

MEETING MINUTES

JEFFERSON COUNTY PLANNING BOARD

Met at City Hall Council Chambers, Watertown, New York

September 24, 2024

Prior to the meeting, members listened to an update presented by Geoff Urda, Senior Planner on the City's Downtown pedestrian and traffic flow enhancement projects.

MEMBERS PRESENT: David Prosser, Chair, Lisa L'Huillier, Vice-Chair, Rick Nuijens, John Stinson, John Stano, Neil Katzman, Jean Waterbury, Randy Lake

STAFF PRESENT: Andy Nevin, Senior Planner
Sam Wilson, Assistant Planner
Michael Bourcy, Director

PUBLIC PRESENT: none

CALL TO ORDER AND ESTABLISHMENT OF QUORUM: Chairman David Prosser opened the meeting at 4:02 p.m. and stated that a quorum was present.

APPROVAL OF THE July 30, 2024, MEETING MINUTES: Chairman David Prosser asked members if they had any comments or changes to the July 30, 2024, meeting minutes. A motion to accept the meeting minutes was made by Neil Katzman, seconded by Lisa Ruggiero, and carried unanimously.

COMMUNICATIONS: Chairman David Prosser asked if there were any communications. Andy said no.

PUBLIC COMMENTS (OTHER THAN AGENDA ITEMS): Chairman David 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. Town of Brownville, Sawmill Bay Solar, LLC, site plan review/special use permit, solar energy facility, T Br 4 - 24

Andy presented this project to the Board displaying the locator map, aerial photos, and site photos.

A stormwater pollution prevention plan is required for projects one acre or greater in size.

The applicant should follow US Fish and Wildlife guidance for the species that may be impacted by the project.

Locally related matters:

The local board should request details regarding the proposed landscaped buffer to ensure it will provide an adequate screen throughout the year.

Members questioned whether a glare hazard analysis was completed. Andy said no, but that comment can

added to the response letter.

Motion: To accept staff recommendation to pass a motion of local concern was made by John Stano and seconded by Neil Katzman, and carried unanimously.

2. Clayton (T), CM Family LLC/ Charlie Caprara, special use permit, construct a 3,360 square foot barn, T CI 3 – 24

Sam presented this project to the Board displaying the locator map, aerial photos, and site photos.

He discussed County/State related matters:

He stated that a Jefferson County building permit may be required.

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

3. Henderson (T), Ryan Schafer, site plan review, bed and breakfast, T He 3 - 24

Andy presented this project to the Board displaying the locator map, aerial photos, and site photos.

He discussed County/State related matters.

A Jefferson County Building Permit is required, to include verifying the adequacy of the onsite septic system to accommodate the additional kitchen, bathroom and bedroom.

He discussed the following locally related issues:

Any potential lighting fixture modifications should be designed to minimize potential glare toward neighboring properties and the public roadway.

Neil asked whether a NYS DOH food service permit would be required due to the bed and breakfast serving food. Andy stated he would check on that.

Motion: To accept staff recommendation to pass a motion of local concern only for the project was made by Rick Nuijens, seconded by Randy Lake, and carried.

4. Philadelphia (V), Village of Philadelphia, zoning amendment, V Ph 1 - 24

Andy presented the zoning amendment that decreased the sideyard setbacks in the zoning law and reduced the number of zoning board of appeals members.

There were no issues identified.

Motion: To accept staff recommendation to pass a motion of local concern only for the project was made by David Prosser, seconded by John Stinson, and carried.

5. Watertown (C), 618 James Street, LLC, 4,800 square foot self-storage building, C 4 - 24

Andy presented this project to the Board displaying the locator map, aerial photos, and site photos.

He discussed County/State related matters.

NYS Dept. of Transportation Highway Work Permit will be required for the new access drive onto NYS Route 12.

An acre or more of soil disturbance will require a stormwater pollution prevention plan.

Andy then discussed locally related issues:

Consistent with the city's requirement to screen abutting residences from self-storage facilities, the local board should review the proposed landscape plantings to ensure they will provide an adequate screen/buffer.

The proposed sign should meet the City's sign requirements.

Motion: To accept staff recommendation to pass a motion of local concern only for the project was made by David Prosser, seconded by John Stano, and carried. Lisa L'Huillier abstained from the vote.

6. Watertown (T), Ra Energy Co of NY, site plan review/use variance, for a solar energy facility, T Wa 7, 7a - 24

Sam presented this project to the Board displaying the locator map, aerial photos, site photos and site plan submitted.

He discussed County/State related matters.

Use Variances are governed by NYS Town Law Section 267B.

