Regular Meeting
Town of Watertown
Planning Board
December 1, 2008

Members Present: Tom Boxberger, Co-chair
Pam Desormo, Co-chair
Terry MacAdam
James Smith
Randy Vaas

The Town of Watertown Planning Board meeting was called to order at 7:00 p.m. by Mr. Boxberger.

Motion No. 08-114: Motion by Mr. Vaas, seconded by Mr. Smith to accept the minutes of the November 10 meeting as written and distributed.

Ayes All: Motion Carried.

Motion No. 08-115: Motion by Mr. Boxberger, seconded by Mr. Smith to schedule the regular January meeting of the Town of Watertown Planning Board for the 2009 year on Monday, January 5, 2009 at 7:00 p.m.

Ayes All: Motion Carried.

Motion No. 08-116: Motion by Mr. Boxberger, second by Mr. Smith to schedule a Special Meeting of the Planning Board with the Tug Hill Commission for 4:00 p.m. on January 5, 2009.

Ayes All: Motion Carried.

Public Hearing – Lyle Gayne – 2 Lot Subdivision – 22897 Swan Road – Tax Map #91.13-1-4

Legal notice has been posted in the paper and evidence that adjacent property owners were notified.

The public hearing was opened at 7:02 p.m. No one from the public wished to speak. The public hearing was closed at 7:02 p.m.

Public Hearing – Sebastian Tubolino/Scott Carroll – 2 Lot Subdivision – 19491 Cady Road – Tax Map #90.18-1-26.1

Legal notice has been posted in the paper and evidence that adjacent property owners were notified.

The public hearing was opened at 7:03 p.m. No one from the public wished to speak. The public hearing was closed at 7:03 p.m.

Public Hearing – Paul Morgan – 3 Lot Subdivision – 21514 Fox Ridge Road – Tax Map #90.20-1-32.7

Legal notice has been posted in the paper and evidence that adjacent property owners were notified.

The public hearing was opened at 7:04 p.m.

Chris Tibbles of 15895 County Route 155 addressed the Board regarding acreage size for subdivision. The Board stated that these lots appear to meet Town requirements.

PJ Banazek of 21394 Fox Ridge Road addressed the Board regarding his concerns on technical issues for this subdivision including availability of safe water, quantity of water, the acceptability to provide adequate sewage treatment, increase in traffic, and concerns over the development being consistent with other homes. He was also under the impression that no further subdivision would be allowed when he purchased his property.

Steve and Tina Knight, of 16448 Deer Run Road echoes Mr. Banazek's concerns.

Mr. Morgan spoke briefly stating that he and his wife Carol own 17.2 acres and feel it is too much for them to maintain. Their plan is to subdivide the property and add similar housing.

Attorney Jim Burrows of Slye & Burrows spoke on behalf of Paul & Carol Morgan. The Morgan's intent is to subdivide 17.2 acres into 3 parcels. The map was previously submitted to the Planning Board. Parcel 20.A is 9.25 acres and currently houses the Morgan's single family home. Parcel 20.B would be 3.65 acres and Parcel 20.C would be 4.35 acres. All parcels meet or exceed Town requirements. Mr. Burrows stated that no deed restrictions affect the Morgan's property and that the Morgan's have never had any water problems on their property.

Mr. Burrows submitted a supplement to the original application with corrections to the narrative descriptions which were found to be in error with the original survey. Discussion followed.

The Board was polled and all were in agreement that several issues of significant importance need to be addressed. They felt neighbors in the development as a whole also need to be notified to allow for additional input.

The Board decided to leave the public hearing open. Since the property owner has complied with the requirements of the subdivision regulations for announcing the public hearing, the Board felt it should be the Town's responsibility to advertise that the public hearing has been held open and to notify the development as a whole. This will be the first item on the agenda for the January 5, 2009 meeting at 7:00 p.m. All comments voiced tonight are on record. This continuance will allow Mr. Morgan and Counsel to address some of the concerns of the neighbors.

Motion No. 08-117: Motion by Mr. Boxberger, seconded by Mr. Smith to continue the public hearing for Paul Morgan – 3 Lot Subdivision – 21514 Fox Ridge Road – Tap Map #90.20-1-32.7 to reconvene at 7:00 p.m. on Monday, January 5, 2009.

Ayes All: Motion Carried.

Motion No. 08-118: Motion by Mr. Boxberger, seconded by Mr. Smith that the Town of Watertown accept responsibility for posting public notice of the continuance of the public hearing for Paul Morgan as well as providing individual mailings to all adjacent property owners, all property owners within the Deer Run Development, and any other property owners within a ½ mile radius of Mr. Morgan's property.

Ayes All: Motion Carried.

Subdivision – Lyle Gayne – 2 Lot Subdivision – 22897 Swan Road – Tax Map #91.13-1-4.

Mr. Storino submitted all paperwork at the November meeting and it appears to meet all requirements set by the Town.

Motion No. 08-119: Motion by Mr. MacAdam, seconded by Mr. Vaas to grant approval for Lyle Gayne – 2 Lot Subdivision – 22897 Swan Road – Tax Map #91.13-1-4 as shown on a plot map completed by Patsy Storino dated 10/14/08 with no revisions. File No. 08-069-Watertown, Drawing #1 titled Survey Plot of Proposed Lyle C. Gayne Subdivision consisting of 2 lots. Lot #1 being 6.569 acres, Lot #2 being 8.127 acres.

