

**MEETING MINUTES (In person)**

**JEFFERSON COUNTY PLANNING BOARD**

**June 29, 2021**

**MEMBERS PRESENT:** David Prosser, Chairman, Lisa L’Huillier, Vice-Chairman, Clif Schneider, Randy Lake, Charlene Mannigan, Art Baderman

**STAFF PRESENT:** Andy Nevin, Senior Planner  
Sara Freda, Community Development Coordinator

**PUBLIC PRESENT:** Paul VanCott, Matt Cervini, Wendy Steabman, Chris Henry, John Pirsos - TV 7, Tim Freitag

**CALL TO ORDER AND ESTABLISHMENT OF QUORUM:** Chairman Prosser opened the meeting at 4:00 p.m. and stated that a quorum was present.

**APPROVAL OF THE MAY 25, 2021 MEETING MINUTES:** Chairman Prosser asked members if they had any comments or changes to the May 25, 2021 meeting minutes. A motion to accept the meeting minutes was made by Lisa L’Huillier, seconded by Randy Lake, and carried unanimously.

**COMMUNICATIONS:** Chairman Prosser asked if there were any outside communications. There were none.

**PUBLIC COMMENTS (OTHER THAN AGENDA ITEMS):** Chairman Prosser asked if there were any public comments (other than on agenda items). There were none.

**NEW BUSINESS:**

A. **General Municipal Law, Section 239m Referrals:**

1. **Village of Alexandria Bay, Site Plan Review, Celeste Jamaican Cuisine LLC, JC DP File # V AB 1– 21.** Andy Nevin presented this project to the Board stating that the applicant proposes the sale of food and beverages for off-site consumption. The Board is reviewing this due to its proximity to NYS Route 26.

Andy showed the location with an aerial photo as being on the corner of James and Church Streets. He explained that the food would be prepared at another location and sold at the project location. The site plan did show some on-site parking, but off-street parking is not required in the Business Zone.

The only County/State comment was since the project includes food service it would require a NYS Department of Health permit. The applicant in attendance said she secured the NYS DOH permit.

No local issues were identified.

Chairman Prosser read the staff recommendation that the County Planning Board pass a motion of local concern only, with the comments as stated above.

Motion: To accept staff recommendation to pass a motion of local concern only was made by Chairman Prosser, seconded by Art Baderman, and unanimously carried.

2. Town of Pamela, Area Variance, Love's Travel Stops and Country Stores, Inc., JCDP File # T Pa 2 – 21. Andy presented this project to the Board stating that the applicant proposes a travel center with fuel sale, retail and drive-thru restaurant; requires area variances for signage and lighting. The Board is reviewing this due to its proximity to NYS Route 12.

Andy reminded the Board that this project has been reviewed several times recently, but stated this review was limited to signage and lighting variances for exceeding height limits. He reviewed visuals of the proposed signs and simulations of the visibility from I-81 to show their reasoning behind the variance request. They also proposed taller light poles (40 ft. vs 35 ft.) in the rear to reduce the number of poles needed in the truck parking area.

County/State issues included:

The local board should consider the benefit to the applicant as weighed against the detriment to the health, safety, and welfare of the community using the five factors for an area variance as stated in NYS Town law.

Due to the proximity of the Watertown International Airport runway, FAA form 7460 should be completed for the tall sign structure construction/completion (to allow FAA awareness of potential crane use) and to ensure flight approach maneuvers will not be impacted. The project representative, Tim Freitag attended and stated this has been completed already.

Next, Andy reviewed the Local issues of consideration:

The proposed hi-rise sign exceeds the Town's 100 square foot sign size limit by 1,013 percent, while the street sign exceeds the 100 square foot limit by 55.9 percent. The local board should consider the precedent being set by potentially approving the freestanding sign area variances as proposed and the degree to which the two signs exceed the Town sign size limit.

The local board should ensure the proposed lighting foot-candle limits on the ground can be met by the proposed light fixtures. The current photometric plan indicates several internal areas that exceed the Town foot-candle limits. The areas along the site boundary, however, meet the Town limits.

Randy Lake asked if DOT was involved in regards to spillage from the lights onto I-81 and Andy agreed that comment would be added for further consideration.

A representative for the project attended and spoke briefly. The variance for the light pole height was requested due to safety and security concerns and the need to ensure the entire back lot was fully illuminated, but indicated they meet spillage requirements on NYS Route 12. Chairman Prosser asked if there would be a flashing component to their sign, and it was indicated there would not be.

Clif Schneider made the comment that if sign competition is a concern then they have a legitimate argument for a variance to stay competitive. The representative stated the hi-rise sign should benefit all businesses in the area as it will pull traffic off the highway, and

the only real sign competition is along NYS Route 12. They believe due to other tall obstacles in the line of sight, along with the need for tractor-trailers to have time to slow down and potentially change lanes in time to get off at the correct exit, the proposed height is required.

