

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

-----x  
ZONING BOARD OF APPEALS

PUBLIC HEARING

#570

Request for Area Variance to reduce the front yard setback in a Neighborhood Business District.

-----x  
ZONING BOARD OF APPEALS

PUBLIC HEARING

#571

Request for Area Variance to reduce the number of required parking spaces.

-----x  
245 Washington Street  
Watertown, New York 13601  
Wednesday, Sept. 25th, 2021

B E F O R E:

Chairperson: Samuel S. Thomas

Board Members: Patrick Hickey  
Christin Filippelli

Senior Planner: Jennifer Voss

City Planner: Geoffrey T. Urda

City Attorney: Christina Stone, ESQ.

REPORTED BY: Tiffany-Jo Ponce  
Court Reporter

## ZONING BOARD OF APPEALS

1 CHAIRPERSON THOMAS: Okay. I'd like  
2 to call the Zoning Board of Appeals  
3 meeting to order for the City of  
4 Watertown. We'll begin with attendance.

5 Patrick Hickey?

6 MR. HICKEY: Present.

7 CHAIRPERSON THOMAS: Allison  
8 Crossman, she is absent.

9 Christin Filippelli?

10 MS. FILIPPELLI: Present.

11 CHAIRPERSON THOMAS: Benjamin Grass,  
12 he is absent.

13 And let the record show that  
14 Jennifer Voss is present, City Planner,  
15 along with Geoff -- Mr. Geoff Urda, City  
16 Planner, and Ms. Christina Stone, City  
17 Attorney.

18 I'd like to take a moment to -- to  
19 read the public hearing notice, Notice of  
20 a Public Hearing Request for Variance of  
21 the Zoning Ordinance of the City of  
22 Watertown. Notice is hereby given that  
23 the Zoning Board of Appeals, City of  
24 Watertown, New York will meet on  
25 Wednesday, September 15th, 2021, at

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1 7:00 p.m. in the City Council Chambers on  
2 the Third Floor of City Hall, 254 [sic]  
3 Washington Street, Watertown, New York  
4 for the purpose of hearing two variance  
5 requests.

6 Variance Request Number 570 is for  
7 the property located at 701 Mill Street  
8 being Parcel Number 02-06-110.000  
9 submitted by Vishal Sudera to vary the  
10 regulations of Section 310-16 of the  
11 Zoning Ordinance pertaining to front yard  
12 setback requirements in a neighborhood  
13 business district.

14 Variance Request Number 571 is for  
15 the property located at 611 Main Street  
16 West being Parcel Number 01-14-125.000  
17 submitted by Credo Community Center for  
18 the Treatment of Addictions -- it says  
19 "additions." I believe it's addiction --  
20 Incorporated to vary the regulations  
21 of -- of 310-47A pertaining to the  
22 required number of parking spaces for an  
23 office building.

24 The meeting is open to the public.  
25 All unvaccinated attendees must wear a

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1 mask. Copies of the above requests are  
2 available for public inspection by  
3 contacting the Planning Department at the  
4 phone number above or given -- or by  
5 e-mail at [planning@watertown-ny.gov](mailto:planning@watertown-ny.gov).  
6 This is dated September 7th, 2021,  
7 Michael J. Demarco, Planner.

8 So first on the agenda is for Case  
9 Number 570, a petition for an area  
10 variance to decrease the front yard  
11 setback. You may -- please state your  
12 name and address for the record, and  
13 please speak into the microphone.

14 MR. SUDERA: Yes, sir.

15 Hi. Good evening, everyone.

16 CHAIRPERSON THOMAS: Would you mind  
17 bringing the microphone a little closer?  
18 I have --

19 MR. SUDERA: You can't hear?

20 CHAIRPERSON THOMAS: No, the whole  
21 piece. That would be great.

22 MR. SUDERA: Okay. That's good?

23 CHAIRPERSON THOMAS: Yeah.

24 MR. SUDERA: Okay. Thank you.

25 Good evening. My name is

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1 Vishal Sudera, and we got a variance for  
2 701 Mill Street, Watertown, New York  
3 13601.

4 CHAIRPERSON THOMAS: If you would  
5 like to take this opportunity to explain  
6 what you're planning on doing.

7 MR. SUDERA: Yeah. We -- there's  
8 existing pumps over there. We just want  
9 to put a canopy on the top so it will be  
10 safe for customers and everybody and  
11 especially in the snow time. And, like,  
12 if you guys all go to gas station, which  
13 you with go, you know. If it has a  
14 canopy, then you go; otherwise, nobody  
15 will come. You understand what I mean?  
16 Like, in the rainy and snow season  
17 and ...

18 We are not hurting any neighborhood,  
19 anything. The wires are on the other  
20 side of street. We just putting the  
21 canopy on the top of the existing two  
22 pumps. It's not that big gas station.  
23 It's small gas station. It's a  
24 neighborhood gas station, yeah.

25 CHAIRPERSON THOMAS: In reading the

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1 application, it's my understanding it  
2 would be 4 feet from the sidewalk;  
3 therefore, requiring a variance because  
4 it's 80 percent over what is allotted.  
5 And I do understand that has been a gas  
6 station --

7 MR. SUDERA: Yes, sir.

8 CHAIRPERSON THOMAS: -- I think for  
9 at least maybe --

10 MR. SUDERA: Fourteen years, maybe,  
11 yeah. Yeah, more than that.

12 CHAIRPERSON THOMAS: And it was  
13 the -- probably the last full-service  
14 station in the city.

15 MR. SUDERA: Yes, sir. Yes, sir.  
16 Yes, sir. He got so old, so he don't  
17 want to work anymore.

18 CHAIRPERSON THOMAS: I understand.

19 MR. SUDERA: Yeah, yeah. On one  
20 side, it is -- I know it was 4 feet, but  
21 it is a corner lot. Like, it has two  
22 streets. So on other side, it has a lot  
23 of space from the -- not from the Mill  
24 Street one; the other side, it has.

