment on the request.

Patrick Hickey, of 394 Pawling Street, approached the Planning Board.

Mr. Hickey began by saying that first and foremost, he wanted to state that the residents of Pawling Street were never notified of the proposal. He said he did not know the purpose of the applicant's request, but said there was concern among the residents of Pawling Street about the subject property being developed. Specifically, he said, they had concerns over drainage and the sewer system.

Mr. Hickey said that many years ago, that the City's original plan was to extend and rebuild the sewer lines because the lower half of Pawling Street does not connect to any sewer. He then added that the same situation was true for Moffett Street. Mr. Hickey then explained that the homes on Pawling Street that were connected to sewers had various different connections, including one home that was connected to the South Hamilton Street sewer. He said that any new development on Pawling Street would be a fair amount of new infrastructure for the City to take on.

Ms. Capone then noted that the application before the Planning Board at this meeting was solely a Subdivision, and that the applicant was not seeking permission to make any physical changes to the property at this time.

Mr. Hickey then said that being that the request was only for a Subdivision, site work was occurring on the property. He said that he took pictures earlier in the day and they were clearing trees. Mr. Hickey then said that he served on the Zoning Board of Appeals (ZBA), and when people pre-do things, the ZBA takes a large offence to that, as if it's an action the property owner has self-imposed. He then said that he had photographs with him that he took earlier in the day that depicted equipment on the site.

Mr. Hickey then reiterated that there was concern among the residents about drainage. He said Pawling Street had catch basins that were underutilized. Mr. Hickey explained that he had lived on Pawling Street for 40 years, and the area under consideration had always been swampy. He recalled that 35 years ago, the street had a sewer issue and the City's Department of Public Works (DPW) found a catch basin in the middle of the swampy area. He said that most of the water pools in that area and in the street itself.

Mr. Hickey reiterated that he had many questions. He said that he did not know if any entity could classify that area as a wetland or not, but it is definitely a swamp area. Mr. Hickey noted that wildlife travelled through that area and that Pawling Street is famous for deer herds that come down from the park and forage for food and developing the area would take that corridor away from them.

Mr. Hickey then reiterated that the biggest concern was the lack of notification. He said that no one on the 300 block was notified; that there was no notification that anything was going on. Ms. Capone asked Staff about notification protocols. Mr. Urda then explained that when the City receives a Variance, Zone Change or Special Use Permit request, it mails letters to all property owners within 100 feet of the proposed action. Mr. Urda then said that for minor Subdivision requests, the City's only notification responsibility was to publish a Public Hearing Notice in the *Watertown Daily Times*.

Mr. Hickey said that it was a slap in the face to Pawling Street residents not to be notified. He then said to the Planning Board members that it was a slap in the face to them for work to occur before approval. Ms. Capone then reminded everyone that the only request before the Planning Board at this time was for a Subdivision Approval.

April Clobridge of 351 Pawling Street then approached the Planning Board.

Ms. Clobridge began by saying that she had lived on Pawling Street for 32 years and said that she was not notified that something was going on across the street from her. She said that she already had a problem with drainage. Every time it rains hard, she said, water fills up her cellar. She then added that if trees in the area were cleared, she was afraid that even more water would fill her basement. She concluded by saying that Mr. Hickey had touched on everything else that she wanted to bring up.

David Goings, of 367 Pawling Street then approached the Planning Board.

Mr. Goings began by saying that he had lived on Pawling Street since October 1986, and at that time, there was no house across from his. He said that when Stan Hall originally dug the cellar for the house that went up across the street, it immediately filled up with water. Mr. Goings said that Mr. Hall then capped it and put a Cape Cod style house on top. He said that another acquaintance that formerly owned property on Pawling Street, Bonnie Dickinson, spent ten years trying to get her basement dry and that at one time there were trout swimming through the cellar.

Mr. Goings said that an underground river ran through that area, and he has talked to others about it, and before any construction occurred, that was something to consider because you would not want to redirect that river anywhere. Mr. Goings then referenced a Mr. Gosier that purchased a property on Moffett Street and was not allowed to put in a cellar because of that.

Mr. Goings then reiterated Mr. Hickey's earlier statement about sewer problems on Pawling Street. Mr. Goings explained that his sewer connection went off the back of his house and in a line such that he was not connected to Pawling. He then said that any new home would need to connect to Thompson Blvd.

Ms. Clobridge then asked the intended land use for the subject parcel. Before Mr. Gracey could answer, Ms. Capone reminded everyone that the only thing the Planning Board was considering at this meeting was the Subdivision request and that the Planning Board will look at this within those parameters. Ms. Clobridge then asked about approvals for future development. Mr. Urda then said that in the event of a future development request, that the City Engineering Department, represented at this meeting by Mr. Arquitt, would evaluate the area's hydrology as part of the review.

