

**Regular Meeting
Town of Watertown Planning Board
October 5, 2009**

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

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

Motion 99-09: Motion by Mr. Smith, seconded by Mr. MacAdams to accept the minutes of the September 3, 2009 meeting as written and distributed.

Ayes All: Motion Carried.

Motion 100-09: Motion by Mr. Boxberger, seconded by Mr. Smith to reschedule the regular November meeting of the Town of Watertown Planning Board to Tuesday, October 27, 2009 at 7:00 p.m. due to a conflict with Election Day.

Ayes All: Motion Carried.

Motion 101-09: Motion by Mr. Boxberger, seconded by Mr. Smith to schedule a special meeting for the Town of Watertown Planning Board with the Tug Hill Commission for Tuesday, October 27, 2009 at 4:00 p.m.

Ayes All: Motion Carried.

Public Hearing – Marcia Pratt – 2 Lot Subdivision – 17603 Sandy Creek Valley Road – Tax Map #91.00-1-19.

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

The public hearing was opened at 7:03 p.m.

Ralph Green, Jr., 17566 Van Allen Road South, addressed the board with concerns that this proposed 1-acre subdivision is too small to fit in with existing lot sizes on this road. All other properties are at least 4 acres in size. He would like to see this lot larger than what is proposed.

Ted Sutton, 24657 County Route 67, asked the board if water and sewer issues have been addressed in the survey. He is concerned this may cause problems down the road due to the size of the footprint.

Patsy Storino, Professional Land Surveyor, on behalf of Marcia Pratt, addressed the concerns expressed by the neighbors. He stated that this proposed subdivision conforms to all Town requirements and explained where the well and septic system are located. There have been no water problems.

Mr. Green and Mr. Sutton stated that this house is very small and they are aware that there have been no water issues because only one to two people have utilized this house for the last 30 years. What happens if the new owner expands this house and increases the use of the water/septic system?

The public hearing was closed at 7:09 p.m.

Subdivision – Marcia Pratt – 2 Lot Subdivision – 17603 Sandy Creek Valley Road – Tax Map #91.00-1-19.

Patsy Storino, on behalf of Marcia Pratt, presented updated plans for a 2-lot subdivision at 17603 Sandy Creek Valley Road. Since the last meeting, the conveyance of Parcel D has been recorded and filed with the County Clerk's office by Larry Hasseler. Mr. Storino has revised the survey to reflect that Parcel D, 0.977 acres was conveyed from Robert Cornell to Marcia Pratt on June 26, 2009 and recorded September 15, 2009. Mr. Storino revised the lot description to reflect this change.

Mr. Boxberger addressed neighbors concerns of future modifications to the existing house. At the time this house was built, there were virtually no standards in place for water supply and wastewater treatment. If the new owner were to expand this property, he would have to comply with the standards, as they exist on the date that they apply for a building permit with the county. He also stated that although he understands their desire to see a larger lot, the Planning Board does not have the authority to require larger lots as long as they meet zoning requirements.

Motion 102-09: Motion by Mrs. Desormo, seconded by Mr. Boxberger to approve a 2-lot subdivision for Marcia Pratt, Parcel #91.00-1-19. This is a separation of a parcel 1.03 acres which includes the existing house designated as Parcel B which meets all zoning requirements for Residential 1 areas, File #09-051-Watertown, dated September 1, 2009 with a revision date of September 16, 2009 drawn by Patsy Storino, Professional Land Surveyor, Drawing #1. The residual parcel will included A; C & D, which will be combined into 1 parcel approximately 56 acres, conditional upon review of the lot description.

Ayes All: Motion Carried.

Subdivision – RJ Roux – 2 Lot Subdivison – County Route 155.

RJ Roux presented preliminary plans for a 2-lot subdivision on County Route 155. The county has approved the driveway cut. Mr. Roux stated that a 911 addressed has been assigned. A deed restriction will be included in the lot description regarding the Sportsman Club being adjacent to the property. Discussion followed.

Mr. Roux needs to submit a survey showing all adjacent property owners, designation of where the perk test was located, a completed application, short environmental form, lot descriptions, and a water yield test from this area.

Mr. Roux will submit this information at the October 27, 2009 meeting.

Subdivision – Paul & Carolyn Morgan – 3 Lot Subdivision - 21514 Fox Ridge Road – Parcel #90.20-1-32.7 & 100.08-1-16.2.