25 CHAIRPERSON THOMAS: On Gale Street?

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1 MR. SUDERA: Yeah, yeah.

2 CHAIRPERSON THOMAS: To the rear,  
3 there's parking?

4 MR. SUDERA: Yeah. No, no, other  
5 side. It has, like, farther lot, so  
6 there is lot of space from the other  
7 street to the canopy. But on this side  
8 is only 4 feet from that.

9 CHAIRPERSON THOMAS: Oh, I  
10 understand.

11 MR. SUDERA: Yeah, yeah, yeah. So  
12 that's what I want to say.

13 CHAIRPERSON THOMAS: Now, I  
14 understand that this will continue to  
15 serve as a -- you'll be offering gas?

16 MR. SUDERA: Yes, sir. Yes, sir.

17 CHAIRPERSON THOMAS: And will the  
18 pumps be changed out, or are you still  
19 going to use what's --

20 MR. SUDERA: No, we will change the  
21 pumps. It's so old, yeah. It is very  
22 old pumps, yeah.

23 CHAIRPERSON THOMAS: Will there be  
24 three selections? I think there's two  
25 now.

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1 MR. SUDERA: Now -- now there is  
2 only one -- one is coming, so he -- only  
3 that one gas. It is -- the tank is  
4 there. Everything is all good to go, but  
5 the pumps, I think -- DEC, everything, I  
6 checked. Everything is all right. But  
7 he don't have money. He said, I don't  
8 have money to put the super gas, because  
9 he can't sell it.

10 The gas business is, like, you have  
11 the every fourth day when you get the  
12 delivery, so he said, I can't do it.  
13 So -- but when we get -- we change the  
14 pumps and we get all three gases, like  
15 regular, super, and plus, yeah.

16 CHAIRPERSON THOMAS: Now, it's no  
17 longer going to operate as a service  
18 station, but as a convenience store?

19 MR. SUDERA: No, it is a garage, but  
20 we will make the garage into convenient  
21 store.

22 CHAIRPERSON THOMAS: Offering just  
23 basic products?

24 MR. SUDERA: Basic products like --  
25 like soda, chips, beer, cigarettes, yeah.



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1 Like, maybe in the future when the COVID  
2 is over, maybe make a little deli, too,  
3 over there for sandwiches and stuff,  
4 yeah.

5 CHAIRPERSON THOMAS: What will be  
6 your hours of operation?

7 MR. SUDERA: Seven to eleven --  
8 seven to ten, sir.

9 CHAIRPERSON THOMAS: 7 a.m.?

10 MR. SUDERA: To 10 p.m.

11 CHAIRPERSON THOMAS: To 10:00 p.m.

12 One of my concerns about the canopy --

13 And please chime in with questions  
14 if you have them, colleagues.

15 -- would be the drainage coming off  
16 the canopy.

17 MR. SUDERA: Yes, sir.

18 CHAIRPERSON THOMAS: Will it be  
19 going -- if you could explain how that  
20 will work, because I have concerns about  
21 it maybe coming too --

22 MR. SUDERA: How it is going to  
23 drain, it's all going to city drainage  
24 system, too. What the canopies do, like,  
25 they -- where the holes go in, so they

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1 put the drainage system right there, and  
2 it will go back to the city drain again.

3 CHAIRPERSON THOMAS: Okay. But  
4 coming off the -- the canopy, will it  
5 be -- my concern would be pedestrian --

6 MR. SUDERA: No, no, no. Like,  
7 suppose this is the area. So the poles  
8 will be in the middle, two poles. We  
9 don't need four poles or anything with  
10 new technology. So we need only two  
11 poles to go in, and the drainage will be  
12 right there by the two poles near to the  
13 pumps (indicating). It will not go to  
14 the street or anything. So --

15 CHAIRPERSON THOMAS: There won't be  
16 any --

17 MR. SUDERA: No, no.

18 CHAIRPERSON THOMAS: -- liquid  
19 coming --

20 MR. SUDERA: No, no, no.

21 CHAIRPERSON THOMAS: Okay.

22 MR. SUDERA: It is --

23 (Whereupon the court reporter requests  
24 the parties to speak one at a time.)

25 MR. SUDERA: It is like that, so it

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1 is down in the middle, the canopies. So  
2 all the water come in the middle and go  
3 to the drainage like that.

4 CHAIRPERSON THOMAS: Oh, I see.

5 MR. SUDERA: Yeah. It not goes to,  
6 like, outside, all of the pumps. Like,  
7 we open that Sunoco on Washington. It is  
8 same like everywhere.

9 Now, with the new canopies, like,  
10 with the fire things and everything, they  
11 don't even need any fire extinguisher on  
12 the top or anything. They have a cut-off  
13 switch, so you can shut it off,  
14 everything, in one switch if something --  
15 so it is very safe and sound.

16 CHAIRPERSON THOMAS: So if there  
17 were mechanical problems --

18 MR. SUDERA: Yeah, yeah, yeah. So  
19 even customer can shut down the system if  
20 he sees some fire happen or something  
21 happen, so they can switch off from  
22 the -- right on the canopy. They can  
23 shut all the gas, everything off, yeah.

24 CHAIRPERSON THOMAS: About  
25 lighting --

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1 MR. SUDERA: Yes, sir.

