

**MEETING MINUTES**

**JEFFERSON COUNTY PLANNING BOARD**

**Watertown International Airport**

**March 26, 2024**

**MEMBERS PRESENT:** David Prosser, Chairman, Donna Dutton, John Stinson, Jean Waterbury, Rick Nuijens, Neil Katzman, John Stano

**STAFF PRESENT:** Andy Nevin, Senior Planner  
Sara Freda, Community Development Coordinator  
Sam Wilson, Assistant Planner  
Michael Bourcy, Director

**PUBLIC PRESENT:** Robert Busler, Zoning Amendment, City of Watertown  
Craig Fox, Watertown Daily Times  
Lee Shimmel, Town of Orleans ZEO

**CALL TO ORDER AND ESTABLISHMENT OF QUORUM:** Chairman Prosser opened the meeting at 4:01 p.m. and stated that a quorum was present.

**PRESENTATION BY THE JEFFERSON COUNTY DIRECTOR OF AVIATION**

Grant Sussey updated the Board on current projects at the airport and the activities for the eclipse event.

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

**APPROVAL OF THE FEBRUARY 27, 2024 MEETING MINUTES:** Chairman Prosser asked members if they had any comments or changes to the February 27, 2024 meeting minutes. A motion to accept the meeting minutes was made by Donna Dutton, seconded by Rick Nuijens, and carried unanimously.

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

**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. **Dan Bower, Site Plan Review, Coffee Shop, V AB 1-24**

Sam presented this project to the board displaying the locator map, aerial photo, and site plan.

A Jefferson County building permit is required.

The proposed coffee bar requires a permit from NYSDOH.

The local board should ensure that the proposed signage meets the requirement of the village zoning law.

**Motion:**

**To accept staff recommendation to pass a motion of local concern only for the project was made by Dave Prosser, seconded by Jean Waterbury and unanimously carried.**

2. C&S Marine, Site Plan Review, Boat Storage, T Or 1-24

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

A Jefferson County building permit is required.

On the southwest side of the proposed building, it appears that the side yard setback is not met. The adjacent parcel to the southwest is residential, therefore, a 15-foot side yard setback is required when the adjacent lot contains residential and related uses. The local board should require the applicant to move the proposed building to meet the 15-foot setback or the applicant may apply for an area variance.

No boats are allowed to be displayed in the NYSDOT right of way. The display area should be identified on the site plan.

The local board should ensure that the applicant has adequate buffering in the front yard and the side yard located to the southwest.

If the proposed building is located over the property line, the two parcels are required to be combined.

**Motion: To accept staff recommendation to pass a motion of local concern only for the project was made by Neil Katzman, seconded by Jean Waterbury and carried. Donna Dutton abstained**

3. Prime LLC, Zoning Map Amendment, C 2-24.

Andy presented this project to the Board displaying slides of aerial photos with parcels, nearby site photos, Comprehensive Plan images of the southwest neighborhood, Future Land Use Map images of the area, the City zoning map, the Town Zoning map, and the land use image of the 2023 Town land uses from the County Map viewer.

Andy described County/State related matters: NYS General City Law requires zoning amendments to be made in accordance with a comprehensive plan. The local board should ensure that this amendment is consistent with the City of Watertown's Comprehensive Plan adopted in 2019.

The two parcels do not have access to a public road. Possible access could occur through the former golf course property to the west located in the Town of Watertown. Potential traffic

from future apartments/townhouses accessing through the Town could impact the single family areas along Ives Street via a public street connection which could result in an intermunicipal traffic impact.

Locally related issues: The City's Future Land Use map calls for low density residential in this area. The adjacent Ives Hill Retirement Community consists of a number of single family and two-family units as well as the Congregate building with apartments. The Immaculate Heart Central (IHC) School property is also adjacent. Of note, Ives Hill Retirement Community is zoned PDD, restricted to the use and parameters set when approved as a PDD.