Mr. Morgan updated the board regarding his request for a 3-lot subdivision. The Morgan's had a well drilled in August of 2009. Mr. Morgan will submit a copy of the well driller's certification and the well log. A perk test was completed by a licensed engineer and paperwork has been submitted. Discussion followed.

When the final survey is submitted, both the well and perk test needs to be sited on the plat. This needs to be completed by the surveyor.

Mr. Boxberger re-entered into record (**Attachment 1**) a letter from Attorney James Burrows, on behalf of Paul and Carolyn Morgan, dated January 5, 2009, addressing concerns of neighbors made at the public hearing for this proposed subdivision.

The board addressed some of the conditions of the letter (namely #1-6 & #11). The board suggested that Mr. Morgan review these conditions with his attorney to clarify or reword some of these conditions. Discussion followed.

It is the job of the Planning Board to ensure that the proposed development is consistent with the character of the neighborhood. The board wants to see requirements placed in the deeds to make sure that the residences that are built would be consistent, to some degree, with what is required in the existing development as this was a major concern voiced by residents at the public hearing.

Mr. Boxberger researched town law and referred back to the January 5, 2009 minutes and found that this proposed project could be reopened as an existing project since Mr. Morgan waived the 62-day review and denial time period.

Motion 103-09: Motion by Mr. Boxberger, seconded by Mr. Smith to schedule a public hearing for Tuesday, October 27, 2009 at 7:00 p.m. for final plat review for Paul & Carolyn Morgan for a potential 3 lot subdivision, 21514 Fox Ridge Road.

Ayes All: Motion Carried.

Mrs. Desormo will provide a list of adjacent property owners to Mr. Morgan for notification of the public hearing.

Subdivision – John Marzano – Zone Change to Extent R-1 260’ north of parcel #91.07-1-20.21 on NYS Route 12S.

Mr. Marzano approached the Planning Board in September to discuss the possibility of purchasing a parcel of land from Torrington Industry on NYS Route 12S for residential use. The property in question is currently zoned (NP) Natural Products. The board suggested a few avenues for Mr. Marzano to pursue.

Mr. Boxberger reported that Mr. Marzano petitioned the Town Board regarding the possibility of a zone change of Parcel #91.07-1-20.21 on NYS Route 12S. The Town Board has asked the Planning Board to look into this request and make a recommendation.

A sketch (**Attachment #2**) was submitted into record outlining the proposed plan. This is not considered spot zoning because it is an expansion of an existing zone and poses no legal issues for the Town. Mr. Boxberger asked board members for their comments.

Mr. Vaas stated his only concern involved a drop off on the property. Mrs. Desormo stated that no word has been received regarding a highway cut. Mr. Boxberger stated that that issue can be addressed during the subdivision process. Mrs. Desormo would prefer to have the highway cut approval prior to the subdivision process. Discussion followed.

Motion 104-09: Motion by Mr. Boxberger, seconded by Mr. MacAdam that the Town of Watertown Planning Board recommends that the Town Board considers favorably a zone change as requested by Torrington Industry as shown on **Attachment #2** indicating the proposed residential lot of 260’ wide x 160’ deep on NYS Route 12S. The recommendation is made because the property seems to be consistent with residential use adjacent to it and would not constitute spot zoning because the recommendation would be just to expand the existing zone as currently labeled. The motion is contingent upon either the property owner or proposed purchaser providing the Town Board information indicating the State Department of Transportation will look favorably on issuing a highway cut at that designated parcel.

Ayes All: Motion Carried.

Subdivision – John Bellinger – 3 Lot Subdivision – NYS Route 3

Mr. Bellanger presented preliminary plans for a 3-lot subdivision on NYS Route 3. Mr. Bellanger had previously met with the board some time ago about this subdivision, however, no application was ever submitted and zoning requirements have now changed. The proposed plans no longer meet zoning requirements, as this area is now zoned Neighborhood/Commercial and requires more road frontage per lot. Discussion followed.

The board took no action as the application was incomplete. The board is willing to sit down and discuss options with Mr. Bellanger at a later date.

Subdivision – James Cavellier – 2 Lot Subdivision – 16747 County Route 155 – Tax Map #100.08-1-26.

No one was present.

Subdivison – Neil Katzman – 2 Lot Subdivision – South Massey Street Road.