2 CHAIRPERSON THOMAS: -- my concerns  
3 would be, although it's a neighborhood  
4 business --

5 MR. SUDERA: Business, yes, sir.

6 CHAIRPERSON THOMAS: -- district,  
7 there are still parcels. There are homes  
8 where people reside.

9 MR. SUDERA: Yeah, yeah.

10 CHAIRPERSON THOMAS: How will that  
11 light --

12 MR. SUDERA: Actually, now, with  
13 this two pumps, they have a big light  
14 over there on the top, like a big, big  
15 one. Like, this size big (indicating).  
16 So it is more light consuming and more  
17 spreading than the canopy lights, because  
18 the canopy lights are LED. They only  
19 put, like, six lights that goes down.  
20 But this big thing, it is -- light is  
21 going all over neighborhood, yeah. So it  
22 is -- actually, now it is more brighten  
23 than we will do. We will do just on the  
24 pumps, but this one is spreading all  
25 over.

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1 CHAIRPERSON THOMAS: So --

2 MR. SUDERA: The existing light on  
3 the top of two pumps is a big, big light.  
4 It is, like, maybe, I think, very big.

5 CHAIRPERSON THOMAS: So the light  
6 will be reflected downward --

7 MR. SUDERA: Yeah, yeah.

8 CHAIRPERSON THOMAS: -- and not  
9 outward?

10 MR. SUDERA: Not outwards.

11 CHAIRPERSON THOMAS: Okay.

12 MR. SUDERA: Because I know that is  
13 neighborhood business. Like, I'm from  
14 India. We say if your neighbors are  
15 happy, you are happy, you know. You  
16 don't want to fight with neighbors, no.  
17 So the thing is, we -- I see, like, we  
18 want to put lights in the back, my guy  
19 who -- like, I said no. We don't want to  
20 light their houses. You know, they have  
21 their privacy, too. Yeah, so we aren't  
22 putting any lights. Only canopy lights  
23 will help us to light up in the front.  
24 We don't need any lights in the back or  
25 anything, too.

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1 MS. FILIPPELLI: This is  
2 self-serving, but are you still going to  
3 offer --

4 MR. SUDERA: No. Self-service, no.  
5 Sorry for --

6 MS. FILIPPELLI: It is self-service  
7 or no? You're going to have  
8 full-service?

9 MR. SUDERA: Full-service.

10 MS. FILIPPELLI: That's what I  
11 wanted to hear.

12 MR. SUDERA: Oh, no. Self-service.

13 MS. FILIPPELLI: Oh, oh.

14 MR. SUDERA: No, it is full-service  
15 now, full-service now.

16 MS. FILIPPELLI: Oh, I know. It's  
17 the only one.

18 MR. SUDERA: Yeah. He did this for  
19 40 years. I don't know.

20 MS. FILIPPELLI: So nobody is going  
21 to do full-service, huh?

22 MR. SUDERA: No, no, no. Can't do  
23 it.

24 MS. FILIPPELLI: Just lost my vote  
25 right there. I'm just kidding.

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1 MR. SUDERA: But it will be easier.  
2 They aren't even taking credit cards  
3 before. They are no chip readers. Now  
4 all, like, state regulations, like --

5 MS. FILIPPELLI: It will be an  
6 upgrade.

7 MR. SUDERA: Yeah. So people --

8 MS. FILIPPELLI: Do you plan on  
9 doing anything to the building,  
10 cosmetically?

11 MR. SUDERA: No, no, nothing.

12 MS. FILIPPELLI: I mean, if you want  
13 to do full-service, I'm all for that.

14 MR. SUDERA: I wish, I wish. I work  
15 three years in New Jersey; pump the gas  
16 when I come back from India, you know.  
17 It is tough.

18 MS. FILIPPELLI: Oh, I know.

19 MR. SUDERA: And the gas station has  
20 no canopy and --

21 MS. FILIPPELLI: Oh, I know. That's  
22 where I go for my gas.

23 MR. SUDERA: The readers are, like,  
24 old style.

25 MS. FILIPPELLI: Yeah.

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1 MR. SUDERA: Like, you have to  
2 watch. If somebody say \$5, you have to  
3 stay there to put \$5.

4 MS. FILIPPELLI: Yeah. It's just  
5 some great machines, though.

6 CHAIRPERSON THOMAS: Well, it is an  
7 old-style building and it has character,  
8 and it fits into the --

9 MS. FILIPPELLI: Oh, it's beautiful.

10 CHAIRPERSON THOMAS: -- fits in the  
11 neighborhood. I know we are not supposed  
12 to be judging that, but when you go by, I  
13 mean, it's something I remember going  
14 back to in my --

15 MR. SUDERA: I actually thinking to  
16 put the name under Mr. Russell's, if he  
17 let me, you know. So he -- his wife is  
18 so nice. She said, "Make my gas station  
19 good."

20 I say, "I promise. I try my best."  
21 So I will put the market name as  
22 Russell's market, too, if they agree. I  
23 think they will agree.

24 CHAIRPERSON THOMAS: It's an  
25 institution in the city. It's been



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1 around for -- I remember Harold from my  
2 granddad years ago.

3 Questions?

4 MR. HICKEY: The walk-in coolers  
5 that you have --

6 MR. SUDERA: Oh, yeah, yeah. We are  
7 putting walk-in cooler on the right side  
8 to the building.

9 MR. HICKEY: Yeah, I see that.

10 MR. SUDERA: Yeah, yeah.

11 MR. HICKEY: So that is going to be  
12 an add-on to the building itself?

13 MR. SUDERA: No, it is not add-on,  
14 like -- yeah, you can say add-on. But it  
15 will be not inside. It's outside. Yeah,  
16 10 feet by 44 feet.