Chairman Prosser read the staff recommendation that the County Planning Board pass a motion of local concern only, with the comments as stated above.

Motion: To accept staff recommendation to pass a motion of local concern only was made by Lisa L'Huillier, seconded by Clif Schneider, and unanimously carried.

3. Town of Hounsfield, Site Plan Review, GYMO/DPC Central Rivers Power, JCDP File # T Ho 2 – 21. Andy also presented this project to the Board stating the applicant proposes a large-scale 20 MW solar project. The Board is reviewing this due to the parcel's proximity to NYS Route 12F.

Andy showed the property location on the corner of NYS Route 180 and NYS Route 12F, just west of the Watertown International Airport. Due to the proximity to the airport, Andy stated he had numerous discussions with the airport manager and airport consultant who did not have any major concerns. The project consists of non-tracking panels and the plans were tweaked after feedback from the glare hazard analysis to reduce any glare potential on pilot maneuvers.

County/State issues included the following:

The location of the solar facility is directly west of the Watertown International Airport main runway. While the applicant performed a glare hazard analysis and completed form 7460 (regarding tall structures), the airport manager requested the glare analysis include an air traffic control tower (he provided a location and a height) to be studied as well. Therefore, the glare hazard analysis should be completed again with the potential air traffic control tower as requested by the airfield manager.

NYS Route 180 is part of the Great Lakes Seaway Trail Scenic Byway.

The NYS Dept. of Transportation should be contacted regarding the change in use for the existing driveway access.

The project is within 500 feet of a NYS Certified Ag District, therefore an Ag Data Statement is required.

Andy then reviewed the Local concerns:

The local board should confirm whether the proposed project meets the lot coverage limit in the Town Zoning Law.

The local law requires Large-Scale Solar Systems to be setback 100 feet from residences and zoning district boundaries. The project appears to meet all the residential setbacks, except its only set back 25 feet from the Industrial Zoning District.

The local board should ensure the proposed buffering/screening meets the Town Zoning Law landscaping requirements for large solar energy facilities, in particular because of its

visibility from the Great Lakes Seaway Trail.

A project representative from GYMO attended and stated they spoke with the Town and even though the project is divided by NYS Route 12, the Town is considering the entire parcel acreage when regarding lot coverage limit. They also did not catch the one setback that was not being met, but indicated they would adjust one set of panels if needed.

Randy Lake asked if there was going to be batteries and it was indicated that was not in the plans.

Chairman Prosser asked if the local airport or the FAA actually review all submitted plans and the project representative stated they did receive responses from FAA officials regarding the glare analysis. Andy commented that we are unaware what their official process is and so can only go off any responses received. The Board expressed some safety concerns with a solar project so close to the airport and strongly recommended the local board to follow up with any airport requirements.

Chairman Prosser read the staff recommendation that the County Planning Board pass a motion that the project is of local concern only, with the comments as stated above.

Motion: To accept staff recommendation to pass a motion of Approval was made by Chairman Prosser, seconded by Randy Lake, and unanimously carried.

4. Town of Clayton, Site Plan Review, Matthews & Kellogg RE, JCDP File # T CI 5 - 21. Andy presented this project to the Board stating the applicant proposes to erect a 100 foot x 300 foot storage building for boat storage. The Board is reviewing this due to its proximity to NYS Route 12E.

Andy showed the project location on NYS Route 12E, west of the Village of Clayton. He identified the location of the new building on the proposed site plan.

No County/State issues were identified.

The local board should ensure the application material refers to a buffer of trees on the east side of the building, which should be displayed on the site plan.

5. Town of Clayton, Site Plan Review, CDF & Associates, LLC, JCDP File # T CI 6 - 21. Andy presented this project to the Board stating the applicant proposes to erect a 60 foot by 100 foot storage building for boat storage. The Board is reviewing this due to its proximity to NYS Route 12.

This project was shown on NYS Route 12, east of the Village and on Spicer Bay. Current site photos shows other boat storage buildings on the premises, and Andy indicated where the new storage building is proposed.

No County/State issues were identified.

The local board should ensure that safe interior traffic circulation is maintained.

If any lighting is proposed, the applicant should ensure glare from lighting does not affect adjacent properties.

Proposed landscaping from previously approved site plans does not appear to have been installed.

6. Village of Dexter, Special Use Permit, Justine Moncada, JCDP File # V Dex 2 - 21. Andy also presented this project to the Board stating the applicant proposes to establish a photography studio in an existing building. The Board is reviewing this due to its proximity to NYS Route 180.

