



# CITY OF WATERTOWN, NEW YORK

## CITY PLANNING BOARD

ROOM 305, WATERTOWN CITY HALL  
245 WASHINGTON STREET  
WATERTOWN, NEW YORK 13601-3380  
(315) 785-7741

MEETING: December 6, 2022

**PRESENT:**

Larry Coburn, Planning Board Chair  
Michelle Capone  
Linda Fields  
Neil Katzman

**ABSENT:**

T.J. Babcock  
Michael Pierce

**ALSO:**

Michael A. Lumbis, Planning and Community  
Development Director  
Michael J. Delaney, City Engineer  
Dana Aikins, City Code Enforcement Supervisor  
Mike Compo, City Code Enforcement  
Geoffrey Urda, Planner  
Sharlice Bonello, Planner  
Gertrude Karris, Secretary

Planning Board Chair, Larry Coburn, called the December 6, 2022, Planning Board meeting to order at 3:01 p.m. Mr. Coburn then asked for a motion regarding the Minutes from the November 1, 2022, Planning Board Meeting. Mr. Katzman made a motion to approve the minutes as written, Ms. Fields seconded the motion, and all voted in favor.

### **SUBDIVISION FINAL PLAT APPROVAL – 204 BREEN AVENUE PARCEL NUMBER 7-14-135.000**

The Planning Board then considered a request submitted by Patsy A. Storino, PLS on behalf of Diane Roy for a two-lot subdivision of 204 Breen Avenue, Parcel Number 7-14-135.000. The applicant proposes to divide the 0.894-acre lot at 204 Breen Ave into two parcels, a 0.271-acre eastern section that would be conveyed to Tia Morgia, the adjacent property owner at 181 Cedar Street, and a 0.623-acre western section that would retain the 204 Breen Avenue address.

Mr. Storino said that Ms. Morgia would combine the section that she was acquiring with two other parcels that resulted from a previous subdivision and create a single parcel. Staff's Memorandum to the Planning Board noted that assembling the two parcels already in Ms. Morgia's ownership was an outstanding condition of that previous Subdivision Approval.

At 3:05pm the Planning Board Chair, Larry Coburn read the Public Hearing notice that had been published in the *Watertown Daily Times*. He then opened the public hearing and asked if anyone would like to be heard. Hearing no comments, he closed the public hearing at 3:06pm.

The Planning Board then reviewed and answered each question in Part 2 of the Short Environmental Assessment Form, answering no to all of them. Mrs. Fields then moved to issue a negative declaration for the proposed subdivision according to the requirements of SEQRA. Mr. Katzman seconded the motion. All voted in favor.

Mrs. Fields then moved to grant subdivision final plat approval for the request submitted by Patsy A. Storino, PLS for a two-lot subdivision of Parcel Number 7-14-135.00 located at 204 Breen Avenue, contingent upon the following requirement:

1. The applicant must assemble the 0.271-acre subdivided parcel (Parcel D) with Parcel Number 7-14-125.120 (Parcel B), and Parcel Number 7-14-124.001 (Parcel C) located at 181 Cedar Street, into one single parcel, by way of a new metes and bounds description that is filed with the County Clerk

Ms. Capone seconded the motion. All voted in favor.

### **SITE PLAN APPROVAL – 111 BREEN AVENUE PARCEL NUMBER 8-01-214.100**

The Planning Board then considered a request submitted Thomas H. Ross of Storino Geomatics, PLLC on behalf of Puccia Olive Oil Company, LLC for Site Plan Approval for a 12,632 sq. ft. parking lot expansion and associated site improvements at 111 Breen Avenue, Parcel Number 8-01-214.100.

Mr. Ross was in attendance to represent the project and began by describing the application as a retroactive request for Site Plan Approval for paving a previously existing gravel parking lot, rather than an expansion. Mr. Ross reviewed the issues addressed by Staff's memorandum to the Planning Board, specifically drainage, lighting and landscaped buffer areas per Zoning requirements and Staff recommendations.

Mr. Ross stated that there were heavy rains over the summer and confirmed that all stormwater on the site drained to the center drywell and not to any adjoining properties. Mr. Ross also noted that the large planter boxes, as depicted on the site plan, will be completed when weather permits, and will be installed along the property line with 119 Breen Avenue to the north of the existing deck to fulfill the five-foot buffer requirement.

Mr. Ross reported that his client (Mr. Puccia) met with the neighboring property owner at 710 Arsenal Street and discussed the lighting as it currently existed. Mr. Ross said that the neighbor had no issues with the current lighting and was not concerned about light spillage onto his property. Mr. Ross also noted that the applicant believes the lighting in the westernmost part of the parking lot is adequate, especially since the area is used for mainly for snow storage.