17 MR. HICKEY: That leaves it down to  
18 13 feet.

19 CHAIRPERSON THOMAS: And that's  
20 going to be towards the back end of the  
21 building, the coolers?

22 MR. SUDERA: On the right side when  
23 you go north on Mill Street. So it will  
24 be on the right side of the building.

25 CHAIRPERSON THOMAS: I know that's

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1 something we really are not voting on --

2 MR. SUDERA: Yes, sir.

3 CHAIRPERSON THOMAS: -- this  
4 evening. We're just voting on the  
5 setback. Our concern is because of the  
6 variance request --

7 MR. SUDERA: Yes, sir. Yes, sir.  
8 Yes, sir.

9 CHAIRPERSON THOMAS: -- to the  
10 sidewalk. So that's ...

11 Now, the fencing that is on the --  
12 kind of -- it's on the north end of the  
13 property -- I think it's a chain-link  
14 fence -- will that remain or ...

15 MR. SUDERA: Yeah. Everything will  
16 be -- not changing any fencing or  
17 anything.

18 CHAIRPERSON THOMAS: Have you had  
19 any feedback from your neighbors? I know  
20 they see you -- I see that you --

21 MR. SUDERA: Yeah. A lot of people  
22 asking, when you guys opening, you know.

23 I says, it will take time. Because  
24 of COVID, too, you order something, it  
25 takes two, three months, now four months,

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1           yeah.  Some, like, parts -- like in this  
2           gas station, I order a chip reader.  
3           It's, like, five months now can't get it.  
4           So it will take, like, three, four --  
5           people asking.  People asking, when you  
6           guys opening?  So that's good.

7                         CHAIRPERSON THOMAS:  Questions?  
8           Concerns with the canopy and the setback?

9                         MR. HICKEY:  The only concern I  
10          would have is how close it is to the  
11          sidewalk.  Right now, there's nothing  
12          there, obviously.  I'm just wondering if,  
13          you know, that wind -- that load values,  
14          wind values ...

15                        CHAIRPERSON THOMAS:  I mean, what --  
16          when we -- when we're using the term like  
17          a "wind load," how much wind could that  
18          canopy take in miles-per-hour, for  
19          instance?  I mean --

20                        MR. SUDERA:  But I ask, like, three,  
21          four contractors, so this is -- this will  
22          be safe.  Like, it is very safe, so it  
23          will be not blowing up.  I know that one  
24          blow up on the Coffeen Street before,  
25          like, last year.  So it will be safe,

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1                   yeah.

2                   MS. FILIPPELLI: That would go  
3 through Codes, no?

4                   MS. VOSS: Yeah, that's Codes.

5                   MS. FILIPPELLI: Would Codes --  
6 Codes would do all that. I mean, they  
7 would make sure that's all appropriate.

8                   MR. SUDERA: Yeah. So --

9                   MR. URDA: Codes would verify that  
10 it adheres to building code.

11                   MS. FILIPPELLI: Oh, okay. Yeah, so  
12 we --

13                   MR. URDA: New York State goes by  
14 International Building Code, so I don't  
15 know about it, but Dana does.

16                   CHAIRPERSON THOMAS: Okay. So  
17 although it --

18                   MR. SUDERA: I have -- I have a  
19 couple examples. Like, they have build  
20 like that before. Like, my gas station,  
21 Sunoco, it is just -- actually, we are  
22 more further canopy than this one. I can  
23 show you a picture if you want to see.

24                   You want to see, sir?

25                   MR. HICKEY: Yeah, please.

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1 MR. SUDERA: Like, this is ours over  
2 here at the Sunoco. It is right on the  
3 sidewalk over there, and this is for the  
4 Stewart's next door. Actually, they are  
5 not even 1 foot from the sidewalk  
6 (indicating).

7 MS. FILIPPELLI: Right.

8 MR. SUDERA: They -- it is hanging  
9 over there, on the both sides of street,  
10 yeah.

11 CHAIRPERSON THOMAS: This is also  
12 similar to State --

13 MS. FILIPPELLI: Yeah, absolutely.

14 CHAIRPERSON THOMAS: I mean, because  
15 some of these -- I know the one on State  
16 Street is an old-time gas station.

17 MR. SUDERA: Yeah, yeah. I know, I  
18 know. No, I just wanted to show you,  
19 like, it would be safe.

20 CHAIRPERSON THOMAS: But we have to  
21 consider our requests --

22 MS. FILIPPELLI: I know it, I know  
23 it.

24 CHAIRPERSON THOMAS: Okay. Have  
25 that entered into the record. Great.

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1 Thank you.

2 Are there further questions?

3 MR. HICKEY: No.

4 CHAIRPERSON THOMAS: Mr. Urda,  
5 City's position?

6 MR. URDA: No further comments from  
7 the Planning Department, only that if you  
8 do wish to vote tonight, you'll have to  
9 consider the SEQR form; although,  
10 it's ...

11 MS. VOSS: No. It's an area  
12 variance.

13 MR. URDA: Yeah. I don't know  
14 why -- Ms. Voss is correct. It's an area  
15 variance, so I don't know why this was  
16 included. But no, you would be free to  
17 vote.

18 CHAIRPERSON THOMAS: Okay. So we  
19 don't do the SEQR or we do?

20 MS. VOSS: No.

21 MR. URDA: No.

22 CHAIRPERSON THOMAS: Ms. Stone?

23 MS. STONE: I have nothing, no  
24 comments at all.

25 CHAIRPERSON THOMAS: Normally, we

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1 meet on the third Wednesday of the month.  
2 We are going -- and we can make the  
3 decision either tonight or at next  
4 month's meeting, which I believe is  
5 planned for --

6 MR. SUDERA: Yes, sir. Yes, sir.

7 CHAIRPERSON THOMAS: -- Thursday,  
8 October 14th.

9 Is that --

10 MR. URDA: That's correct.

11 CHAIRPERSON THOMAS: So I'm not sure  
12 how my colleagues feel about this, but  
13 you must keep in mind, we are a  
14 three-member board this evening. And  
15 because of that, one no vote could negate  
16 this request. So we are absent of two  
17 board members, so I want you to keep that  
18 in mind.