Andy showed the location as 107 Water Street. The site photos shows it shares commercial space with an existing hair salon. Parking is not required in the Commercial Zoning District, but the site plan does show limited on street and off-street parking spaces.

No issues were identified.

7. Village of Sackets Harbor, Zoning Amendment, Lawler Realty, LLC, JCDP File # V SH 1 - 21. Sara Freda presented this project to the Board stating the applicant proposes amending the Madison Barracks PDD to review fifteen residences. The Board is reviewing this due to its proximity to the Municipal Boundary.

Sara stated that this is a subdivision project, but since it represents an amendment to the original PDD it is classified as a zone amendment, which requires 239-m review. She showed the project along Vollum Road and Pike Road and indicated there is currently one single-family home established on the property. They are looking to create 14 more residential lots.

NYS Village Law requires zoning amendments be in accordance with a local comprehensive plan.

8. City of Watertown, Use Variance, Kevin P. Beach, Sr., JCDP File # C 3 - 21. Sara presented this project to the Board stating the applicant is seeking a use variance to allow a storage shed in the side yard. The Board is reviewing this due to its proximity to the NYS Route 12.

Sara showed the project location on an aerial photo as 729 West Main Street. The City Zoning Law states that an accessory structure is only a permitted use within the rear yard. The current site photo shows the new shed in the side yard of the property and thus requires a use variance.

In order for a use variance to be granted, all of the tests found in Section 81-b of NYS General City Law, must be satisfied prior to approval.

Chairman Prosser read the staff recommendation that the County Planning Board pass a motion of local concern only for projects # 5-8, with the comments as stated above.

Motion: To accept staff recommendation to pass a motion of local concern only for projects # 5-8 was made by Chairman Prosser, seconded by Art Baderman, and unanimously carried.

9. Town of Watertown, Zoning Amendment, Watertown Renewable LLC, JCDP File # T Wa 2 - 21. Andy presented this last project to the Board stating the applicant proposes a zoning district change from R-3 Residential to NC Neighborhood Commercial to allow

solar energy facilities. The Board is reviewing this due to its proximity to the County Road 60. **Chairman Prosser stated he would be abstaining from this vote.**

He indicated the property location on Floral Drive, to the east of the Watertown Airport. Andy stated this project is a zoning amendment to allow for a potential future solar project. At this time, the Board is only reviewing the zone change, and not the project and any issues that may arise due to its potential location. He reviewed the current zoning, which shows the property is currently split zoned and the proposal is to extend the upper zoning district to the entire property. The new proposed zoning map was then displayed.

Andy proceeded to review the County/State issues:

NYS Town Law 272-a requires amendments to zoning laws be in accordance with a comprehensive plan.

The project is within 500 feet of a NYS Certified Ag District, therefore an Agricultural Data Statement is required.

Local issues to consider included:

The local board should consider the additional uses that would be allowed by extending the Neighborhood Commercial District southward along Floral Drive and their potential impacts on existing residences within the area.

Specifically, with the residential character of much of Floral Drive, the local board should determine whether the area is suitable for the intended use prior to approving the zoning amendment.

If the zoning amendment is approved and the solar project is proposed, the local board should request a glare hazard analysis to be completed, considering the proximity to Watertown International Airport runways, which entail commercial and private airplanes landing multiple times daily. The application indicates solar panels that track the sun's path. Typically, tracking panels can have a different potential glare path (and thus a potentially greater area of glare impact) than stationary panels as they generally follow the sun's movement throughout the day.

The local board should ensure the Town's 10 percent limit on solar facilities occupying prime Agricultural soils is met or the agricultural stipulations are adhered to.

With one abstention and just five voting members, no quorum was reached on this project.

## B. Intergovernmental Reviews

1. Adirondack North Country Association, USDA – Rural Development, JCDP File # 3 - 2021. The applicant's request for funds is for a new 100,000 square foot hospital (replacing Carthage Area Hospital) with an attached 25,000 square foot clinic, paved parking area and helipad. They are requesting federal funding of \$83,000,000.
2. Town of Hounsfield, USDA – Rural Development, JCDP File # 4 - 2021. The applicant's request for funds is to address deficiencies and replacement of water district transmission lines, recoating of the Town's water storage tank, replacement of 562 water meters and

installation of a new water meter reading system. The amount of funding has not yet been determined by the applicant.

The Board agreed to send a letter of support back to the applicants.

C. Other Business

Andy stated the Board still has one vacancy and was open to recommendations from other members.

Training is available online at this time, no in-person is currently scheduled.

Adjournment

Lisa L'Huillier made a motion to adjourn the meeting at 5:43 p.m., seconded by Charlene Mannigan, and was unanimously carried.