Mr. Ross noted that he resubmitted Part 1 of the State Environmental Quality Review (SEQR) Short Environmental Assessment Form (EAF) with Question 13B completed and will submit the application for Zoning Compliance Certificate as soon as possible, as the summary items in Staff's memorandum required.

Mrs. Fields expressed concern that the lighting in the far western section of the parking lot is not adequate to provide safety for the employees. Mr. Coburn then asked if the applicants completed a photometric study or if they were using professional opinion. Mr. Ross confirmed that it was an educated guess.

Mr. Urda stated that Staff visited the applicant's site and observed minimal risk of light spillage in excess of 0.5 footcandles across the southern property since the mounted light packs faced north onto the applicant's property. Ms. Fields again expressed concerns about staff safety and the lighting in the far west area of the parking lot.

Mr. Coburn then invited the public to address the board.

Mr. Anthony Doldo, of 119 Breen Avenue, addressed the Planning Board. Mr. Doldo's property is adjacent to the applicant's property to the north. Mr. Doldo described his concerns that the applicant's deck, which he believes was not permitted properly, has reduced his family's privacy, and that installing planter boxes will not adequately address these concerns.

Mr. Doldo discussed the possibility of installing an eight or ten-foot-high fence, and the associated time and expense involved in getting a Variance. He suggested a possible amendment to the proposed zoning law which would allow for taller fencing (contingent on the height of the adjacent deck) to be installed without the time and expense of Variance approval.

Mr. Lumbis addressed the room and noted that the City is working on rewriting the Zoning Ordinance and his department hopes to begin the formal adoption process in the beginning of the new year. Mr. Lumbis also noted that the City is looking at adding something to the code, about taller fences without a variance, for instances like this.

Regarding the deck, Mr. Lumbis stated that the project did not require Planning Board approval because section 310-26 of the Zoning Ordinance states, "*Provisions of this chapter shall not apply to terraces, steps, unroofed decks or other similar features at or below the level of the floor of the first story.*"

Mr. Lumbis noted that Code Enforcement issued a Building Permit for the upper deck and that although the applicant constructed a deck with a larger footprint than permitted, the applicant had since removed the unpermitted section.

Mr. Lumbis then discussed section 310-59 of the current Zoning Ordinance and explained that it does not provide specific details about acceptable landscaping when a commercial property abuts a residential property. He said that in 2007, the Planning Board adopted the Landscaping and Buffer Zone Guidelines, which include greater detail and identify planter boxes as a landscaping option. Discussion continued about how planter boxes would provide privacy for the adjacent homeowner.

Mr. Lumbis referred the Board to a picture of the planter box from Staff's site visit and noted that it is about five foot wide and twenty feet long and about 2-3 feet deep, capable of holding some substantial plantings. He said it was much more substantial than a large flowerpot type planter.

Mr. Urda then said that although the deck itself is not directly related to the Site Plan under consideration (the paving), the landscaped buffer requirement does fall into associated site improvements. He said that the City treats every site review on a nonconforming property as an opportunity to gradually bring that property into compliance with Zoning. He said that the Board

was correct to look at how best to meet the intent of the buffering requirements and improve the privacy for the adjacent neighbor.

Mr. Ross spoke with Mr. Puccia who suggested bamboo could be grown in the planters, which would be of sufficient height to provide privacy above the fence. Mr. Doldo asked that additional consideration be given to modifying the fence with wooden slats.

Mr. Urda then reviewed the conditions in Staff's Memorandum and said that the Planning Board could eliminate the second and fourth summary items, as the applicant had satisfied those, and re-word the first and third summary items to cover concerns raised in the meeting. Mr. Urda then offered modified wordings of each, which the Planning Board agreed with. He also noted that the fifth summary item must remain also.

Ms. Fields then made a motion recommending that the City Council approve the site plan submitted by Thomas H. Ross of Storino Geomatics, PLLC on behalf of Puccia Olive Oil Company, LLC for a 12,632 square foot parking lot expansion and related site improvements contingent upon the following:

1. The applicant shall install planter boxes, as proposed, and depicted on the site plan, along the north-south property line with 119 Breen Avenue to the north of the existing deck to fulfill the five-foot buffer requirement. The vegetation in these planter boxes shall consist of taller bamboo plants or other vegetation to provide privacy to the adjacent parcel at 119 Breen Avenue.
2. The applicant shall address the adequacy of illumination of the westernmost parking bay on the site to the satisfaction of the City Engineering Department as verified by a site visit performed by the City Engineer.
3. The applicant must obtain a Zoning Compliance Certificate.

