

**Regular Meeting
Town of Watertown Planning Board
January 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.

Mr. Vaas is unable to vote tonight as he has not yet been appointed by the Town Board.

The Planning Board decided that they would recommend that the Town Board consider Tom Boxberger and Pam Desormo to serve as Co-Chairman for the 2009 year.

Motion 01-09: Motion by Mr. Boxberger, seconded by Mr. MacAdam to schedule all regular meetings of the Town of Watertown Planning Board on the first Monday of every month at 7:00 p.m. unless otherwise noted.

Ayes All: Motion Carried.

Motion 02-09: Motion by Mr. Boxberger, seconded by Mr. MacAdam to schedule a Special Meeting with the Tug Hill Commission for Monday, February 2, 2009 at 4:00 p.m.

Ayes All: Motion Carried.

Motion 03-09: Motion by Mr. Boxberger, seconded by Mr. MacAdam to schedule a Special Meeting regarding the County Route 202 Project for Monday, January 26, 2009 at 2:00 p.m. with the understanding that interested parties including landowners directly impacted and adjacent landowners will receive notice of this meeting.

Ayes All: Motion Carried.

Motion 04-09: Motion by Mr. Smith, seconded by Mr. Boxberger to accept the minutes of the December 1, 2008 meeting as written and distributed with the following changes:

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

Some issues that the Morgan's need to address are as follows:
Showing availability of water for these lots by having a test well dug *by a certified well driller*.

PAGE 4 – Pyramid Company – Subdivision of Regal Theater into its own Parcel for Financial Purposes.

Mr. Vaas stated that the Negative Declaration cannot be reconfirmed *since the ZBA has to make a decision on the application. A final decision can be made at the January meeting.*

Ayes All: Motion Carried.

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 adjacent property owners were notified.

Mr. Boxberger reopened the Public Hearing which was held over from the December 1, 2008 meeting at 7:05 p.m.

Fred and Judith Gentner from 21399 Fox Ridge Road addressed the Board. They submitted a letter for the December 1, 2008 meeting regarding their position on this subdivision. The Board informed them that their letter has been entered into record.

Mr. Gentner stated that the other seven property owners on the Fox Ridge Road purchased their properties knowing there was a covenant restricting further development and they have all chosen to abide by this covenant. Some years these property owners experience major water issues. The number of wells on these properties varies from 1 to 4. Now these property owners find out that the Morgan's property does not have to follow this covenant and water issues become a serious concern.

Mr. P.J.Banazek, 21294 Fox Ridge Road, addressed the Board. Even though it may be legal for this subdivision, all the other property owners bought their property with the understanding that no further development would occur. Further development, as proposed, could bring down property values. Mr. Banazek would like the Board to take into consideration the effect this may have on the development as a whole.

Both Mr. Gentner and Mr. Banazek emphasized that they are not worried that the Morgan's property will not get water by drilling test wells. They are concerned with what two more houses will do to the availability of water on the other properties in the development.

Jim Burrows from Slye & Burrows spoke on behalf of Paul and Carol Morgan. Property owners have concerns because they have restrictive covenants. These property owners purchased property in the subdivision agreeing to be bound by these restrictions. The Morgan's property was not a part of that subdivision and these restrictions do not apply.

Mr. Burrows submitted a letter on behalf of the Morgan's (**See Attachment 1**). He asked that the Board review this letter and table or suspend the Morgan's pending application so that additional information can be obtained and presented to the Board later this year.

The Public Hearing was closed at 7:22 p.m.

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

Mr. Boxberger stated that Municipal Law requires that the Planning Board make a decision within 62 days of the close of a Public Hearing. He asked Mr. Burrows if the Morgan's are willing to waive that time requirement. Mr. Burrows stated on the record that he waives the time requirements on behalf of the Morgan's so they can address the information listed in their letter and present it to the Board.

The Board will review the letter. Mr. Boxberger announced that a copy of this letter will be available to the public by contacting Mrs. Desormo at the Town Clerk Office.

Mr. Boxberger reminded the Morgan's that the test well must be installed by a certified well digger.