19 MR. HICKEY: I'm open to voting.

20 CHAIRPERSON THOMAS: Are you open to  
21 vote tonight?

22 MR. HICKEY: Yes.

23 CHAIRPERSON THOMAS: I mean, are  
24 you -- do you feel comfortable with this?

25 MR. HICKEY: I feel comfortable with

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1 that.

2 MS. FILIPPELLI: Absolutely.

3 CHAIRPERSON THOMAS: Okay. I need a  
4 few -- we're going to vote then.

5 THE WITNESS: Yes, sir. Yes, sir.

6 CHAIRPERSON THOMAS: Have you  
7 received any comment from neighbors?

8 MR. URDA: Mr. Demarco spoke with  
9 two neighbors that reached out to him,  
10 the adjacent property owners at 709 Mill  
11 Street and of 110 Gale Street. Both of  
12 them expressed concerns with increased  
13 traffic to the -- the convenience store,  
14 but that is not relevant to the area  
15 variance that you're -- you're  
16 considering tonight. It's a  
17 completely -- it's unrelated.

18 CHAIRPERSON THOMAS: Okay. Very  
19 good. Well, could we take just a few  
20 minutes to break while I finish preparing  
21 this?

22 (Whereupon a brief recess was taken.)

23 CHAIRPERSON THOMAS: Okay. We are  
24 ready to begin the vote. Well, we need  
25 to go through this, and then we'll



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1 continue on with the meeting.

2 I have considered the following for  
3 an area variance request located at  
4 701 Mill Street to reduce the front yard  
5 setback requirements for the purpose of  
6 constructing a canopy to cover existing  
7 gas pumps located in the front yard of a  
8 former automobile repair shop and gas  
9 station located in a neighborhood  
10 business district. This business has  
11 been in existence for many years, and it  
12 predates the Zoning Ordinance and,  
13 therefore, qualifies for a nonconforming  
14 or grandfathered status and is allowed to  
15 remain in operation.

16 I do feel the requested variance is  
17 substantial as the construction of the  
18 canopy will require a front yard setback  
19 from the sidewalk of 4 feet or an  
20 80 percent reduction of the current front  
21 yard setback, which is supposed to be  
22 20 feet, although the building is located  
23 35 feet from the property line and the  
24 gas pumps are approximately 20 feet from  
25 the sidewalk. However, the benefit to

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1 the applicant cannot be achieved by some  
2 other means, especially since the layout  
3 of the building and pumps have remained  
4 the same since the construction of the  
5 building, which I believe was many  
6 decades ago.

7 I do not feel this is a self-created  
8 hardship, nor will it negatively impact  
9 the neighborhood. Considerations have  
10 been given, such that lighting will be  
11 aimed downward and not outward and,  
12 therefore, should not be interfering with  
13 residents -- residential portion of that  
14 neighborhood.

15 There are also safety features that  
16 have been incorporated into the canopy to  
17 ensure that customers are not exposed,  
18 obviously, to the weather conditions, but  
19 also in case there's mechanical failures  
20 with the pumps; they automatically shut  
21 down.

22 With that being said, I vote yes to  
23 the area variance request for 701 Mill  
24 Street to allow the construction of a  
25 canopy over the gas pumps to be 4 feet

## ZONING BOARD OF APPEALS

1 away from the sidewalk.

2 Ms. Filippelli?

3 MS. FILIPPELLI: Oh, was I on the  
4 whole time? I'm so sorry.

5 Although disappointed about the lack  
6 of full-service -- I'm not going to let  
7 you live that down -- I am looking  
8 forward to the upgrades that you're  
9 offering the area and believe your  
10 improvements will not only enhance the  
11 area, but make it safer, and you will be  
12 offering conveniences to the area  
13 residents. I vote yes on Area  
14 Variance 570.

15 CHAIRPERSON THOMAS: Thank you.

16 Mr. Hickey?

17 MR. HICKEY: This is in regards  
18 to -- to Variance Number 570 for a front  
19 yard setback, 701 Mill Street. For an  
20 area variance request, it requires five  
21 bullets.

22 The first one is the dimensional  
23 alteration is not out of place in the  
24 neighborhood. There is another gas  
25 station at the corner of Mill that has a

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1 canopy, so this certainly fits within  
2 that same block and threshold.

3 There are no alternative positions  
4 or dimensional alternates that they could  
5 use in order to do that placement,  
6 because of the location of the gas pumps  
7 are not being changed.

8 The third point is although it is  
9 beyond our normal 15 percent rule, it is  
10 a common practice with -- with petroleum  
11 locations where they disburse gasoline  
12 into cars. Most current practice is to  
13 have a canopy. It is an 80 percent  
14 reduction in the area area from a 20-foot  
15 setback to a 4 -- although, it is  
16 overhead -- should not impact that  
17 location too badly.

18 And I don't consider the increase in  
19 traffic volume because of the convenience  
20 store. I believe it's not going to  
21 exceed the normal road travel that's on  
22 Mill Street as it is, and that is a  
23 fairly large main throughfare that the  
24 city has.

25 And since no construction canopy has

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1           been made, I do not consider it a  
2           self-created difficulty. And I vote yes  
3           to Number 570 Area Variance.