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

### **SITE PLAN APPROVAL – 1851 STATE STREET PARCEL NUMBER 5-21-122.200**

The Planning Board then considered a request submitted by Heidi M. Stemkoski of PHZ Architects on behalf of Northern Credit Union for the construction of an 864 square-foot building, to house two (2) drive-thru Interactive Teller Machines (ITM), an interior asphalt loop, and related site improvements at 1851 State Street, Parcel Number 5-21-122.200

Ms. Stemkoski addressed the Board and explained that the previously approved site plan had been amended to include a 24' x 36' canopy shelter building to house two ITM kiosks, each with its own drive-thru lane. She said that the site plan still includes various landscaping improvements and an interior asphalt loop, which she said was necessary since the New York State Department of Transportation (NYSDOT) would only allow a single curb cut.

She said that the structure will be approximately 15'2" tall and although its front side is open, the 24-foot rear elevation is parallel to the street and therefore is a street-facing elevation, which would allow the applicant a maximum of 48 sq. ft. of signage on the site without requiring an Area Variance.

Ms. Stemkoski noted that Staff requested clarification on a discrepancy between the lighting shown on the site plan and the photometric plan. The photometric plan depicts a light that appears to be mounted to the rear wall of the proposed structure while the site plan drawing depicts a light pole on the center island to the north of the structure. Ms. Stemkoski clarified that the photometric study is the accurate description and the light that is show on the site plan is no longer needed.

Ms. Capone asked where the sign would be located, and Ms. Stemkoski indicated its location on the site plan and explained that the sign will be a monument sign, about ten feet high, near the curb cut.

Hearing no further discussion, Ms. Fields made a motion recommending that the City Council approve the site plan submitted by Heidi M. Stemkoski, on behalf of Northern Credit Union, for an 864 square-foot building, an interior asphalt loop, and related site improvements at 1851 State Street, Parcel Number 5-21-122.200, contingent upon the following:

1. The applicant must obtain, minimally, the following permits prior to construction: Building Permit, Sidewalk Permit, Curb Cut Permit, Sign Permit, NYSDOT Highway Work Permit and a Zoning Compliance Certificate

Mr. Katzman seconded the motion. All voted in favor.

**ZONE CHANGE REQUEST – VL-1 BELLEW AVENUE SOUTH  
PARCEL NUMBER 9-11-108.001 - RESIDENCE B TO COMMERCIAL**

The Planning Board then considered a request submitted by Robert J. Busler, PLS of LaFave, White & McGivern on behalf of ARBEL, LLC, to request a change in the approved zoning classification of VL-1 Bellew Avenue, from Residence B to Commercial.

Mr. Busler began by saying that there are no present plans to develop the property and that the owner felt it would be more attractive to a potential buyer as a Commercially zoned property. He said that the parcel is currently vacant land and compliant with the current zoning lot requirements for the Commercial District. The property is adjacent to the south end of 919 Arsenal Street, which is zoned Commercial.

Mr. Busler noted the neighboring properties to the east and south are zoned Residential B; however, they front on Smith Street and the applicant believes there would be no negative impact to those residents.

Mr. Coburn noted that rezoning this property to Commercial would be consistent with the proposed new Zoning map and the Comprehensive Plan.

Ms. Capone asked if the surrounding property owners were contacted and if there were any comments or complaints made about this property. Mr. Lumbis replied that the neighbors located within 100 feet of the property received written notifications and Staff had not received any comments or complaints.

Discussion ensued about the new Zoning Law; Mr. Lumbis said he hopes to discuss the next steps with the City Council at their next meeting and begin the formal approval process in January. Mr. Lumbis also noted that the Planning Staff was comfortable with this Zone Change request because it is consistent with the proposed new Zoning map and the Comprehensive Plan. There were no additional comments or concerns from the Board.

Ms. Fields made a motion recommending that City Council approve the request submitted by Robert J. Busler, PLS, on behalf of ARBEL, LLC to change the approved zoning classification of VL-1 Bellew Avenue South, Parcel Number 9-11-108.001 from Residence B to Commercial.

Mr. Katzman seconded the motion. All voted in favor.

Mr. Katzman then moved to adjourn the meeting at 3:55 p.m. Ms. Capone seconded the motion, and all voted in favor.

Respectfully submitted,  
Gertrude Mead Karris, Secretary