Ms. Capone then asked if there were any further comments from the public before she closed the Public Hearing. Ms. Clobridge asked what it meant to close the Public Hearing as far as record keeping went. Discussion then ensued about the whether the entire meeting was recorded in the minutes or just the Public Hearing, and Mr Arquitt explained that the entire

meeting would be recorded in the Planning Board minutes and available to review in the future. Hearing no further comments, Ms. Capone closed the Public Hearing at 3:35 p.m.

Mr. Gracey then offered to explain to the assembled public what his client proposed to do with the site. Ms. Capone suggested turning the large display map around so that the public could see it since the Planning Board Members had their own copies of the map.

After turning the map around, Mr. Gracey then said that Mr. Goforth purchased the subject parcel and proceeded to point out the area that Mr. Goforth intended to keep. He said that to his knowledge, he had not heard of any plans to develop the parcel and did not know why Mr. Goforth was cutting trees. Mr. Gracey then pointed out the area that Mr. Goforth proposed to convey to the adjacent landowner, John Ramus. Mr. Gracey concluded by identifying a setback violation that the proposed assemblages would bring into conformance.

Ms. Capone then asked if the Planning Board needed to complete Part 2 of the State Environmental Quality Review (SEQR) Short Environmental Assessment Form (EAF). Mr. Urda replied that they did because the Planning Board was the lead agency since Subdivision requests did not go to City Council. Mr. Urda also noted that the applicant had submitted a new Part 1 form, and the Planning Board could thus eliminate the first summary item.

Mr. Hickey then asked what Mr. Ramus's intentions were for the land that he was acquiring. Mr. Gracey replied that it was solely to clean up setbacks. Mr. Hickey then commented that it was just forest swamp.

The Planning Board then considered each question on Part 2 of the Short EAF one-by-one, answering no to all of them, thereby finding that the proposed action would not have a significant adverse impact on the environment. Ms. Capone then clarified that the reason the answers were no was because the proposed action was only a Subdivision.

Ms. Capone then said that the other summary items were that the applicant would need to follow through with both proposed subsequent assemblages and would need to submit a Request for Real Property Tax Law 932 Split form to the City Assessment Department.

Ms. Capone then asked about the City's procedures for notifying neighbors of proposed actions. Mr. Urda then said that as he mentioned before, when the City receives a Variance, Zone Change or Special Use Permit request, it mails letters to all property owners within 100 feet of the proposed action, but that for minor Subdivision requests, the City's only notification responsibility was to publish a Public Hearing Notice in the *Watertown Daily Times*. He then added that requests for Site Plan Approval and Waivers of Site Plan Approval do not trigger any notification requirements.

Ms. Capone then said that perhaps the City could review these notification processes. Mr. Katzman then said that he reads the *Watertown Daily Times* every day. Mr. Hickey then noted that the City's Information Technology (IT) Department was in the process of improving the City's web site, and that was an appropriate medium for notifications. Ms. Capone then said that when these rules were established, the *Watertown Daily Times* might have been the

primary medium for communications to the public and asked Staff to bring this to the IT Department's attention as they rebuild the City website.

Mr. Urda then said that in some cases, even if a notification were not required, Staff would still go beyond and mail notifications to property owners within 100 feet if there is a significant known public interest in the proposed action; that Staff does not always only do the minimum requirement. Ms. Capone then said that the website upgrades offered an opportunity. Mr. Gracey then said that, in the City's defense, publishing a Public Hearing Notice in the *Watertown Daily Times* was standard practice among all the towns and villages in the region.

Mr. Goings said that he did not read the *Watertown Daily Times*. Mr. Katzman then said that the *Watertown Daily Times* also published its content online. Mr. Goings replied that he did not go online either.

Ms. Fields then moved to approve the request submitted by Stephen J. Gracey, PLS on behalf of Richard and Darlene Goforth for a two-lot subdivision of 101 Pawling Street, Parcel Number 13-02-116.000, contingent upon the following:

1. The applicant must assemble the 0.08-acre northwestern section of the subject parcel with 337 Thompson Blvd, Parcel Number 13-02-115.007 by way of a new metes and bounds description that is filed with the County Clerk.
2. The applicant must assemble the 0.05-acre southeastern section of the subject parcel with 343 Thompson Blvd, Parcel Number 13-02-114.000 by way of a new metes and bounds description that is filed with the County Clerk.
3. After approval and prior to having the Clerk of the Planning Board sign the subdivision plat, the applicant shall fill out a Request for Real Property Tax Law 932 Split form.

Mr. Katzman seconded the motion and all voted in favor.

Mr. Katzman then moved to adjourn the meeting. Mr. Johnson seconded the motion and all voted in favor. The meeting was adjourned at 3:48 p.m.