4                   CHAIRPERSON THOMAS: Thank you,  
5           Mr. Hickey.

6                   Your variance has been granted. You  
7           have three yes votes, so you may continue  
8           with your permit process.

9                   And will he be seeing Mr. Demarco  
10          or ...

11                   MR. URDA: Mr. Demarco will be  
12          mailing them the letter, yes.

13                   CHAIRPERSON THOMAS: Okay.

14                   MR. URDA: But if each of you had  
15          ten seconds to sign this, I could give  
16          the applicant a copy before he leaves.

17                   CHAIRPERSON THOMAS: Okay. Sounds  
18          good.

19                   MS. FILIPPELLI: Thank you.

20                   MR. SUDERA: Okay. Thank you so  
21          much, everybody. Thank you.

22                   MS. FILIPPELLI: Thank you.

23                   MR. SUDERA: And if you need gas, I  
24          will pump your gas. At Sunoco, too,  
25          like, if I see -- I'm sitting in the

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1 office, I just --

2 MS. FILIPPELLI: I believe you.

3 MR. SUDERA: If somebody need help  
4 or something, I run from the back to help  
5 them out, yes.

6 Thank you so much.

7 CHAIRPERSON THOMAS: Next on the  
8 agenda is File Number 571, 611 Main  
9 Street West, Parcel Number 01-14-125.00,  
10 petition for an Area Variance to decrease  
11 required number of parking spaces.

12 You may begin. Please state your  
13 name for the record and ...

14 MR. MORGIA: Matt Morgia, Civil  
15 Engineer at Aubertine & Currier,  
16 522 Bradley Street, Watertown, New York.  
17 Also here tonight is John Wilson,  
18 Executive Director of Credo. Between the  
19 two of us, hopefully we can answer any  
20 questions.

21 The site plan is depicted on the  
22 easel. West Main Street at the top of  
23 the page, the existing building across  
24 the lower portion of the page, and the  
25 parking lot is illustrated in gray above

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1 the building.

2 The green illustration is depicting  
3 what is being proposed to be installed  
4 for topsoil and lawn area and  
5 landscaping. Currently, it's a sea of  
6 asphalt across the entire property with  
7 the exception of a little bit of green  
8 along the northwest end of the building  
9 where the utilities come into the  
10 property.

11 So there will be some grass  
12 installed between the sidewalk and the  
13 parking along the Mill Street -- or West  
14 Main Street frontage and a small strip  
15 around the perimeter of the building on  
16 the street side and both the west and  
17 east side. The backside will remain  
18 stoned as that is a right-of-way to the  
19 neighboring property.

20 There are two -- or there are a  
21 total of four driveways to the property;  
22 two exist in the central portion of the  
23 property and will be closed and  
24 terminated. That will allow some  
25 additional parking spaces to be created

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1 over what exists now. And the layout, as  
2 depicted on this, is depicting 61 spaces.  
3 That's about the maximum we've been able  
4 to get onto this piece of property.

5 Just a quick summary of it. We're  
6 ready for any questions.

7 CHAIRPERSON THOMAS: It's my  
8 understanding that you're supposed to  
9 have 100 parking spaces. You want to  
10 reduce that to 61, which is a 39 percent  
11 reduction. You know, given the volume of  
12 traffic, what would be the greatest  
13 number -- I know it's hard to determine  
14 that -- the greatest number of cars that  
15 you would expect to be on that property?

16 MR. MORGIA: They're still  
17 collecting numbers. The -- their  
18 existing administration building is next  
19 door, and that is currently where they  
20 operate these types of clinical services,  
21 so those patients will be moving next  
22 door.

23 A certain number of the staff from  
24 this facility --

25 You said ten, John, approximately?



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1           -- would be shifting over to this  
2 building. And then ten additional that  
3 are from a different site would be moving  
4 to this building, so roughly 20  
5 employees. So if they're parking in the  
6 61 spaces, it leaves 40 others.

7           They're still gathering information  
8 on the number of patients that drive  
9 versus get dropped off. They're thinking  
10 it's roughly a 50/50 split, but they're  
11 still gathering those numbers. But the  
12 40 additional spaces that would be there  
13 that wouldn't be utilized by staff is  
14 believed to be more than sufficient to  
15 serve the peak day of clientele at this  
16 facility.

17           MS. FILIPPELLI: What are the hours  
18 that this facility would be open?

19           MR. WILSON: We're open seven -- or  
20 six days a week, 6:30 a.m. to 7 p.m.  
21 until Thursday, and then on Friday, we  
22 close at 5.

23           MS. FILIPPELLI: Okay.

24           MR. WILSON: I think -- if I can add  
25 to that, the piece that is noteworthy is

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1           that we're providing all our clinical  
2           services today at 595, which is the  
3           building next door. And it will  
4           become --

5                   CHAIRPERSON THOMAS: Would you  
6           please --

7                   MR. WILSON: Yeah, sure.

8                   CHAIRPERSON THOMAS: Sorry. She has  
9           to record your --

10                   MR. WILSON: It will become one  
11           large campus, so we're already providing  
12           the services that would move into this  
13           building at 595. So really, it's going  
14           to create an additional 40 parking spaces  
15           for what we're already doing, just we're  
16           going to take the old production limited  
17           space and make it into a new facility.  
18           That's what's proposed.

19                   MR. HICKEY: The building that  
20           you're currently using, what kind of  
21           parking availability is in the current  
22           one?