The ZBA should only approve a use variance after the applicant submits documentation to the board that the applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the board that for each and every permitted use under the zoning regulations for the R3 Zoning District:

(1) the applicant cannot realize a reasonable return, provided that the lack of return is substantial as demonstrated by competent financial evidence,

(2) that the alleged hardship related to the property in question is unique and does not apply to a substantial portion of the neighborhood or district,

(3) that the required use variance, if granted, will not alter the essential character of the neighborhood,

(4) that the alleged hardship has not been self-created.

The applicant provided an analysis of only one of the uses in the R-3 District. The local board should ensure that the applicant provides a use variance analysis of all other uses allowed in the R-3 District.

The local board should require the applicant to notify the Jefferson County Director of Aviation for any potential impacts with the Watertown International Airport.

Since the total disturbance is equal to or greater than one acre, a Stormwater Pollution Prevention Plan (SWPPP) will need to be completed and submitted to the Town engineer consistent with MS4 requirements.

The parcel is located within 500 feet of the City of Watertown. The local board shall notify the City of its public hearing in accordance with NYS General Municipal Law Section 239nn.

Andy then discussed locally related issues:

If the project proceeds with a site plan review, the local board should request the proposed building addition be drawn to scale on a site plan as well as any additional lighting and/or parking related to the new building entrance.

Sam then discussed locally related issues:

The local board should require the applicant to maintain the existing vegetation on the east side of the parcel where the 40-foot-wide reserved access area is proposed.

The local board should consider requiring the applicant to provide screening along the north side of the parcel that borders the City of Watertown in order to minimize the adverse visual impacts.

The local board should require the applicant to submit a decommissioning plan as part of the application.

The local board should require the applicant to provide the bond or surety necessary to remove the Large-Scale Solar Energy Systems pursuant to the execution of the decommissioning plan.

The local board should require that the applicant submit a SEQR document and a visual EAF addendum.

The local board should ensure that the applicant shows the setbacks on the site plan.

The local board should ensure that the applicant meets the National Electric Code height requirement of seven feet for the proposed fencing.

Motion: To accept staff recommendation to pass a motion of local concern only for the project was made by Donna Dutton, seconded by John Stano, and carried by remaining members. Chairman Prosser abstained from the vote. Neil Katzman recused himself from the discussion and vote.

7. Watertown (T), ChargeSmart EV – Bridget O’Conner, five charging stations, T Wa 8, 8a - 24

Sam presented this project to the Board displaying the locator map, aerial photos, site photos and site plan submitted.

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

Motion: To accept staff recommendation to pass a motion of local concern only for the project was made by Lisa L’Huillier, seconded by Neil Katzman, and carried. Chairman David Prosser abstained.

8. Watertown (T), Niagara Mohawk Power Corp. d/b/a National Grid

Sam presented this project to the Board displaying the locator map, aerial photos, site photos and site plan submitted.

He discussed County/State related matters.

A Jefferson County Building is required.

A NYS DOT Highway Work Permit is required for proposed access onto NYS Route 12F.

An FAA Form 7460-1 (Notice of Proposed Construction or Alteration) is required to ensure the height of the communication tower and any construction cranes do not impact Watertown International Airport's Part 77 imaginary surfaces. The applicant needs to provide the coordinates for the telecommunication pole.

Since the total disturbance is equal to or greater than one acre, a Stormwater Pollution Prevention Plan (SWPPP) will need to be completed and submitted to the Town engineer consistent with MS4 requirements.

Sam then discussed locally related issues:

Under the Town's Zoning Law, telecommunication facilities are required to obtain a special use permit. The local board should ensure that all the regulations listed within the Town of Watertown's Wireless Telecommunications Facilities section are met for the proposed 120-foot telecommunication pole, including:

-- EAF Addendum with photo simulations of the proposed telecommunication pole.

-- Meeting the tower setback of the tower height plus 10 percent.

The local board should require the applicant to avoid the use of barbed wire on top of the fence, as it isn't permitted as a fencing material pursuant to the Town Zoning Law.

Motion: To accept staff recommendation to pass a motion of local concern only for the project was made by Neil Katzman, seconded by John Stinson, and carried. Chairman David Prosser abstained.

Andy reminded the Board that the October meeting will be held at the Watertown International Airport meeting room.

Also, Andy reminded the Board that a local training session for local boards, zoning officers, and County Planning Board members will be held tonight at JCC, September 24th from 6:30 to 8:30pm.

Adjournment

Neil made a motion to adjourn the meeting at 5:15 pm, seconded by Lisa L'Huillier, and unanimously carried.