As a point of information for concerned citizens, approximately two years ago there were a series of regulations that were imposed through a combination of Departments of Environmental Conservation regulations and Department of Health regulations and, to the best extent possible, they are designed to address some of your concerns. Drilling a well now requires maintaining a well log, special sampling, and an extended period yield test.

Fred Phinney from Route 11 asked the Board why they don't put a water district in this development.

Mr. Boxberger informed the public the process to start a water district starts with local residents petitioning the Town Board to study for a water district. If the majority of Town residents wanted the Town to pursue a water district, the Town would have to conduct a study to see if it is economically feasible. If it is, the residents would have the opportunity to vote on it.

The Board asked that Mr. Burrows keep the Board up-to-date on the Morgan's plans.

The Board announced that all Planning Board meetings are opened to the public and are scheduled for the first Monday of every month. Concerned property owners can contact the Town Clerk's office to see what is on the agenda each month.

Mrs. Gentner asked the Board why the Morgan's property is not covered under the covenant. Mr. Burrows summarized the time line of why it is not covered. The Town's Attorney investigated the situation and deemed the property to be free from the covenant's restrictions.

Subdivision – Tim McAtee – 2 Lot Subdivision – 23682 County Route 67

Tim McAtee presented plans and an application for a minor subdivision. An area variance was granted and since it goes with the property, there is no expiration date. The Board reviewed the survey.

The Board requested that Mr. McAtee submit a report from the certified well driller certifying what the original testing results were. The Board would also like to see the wording that will be incorporated in the deed as well as having the plat updated to show the right-of-way.

Motion 05-09: Motion by Mr. Boxberger, seconded by Mr. Smith to schedule a Public Hearing for Tim McAtee for a 2 Lot Subdivision at 23682 County Route 67 on Monday, February 2, 2009 at 7:00 p.m. conditional on all requested information being submitted prior to the next meeting.

Ayes All: Motion Carried.

Mr. McAtee will stop in to pay for the application and get information for mailing to adjacent property owners.

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

The Zoning Board of Appeals granted variances to Pyramid Company at the December 3, 2008 meeting.

Mary Dudo, Brian Drake and Tom Shepardson presented the final paperwork for the subdivision of the Regal Theater.

The maintenance agreement for the parking area remains the same as it is today.

Mr. Vaas stated that they have a recertification of the Environmental Significance – Negative Declaration from September 8, 2008 to reconfirm that the SEQRA had been done on this project previously and a Resolution granting subdivision approval for this parcel to be opted out of Pyramid’s parcel.

Motion 06-09: Motion by Mr. Boxberger, seconded by Mr. Smith to accept the SEQRA Lead Agency Negative Declaration of Environmental Significance for Salmon Run Mall subdivision dated 1/5/09 (See Attachment #2).

Tom Boxberger	YES
Pam Desormo	YES
Terry MacAdam	YES
James Smith	YES
Randy Vaas	Unable to Vote

Motion Carried.

Motion 07-09: Motion by Mr. Boxberger, seconded by Mr. Smith that the requirement for a Public Hearing regarding the subdivision of the Regal Theater parcel from Salmon Run Shopping Center, LLC be waived as a Public Hearing was held on December 3, 2008 with no negative input from the public. Let the record show that this parcel being subdivided is totally enclosed within the boundary of the current Salmon Run property.

Ayes All: Motion Carried.

Motion 08-09: Motion by Mr. Boxberger, seconded by Mr. Smith to grant approval to the application of Regal Subdivision of Salmon Run Shopping Center, LLC as included in the Resolution dated 1/5/09 as *amended on Item #3, Paragraph B under – now, therefore, be it resolved - (See Attachment #3).*

Tom Boxberger	YES
Pam Desormo	YES
Terry MacAdam	YES
James Smith	YES
Randy Vaas	Unable to Vote

Motion Carried.

The Board requested that the building line and the word proposed be eliminated on the map and the mylar.

Site Plan – Zero Point Clean Tech – 22495 Fisher Road

No one was present.

Site Plan – Lunco – CFM Foods

Mike Lundy presented a final revised CFM site plan. The paperwork appears to satisfy all issued addressed.

Mr. Lundy will delete the words proposed and future on all paperwork.