23                   MR. WILSON: How many spaces? I  
24           don't know. Off the top of my head, I  
25           don't. But we -- we are currently using

## ZONING BOARD OF APPEALS

1 ten spaces in front of the 611 space to  
2 provide the services that are in 595 --

3 MR. HICKEY: Next door.

4 MR. WILSON: -- plus -- plus the  
5 spaces that --

6 MR. HICKEY: Plus.

7 MR. WILSON: Yeah.

8 MS. FILIPPELLI: For a while,  
9 though, you had the canopies outside;  
10 correct?

11 MR. WILSON: That was for COVID.

12 MS. FILIPPELLI: Yeah. You probably  
13 lost some spots.

14 MR. WILSON: Yeah.

15 MS. FILIPPELLI: I think it's great  
16 that you guys are reutilizing the  
17 building instead of tearing it down. I  
18 think that's awesome.

19 MR. WILSON: Yeah. It's a great --  
20 it's a great building, actually.

21 MS. FILIPPELLI: Yeah.

22 CHAIRPERSON THOMAS: So when you're  
23 looking at the two buildings, what would  
24 be the rough -- a total number of parking  
25 spaces between ...

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1 MR. MORGIA: We don't know the  
2 count. We did not count what was in the  
3 existing building. But as they currently  
4 operate, they maximize this building,  
5 plus approximately ten in this facility  
6 (indicating).

7 So an additional ten people would be  
8 coming from somewhere else, so we know  
9 that there's 20 that are going to get  
10 used. That leaves another 40 for  
11 patients.

12 MS. FILIPPELLI: Well, we could  
13 probably figure it out. What's the  
14 square footage of the 595 building?  
15 Because right here, we can figure it out,  
16 right, if it's five parking spaces for  
17 each thousand square feet? I mean --

18 MS. VOSS: There could be more --

19 MS. FILIPPELLI: -- I won't figure  
20 it out because --

21 MS. VOSS: There could be more than  
22 that, though.

23 MS. FILIPPELLI: No, but I was  
24 saying we could figure out how much is in  
25 that space. I'm not doing that. I'm not

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1 good at math.

2 MR. WILSON: We could figure out how  
3 much would be required --

4 MS. FILIPPELLI: Yeah.

5 MR. WILSON: -- at 595, but I don't  
6 know if that's necessarily how many are  
7 there. I couldn't tell you whether that  
8 facility received a variance or not.  
9 There's at least 40 parking spots because  
10 we go all the way back to the river on  
11 the --

12 MS. FILIPPELLI: I was going to say,  
13 yeah, it's --

14 CHAIRPERSON THOMAS: From the rear  
15 of the building?

16 MR. WILSON: Yeah.

17 MS. FILIPPELLI: I'm just trying to  
18 problem solve.

19 CHAIRPERSON THOMAS: Applicants  
20 are -- people, clients that are using the  
21 facility would be an age range from teen  
22 to --

23 MR. WILSON: Did you say age range?

24 CHAIRPERSON THOMAS: Yeah, age  
25 range.

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1 MR. WILSON: 16 to 100.

2 CHAIRPERSON THOMAS: Okay.

3 MS. FILIPPELLI: Is there a bus stop  
4 anywhere?

5 MR. WILSON: There is.

6 MS. FILIPPELLI: Yeah, I felt like  
7 there was.

8 MR. WILSON: There's a bus stop  
9 right --

10 MR. MORGIA: (Indicating.)

11 MR. WILSON: Yep.

12 CHAIRPERSON THOMAS: In your  
13 experience, have many clients utilized  
14 the bus?

15 MR. WILSON: Absolutely.

16 MR. MORGIA: Yeah. That's some of  
17 the parking numbers that they're trying  
18 to gather.

19 MR. WILSON: It's been -- you know,  
20 we use -- there's a lot of our clients  
21 that use MAS and VTC to come on -- on  
22 location. And, you know, like, we have  
23 clients that come in from Lewis County as  
24 well to our OTP clinic, and they'll bring  
25 them in one vehicle, pick up five or

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1                   seven of the folks and bring them -- six,  
2                   yeah, in the van.

3                   CHAIRPERSON THOMAS:   When do you  
4                   hope to be in that new space?

5                   MR. WILSON:   When do we hope to be  
6                   in it?

7                   CHAIRPERSON THOMAS:   Yeah.

8                   MR. WILSON:   We hope to break ground  
9                   in April and be in the following October.  
10                  That's -- that's what the plan is.

11                  CHAIRPERSON THOMAS:   So a long  
12                  range, about a year?

13                  MR. WILSON:   Yeah.

14                  CHAIRPERSON THOMAS:   Any -- I know  
15                  there's a great deal of information that  
16                  you probably want to gather regarding  
17                  some of the questions that were posed  
18                  here tonight regarding maximum number of  
19                  parking spaces --

20                  MR. WILSON:   Sure.

21                  CHAIRPERSON THOMAS:   -- and so  
22                  forth.  Again, we're meeting October  
23                  14th.  Do you feel you need more time,  
24                  because this hearing can be kept open, if  
25                  you -- because that's just in three weeks

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1 or ...

2 MR. WILSON: That's enough time.

3 CHAIRPERSON THOMAS: Questions?

4 MS. FILIPPELLI: No.

5 CHAIRPERSON THOMAS: Mr. Hickey?

6 MR. HICKEY: I think we're good.

7 CHAIRPERSON THOMAS: I have to  
8 agree. It's nice to know that a building  
9 that goes into disuse is being utilized  
10 in that area.

11 City's position?

12 MS. VOSS: Nothing further. As you  
13 know, you can't vote on it tonight  
14 anyway --

15 CHAIRPERSON THOMAS: Right.

16 MS. VOSS: -- because it has to go  
17 to the County Planning Board, so you'll  
18 be able to vote on it next meeting.