Ayes All: Motion Carried.

Sebastian Tubolino/Scott Carroll – 2 Lot Subdivision – 19491 Cady Road – Tax Map #90.18-1-26.1

All paperwork has been submitted and appears to meet town criteria.

Motion No. 08-120: Motion by Mr. Vaas, seconded by Mr. Smith to grant approval for a 2 Lot Subdivision at 19491 Cady Road – Tax Map #90.18-1-26.1 – one parcel of land for Carroll – 1.0 acres out of a parcel owned by Sebastian Tubolino which is on both sides of the triangle shaped parcel from the field survey completed by Stanford J. Zeccolo dated 5/19 & 25/04 – Drawing #04-215 signed and dated 5/28/04 with no amendments.

Ayes Four
Nays One (Mr. Boxberger voted nay to the presentation of the paperwork)
Motion Carried

Paul Morgan – 3 Lot Subdivision – 21514 Fox Road – Tax Map #90.20-1-32.7

Mr. Burrows addressed the Board regarding the water issues discussed during the public hearing. The Morgan's have never had a quality or quantity water issue. Mr. Burrows wants the Board to recognize that unreasonable restrictions should not be imposed on the Morgan's if neighbors voice concerns that there is a possibility that subdivision might somehow impact them. He also stated that neighbors who have experienced difficulty with water quality and quantity must prove that it is caused by the Morgan's property or it should not impact the Morgan's use of their land.

The Morgan's believe the character of the property is important. They want to be good neighbors and will come back with a list to address neighbors concerns. Discussion followed. Some suggestions that the Morgan's may want to address are as follows: Showing availability of water for these lots by having a test well dug, doing tests on existing wells, or a perk test. The may also want to address how the wording would be set up to ensure that the property maintains the character of the development. These suggestions may help reduce neighbors concerns.

Tim McAtee – 2 Lot Subdivision – 23682 CR 67 – Tax Map #91.00-1-25

No one was present

Pyramid Company – Subdivide Regal Theater into its own Parcel for Financing Purposes

Mary Dudo stated that she will meet with the Zoning Board of Appeals on Wednesday, December 3, 2008 at 5:30 p.m. to seek a variance for the set back requirements. She wanted to know if the Planning Board would require an additional public hearing if she is granted the variance.

Because this development is a unique situation, being that Pyramid is developing within themselves, the Board will consider waiving the required public hearing if a variance is granted by the ZBA.

Mr. Vaas stated that the Negative Declaration cannot be reconfirmed unless a final decision is made at the January meeting.

Site Plan – Lunco – CFM Food Distributors

Mr. Lundy submitted the finalized site plan to the Board along with an application.

Mr. Vaas reviewed the SEQRA regulations. He compared the previous plans against the new plans and found the environmental impact to be similar.

Motion No. 08-121: Motion by Mr. Vaas, seconded by Mr. Boxberger to accept the submittal of the new plan completed by GYMO because it has less total environmental impact than the plan previously submitted by EFI both in total square footage of disturbance, total square footage of the building, closeness to the wetlands and storm water detention and that, in essence, the complete environmental review and Negative Declaration which was completed on 7/6/06 covers all aspects of the plan for GYMO.

Ayes All: Motion Carried.

A letter from the Jefferson County Planning Board, dated 11/26/08 on the CFM Food Site Plan review was entered into record (**See Attachment 1**).

The Board reviewed the plans. Discussion followed. Mr. Lundy will resubmit a current site plan showing building elevations, enhancement of the landscaping on the corners and road, and update the sign.

Motion No. 08-122: Motion by Mr. Boxberger, seconded by Mr. Smith that the Planning Board consider this a modification of the previously approved site plan and therefore, waive the requirements of the public hearing for CFM Food Distributors located on County Route 200.

Ayes All: Motion Carried.

Medical Complex Project – Lunco – Washington Summit

Mr. Lundy presented plans for there Medical Complex Project at Washington Summit. They lack the required frontage setback requirements and are scheduled to meet with the ZBA on Wednesday, December 3, 2008.

Motion No. 08-123: Motion by Mr. Boxberger, seconded by Mr. MacAdam to deny Lunco's proposed Medical Complex Project located at Washington Summit as it does not conform with the Town of Watertown Zoning Law setback requirements.

Ayes All: Motion Carried.

The Board would like the minutes to reflect that the Planning Board looks favorably upon this project and recommends that the ZBA strongly consider approval. Issues that the Board feels are significant include the fact that the setback is virtually identical to the existing building, any visual, aesthetic or safety concerns are negated because of the topography of the land and the 19 foot setback would not infringe upon any of those factors.

It was suggested that Mr. Lundy present to the ZBA the serious economic impact not having this variance causes as well as photos of Route 11 showing how the traffic has no impact from both directions.

Mr. Boxberger thanked Bob Wormwood from the Zoning Board of Appeals for attending tonight's meeting. Communication between both Boards is important.

Pam Desormo informed the Board that she received a call from Peter Rogers, Jefferson County Highway advising the Planning Board to send all projects within the Industrial Park to the County for Highway permits.

Motion No. 08-124: Motion by Mr. MacAdam, seconded by Mr. Boxberger to adjourn the meeting at 9:05 p.m.

Ayes All: Motion Carried.

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Susan C. Burdick, Secretary