Motion 09-09: Motion by Mr. MacAdam, seconded by Mr. Boxberger to grant site plan approval to CFM Food Distributors - County Route 200 - showing the new warehouse as 75,000 square feet on Lots 11 & 12 as shown on a map by Gyomo, Project #2008-142E dated 12/11/08, issued 1/5/09 as shown on Sheet L101 and Sheet C100 dated 7/18/08, issued 1/5/09 conditional upon receiving maps with original stamps and signatures in red as well as removal of the words proposed and future.

Ayes All: Motion Carried.

Site Plan – Washington Summit Building #4 Project

Mike Lundy presented preliminary plans for a new project at Washington Summit. He stated that he attended the Jefferson County Planning Board Meeting on December 30, 2008. It appeared that they have no issues with this project. Mrs. Desormo will check on their comments. Mr. Lundy is also scheduled to meet with the Town of Watertown Zoning Board of Appeals on Wednesday, January 7, 2009 for a Public Hearing on this project.

Discussion followed. The Board would like plans detailing landscaping ideas at the next meeting. Mr. Lundy also stated the possibility of new signage at Washington Summit.

Motion 10-09: Motion by Mrs. Desormo, seconded by Mr. Boxberger to schedule a Public Hearing for Washington Summit Building #4 Project for Monday, February 2, 2009 at 7:00 p.m. conditional upon the Zoning Board of Appeals approval for a variance to setback requirements at the January 7, 2009 meeting.

Ayes All: Motion Carried.

Site Plan – IHC – Athletic Field & Building

No one was present.

Special Use Permit – St. Lawrence Seaway RSA Cellular Partnership – (DBA Verizon Wireless) – Alter Cell to Add Additional Antenna.

Dave Brennan, an Attorney from the Law Firm of Young, Sommer and Lisa Donnelly from IFS attended on behalf of Verizon Wireless.

Verizon Wireless is proposing the addition of 12 panels and a 12' x 30' prefabricated structure at the base of the existing cell tower located at 17726 Old Rome Road. Mr. Brennan presented a quick overview of a booklet submitted on Telecommunications Local Laws dealing with cell towers.

A completed application has been submitted and it appears that no Public Hearing is required because of the existing Special Use Permit.

The Board reviewed the site plans and requested that the words future and proposed be eliminated. Mr. Brennan must submit at least three sets of the site plan with contrasting signatures by the February 2, 2009 meeting. The Board will inform Mr. Brennan via e-mail if any issues arise after they review, in detail, the booklet he submitted.

Site Plan – Jefferson Dental Clinic – Construction of a Sign - 19333 US Route 11

Dr. Aujla approached the Board regarding the construction of a sign in the front of his Dental Clinic at 19333 US Route 11. He lacks the required setback requirements.

The Planning Board cannot review the proposed sign because it violates zoning requirements to setbacks and referred the Jefferson Dental Clinic to the Zoning Board of Appeals.

Charlie Dillon from the Town of Watertown Fire Department spoke to the Board regarding the Fire Department's plans to locate a fire station on the west side of town.

One option they are looking into is on BOCES land. There would be no subdivision of this property it would be a long-term lease only.

Some questions the Fire Department has are as follows:

Would BOCES have to approach the Board for site plan approval or could the Town of Watertown Fire Department approach the Board?

The Board feels that the Town of Watertown Fire Department can approach the Board with the proper signature documentation.

Would full site plan approval be required for this project?

The Board will check on the requirement for Town of Watertown projects.

Mr. Dillon stated that he is only asking questions on behalf of the Fire Department as they are looking into multiple options for a new station.

The Board encouraged Mr. Dillon to stay in contact with the Board to get their input.

The Planning Board has concerns with Jefferson Dental Clinic's request for a variance to setback requirements for construction of a sign. The Board request that the Zoning Board of Appeals look seriously into sighting and safety because of the infringement on the right-of-way and the high speed, high traffic nature on Route 11 at this location when considering this variance request.

Motion 11-09: Motion by Mr. MacAdam, seconded by Mr. Boxberger to adjourn the meeting at 9:05 p.m.

Ayes All: Motion Carried.

Susan C. Burdick
Secretary