19 CHAIRPERSON THOMAS: Have you  
20 received any feedback about this request?

21 MS. VOSS: Their meeting isn't until  
22 the last Tuesday of the month.

23 CHAIRPERSON THOMAS: I meant, how  
24 about from within the neighborhood? I  
25 know it's --



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1 MS. VOSS: No, nothing.

2 MS. FILIPPELLI: I love the added  
3 green space, too. It's nice.

4 CHAIRPERSON THOMAS: Ms. Stone?

5 MS. STONE: My only question had to  
6 do with the existing building. So what  
7 is that going to be used for, just  
8 administration?

9 MR. WILSON: Yeah, administration.

10 MS. STONE: So how many people would  
11 be working then if you opened up the new  
12 space?

13 MR. WILSON: Yep. We currently have  
14 15 administration using space at  
15 St. Anthony's, and 5 of those folks are  
16 going to go remote -- work fully remote.  
17 I mean, they are working from home now  
18 anyways, but ...

19 MS. STONE: So ten will be coming  
20 over?

21 MR. WILSON: Uh-huh.

22 MS. STONE: And then how many are  
23 there now? I'm just thinking, like, how  
24 many spaces are you going to use after  
25 the -- after the other building is opened

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1 up?

2 MR. WILSON: Yeah. We figured there  
3 would be an additional ten spaces needed  
4 to -- from what is currently being used,  
5 but we're adding an additional 51 spaces.

6 MS. STONE: Okay. So you're still  
7 going to be full. I was just thinking,  
8 like, oh, you know, perhaps, some of  
9 those employees are going to be working  
10 in the new building and still park in the  
11 old space and then walk over. So you're  
12 going to be utilizing all that then?

13 MR. WILSON: Uh-huh.

14 MS. STONE: Okay.

15 CHAIRPERSON THOMAS: So  
16 administration is going in the older one?

17 MR. WILSON: In the 595, yes, yes.

18 CHAIRPERSON THOMAS: You said there  
19 were about ten people. Are they  
20 therapists, counselors at the --

21 MR. WILSON: In the new space.

22 CHAIRPERSON THOMAS: Okay. So when  
23 you say "administration," it would be  
24 people running the organization --

25 MR. WILSON: Correct.

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1                   CHAIRPERSON THOMAS:  -- and those  
2                   involved in the service?

3                   MR. WILSON:  Non-client contact  
4                   folks.

5                   CHAIRPERSON THOMAS:  How many  
6                   offices are you planning on developing?

7                   MR. WILSON:  In that space there?

8                   CHAIRPERSON THOMAS:  Yeah, in the  
9                   one that you're going ...

10                  MR. WILSON:  Into 611?

11                  CHAIRPERSON THOMAS:  Yes.

12                  MR. WILSON:  It's -- well, there's  
13                  20,000 square feet, and we've broken it  
14                  up into group spaces, an activity space,  
15                  and then all the rest would be pretty  
16                  much offices.  So to give you a total  
17                  count, I don't have it off the top of my  
18                  head.

19                  MS. FILIPPELLI:  It's exciting.

20                  CHAIRPERSON THOMAS:  So obviously,  
21                  those providing services will have the  
22                  opportunity to have a larger space if  
23                  they want to go to -- for group  
24                  activities and such?

25                  MR. WILSON:  Absolutely.

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1                   CHAIRPERSON THOMAS: That's nice to  
2                   know, because so many places are cramped.  
3                   People are searching for those kinds of  
4                   private workplaces.

5                   MR. WILSON: Yeah. Howard Ganter  
6                   and The Arc were generous enough to hang  
7                   onto the space while we worked with our  
8                   funding stream through New York State  
9                   OASAS to get the funding for the project.  
10                  They held onto the building for us, and  
11                  we're -- you know, since 2017 when we  
12                  started planning.

13                  CHAIRPERSON THOMAS: I can date  
14                  myself, and I remember when it was  
15                  Century.

16                  Patrick, do you remember that?

17                  MR. HICKEY: (Nodding head up and  
18                  down.)

19                  CHAIRPERSON THOMAS: See.

20                  MR. WILSON: I've heard the stories.

21                  CHAIRPERSON THOMAS: Yeah, yeah.  
22                  And it used to be, I think, a catalog  
23                  order company. That's going a ways back.  
24                  Then it went to JRC, and I remember  
25                  Tavern Source behind there. Things do

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1 change.

2 Well, then we will meet again. We  
3 will keep -- I need --

4 MR. HICKEY: Motion?

5 CHAIRPERSON THOMAS: -- a motion to  
6 keep the public hearing open.

7 MR. HICKEY: I'd like to make a  
8 motion to leave the public hearing open.

9 MS. FILIPPELLI: I second.

10 CHAIRPERSON THOMAS: All in favor?

11 MR. HICKEY: Aye.

12 MS. FILIPPELLI: Aye.

13 CHAIRPERSON THOMAS: Very good.

14 (A discussion was held off the record.)

15 CHAIRPERSON THOMAS: So I need a  
16 motion to close the meeting.

17 MR. HICKEY: I'll make a motion to  
18 close.

19 CHAIRPERSON THOMAS: Second?

20 MS. FILIPPELLI: I'll second.

21 CHAIRPERSON THOMAS: All in favor?

22 MR. HICKEY: Aye.

23 MS. FILIPPELLI: Aye.


24 (Whereupon the proceedings concluded.)

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C E R T I F I C A T I O N

I, TIFFANY-JO PONCE, Court Reporter and  
Notary Public in and for the State of New York, DO  
HEREBY CERTIFY that I attended the foregoing  
proceedings, took stenographic notes of the same, that  
the foregoing is a true and correct copy of same and the  
whole.

  
\_\_\_\_\_  
TIFFANY-JO PONCE  
Court Reporter

Dated: September 29, 2021