Mr. Katzman presented plans for a 2-lot subdivision on South Massey Street Road. Discussion followed. The first plan he presented to the board could not be acted on, as it did not meet zoning requirements.

Mr. Katzman presented a seconded plan requesting a lot line adjustment for the same property on South Massey Street Road.

Mr. Katzman needs to submit a final survey, lot descriptions, and a completed application.

Motion 105-09: Motion by Mr. Boxberger, seconded by Mr. Smith to consider this project as being exempt from subdivision review as it is considered a lot line adjustment. This is shown on a preliminary survey plat, File #80-183s.01, Drawing #01. It is currently undated showing Parcel #82.20-1-14.2 as currently owned by Annette Katzman. The lot line will be adjusted to include Parcel #2 to be conveyed from Patricia A. Gladle designated as part of Tax Parcel #82-20-1-13 contingent upon both parcels being combined into 1 tax map parcel under the same ownership. This is also contingent upon submission of a satisfactory description of said properties and review and conditional upon submission of a completed application and receipt of the appropriate number of final plats and a Mylar both signed and stamped by the surveyor.

Ayes All: Motion Carried.

Site Plan – Todd McAleese - Signage at 18791 County Route 155.

Mr. McAleese presented plans for construction of a sign at 18791 County Route 155.

Motion 106-09: Motion by Mr. Boxberger, seconded by Mr. Smith to consider this as an amendment to the original site plan.

Ayes All: Motion Carried.

Motion 107-09: Motion by Mrs. Desormo, seconded by Mr. Boxberger to amend the original site plan for Todd McAleese for property located at 18791 County Route 155. The Amendment is for approval of the addition of a 5' x 8' sign, located 70' from the roadway, to the original site plan, dated 10/5/09, and signed by Todd McAleese. Ayes All: Motion Carried.

A zoning permit is need for this project.

Site Plan - Bart Bonner – Preliminary Discussion for a project on County Route 67.

Mr. Bonner approached the board regarding a proposed project on property he owns on County Route 67 across from the ski area entrance. His daughter will be returning to the area next year and he would like to construct a house and barn on this property. They plan to use this property to raise, train, board, and groom dogs. There is also the possibility that sheep will also be kept on this property. He asked the board if this is permitted in this area. The board believes that this is allowed, however, there may be some restrictions depending on what extent this business entails.

Mr. Bonner was asked to submit a rough sketch of what he proposes at an informal meeting with Planning Board members to discuss what his options are.

Site Plan - Jefferson Dental – Modification to Site Plan for a Turn around Area.

No one was present.

Site Plan - Rent-A-Wreck – Construction of a 30' x 100' Storage Unit Addition

No one was present.

Site Plan – Peter Daly – Rome State Road – Corner of Route 63

Mr. Daly approached the board with plans to utilize an existing warehouse for a landscaping business that he has made a purchase offer on. Part of this property is located in the Town of Hounsfield.

His plans include using the building for winter storage; however, he can't promise that there won't be some vehicles outside the building.

The access road to the building is located in the Town of Watertown and most of the building is located in the Town of Hounsfield. He has a letter from the Town of Hounsfield stating they have no problems with this project.

Discussion followed. The board suggested that Mr. Daly submit a sketch of the lot line, as it exists, designating parking, labeling a vegetative screening buffer, and submit an environmental short form. If the board agrees with the information submitted, they may consider waiving the site plan process.

Mr. Daly will submit this paperwork at the October 27, 2009 meeting.

Old Business

Mr. Boxberger updated the board on the United Redemption Center, owned by Mr. Caldwell, Route 11. The business was placed on a 90-day compliance schedule to meet zoning requirements. October 1, 2009 was the deadline and Mr. Caldwell has not complied.

Discussion followed. The board agreed to allow Mr. Caldwell another month to comply if he appears before the Zoning Board of Appeals at their meeting on Wednesday, October 8, 2009. If Mr. Caldwell fails to appear before the ZBA on Wednesday, October

8, he will be considered in violation of zoning requirements and Mrs. Desormo will turn this matter over to the Zoning Officer on Thursday, October 9 and Mr. Caldwell will be required to cease business until he complies with zoning requirements.

Motion 108-09: Motion by Mr. Smith, seconded by Mr. Vaas to adjourn the meeting at 9:04 p.m.

Ayes All: Motion Carried.

Susan Burdick
Secretary