In conversations with City Planning staff regarding the Comprehensive Plan process and Zoning Committee rewrite process, the golf course property in this area was discussed and the consensus was that the area should remain low density residential, therefore it was zoned Residential during the zoning process in 2023.

The local board should consider the impact of rezoning the two properties Planned Campus from its current Residential District, which would allow higher density residential and not allow low-density single-family residences and duplexes that predominate the area within the City. The area in the Town is zoned Residential 3 and the predominant land uses, with the exception of a school, are single family homes. Thus, the rezoning will potentially have an intermunicipal impact on the Town of Watertown from the proposal if high-density residential uses were developed.

Lastly, the proposal includes wording that states the applicant is "willing to commit to restrictive covenants on the two parcels that could limit the uses to affordable housing, senior housing, apartments, townhouses, or residential." The local board should consult with their attorney to determine the enforcement mechanism of the restrictive covenants. Typically multiple parties that share the same deed restrictions such as those in a housing development would have to sue to enforce adherence. In this case the project is comprised of only two parcels, therefore any others may lack standing, possibly being unable to bring forth enforcement actions.

Consistent with General Municipal Law, Section 239nn, the local board should notify the neighboring municipality of the public hearing on the proposed zoning amendment.

The applicant has the option of proposing a PDD along with the uses and standards for a specific project, which then could be enforced by the City.

Recommendation:

The staff recommends disapproval, based on the intermunicipal impact of a potential high density residential development adjacent to the Town's low density residential area and potential resulting traffic flow into that portion of the Town through a single family neighborhood.

**Motion:** To accept staff recommendation of disapproval, based on the intermunicipal impact of a potential high density residential development adjacent to the Town's low density residential area and potential resulting traffic flow into that portion of the Town through a single-family neighborhood was made by Dave Prosser. Rick Nuijens then amended the motion to include the statement that the proposed amendment does not follow the City Comprehensive Plan, seconded by Jean Waterbury and carried. Neil Katzman opposed.

4. Town of Watertown, Zoning Amendment, T Wa 2-24.

Sara presented this project to the Board displaying slides indicating the additional definitions, amended definitions, floating zones, Town Zoning Map, and uses allowed within the various types of floating zones, and solar energy system amendments.

Sara presented the County/State related matters: New York State Town Law requires zoning amendments be in accordance with a local comprehensive plan.

Local: The amendment includes new and revised definitions. The local board should determine which districts they are allowed and add them to the Schedule of Regulations.

"Day Care Center" replaces "Nursery School". The local board should update the Schedule of Regulations for the R-1 and R-3 Districts.

The amendment includes Floating Zones: Natural Product, Recreation Area and Community Recreation Area. The local board should add a section for the purpose of and process to obtain a Floating Zone. The NP and RA floating zones require a Special Use Permit while the CRA requires only site plan review. The requirements should be consistent. The RA floating zone has regulations that restrict the use of alcohol and advertising. The Town should consult with its attorney to determine the legality of these restrictions. Lastly, the RA and CRA floating zones are similar and could be combined to simplify the law.

The amendment includes the addition of a sentence stating large scale solar energy systems need to meet all of NYSERDA's suggestions in addition to those listed in the Zoning Law. If the Town meant this sentence to relate to Large SES's that are going through the State's 94c siting process then the sentence should be relocated to that specific paragraph.

The amendment includes the ability of the Planning Board to relax the maximum amount of impervious surface in the NC Zoning District. The local board should consult with its attorney to determine if this is actually a function of the ZBA (variance).

Recommendation: Staff recommends the County Planning Board pass a motion of approval with the conditions that the Town Attorney makes a determination if the Town has the authority to restrict advertising in the news media for uses in the R-A Floating Zone, if the Planning Board has the authority to grant exceptions (area variances) from the impervious surface requirements in the NC District, and that the Town include a description of the process to land a Floating Zone.

**Motion: To accept staff recommendation to pass a motion of approval with the conditions that the Town Attorney makes a determination if the Town has the authority to restrict advertising in the news media for uses in the R-A Floating Zone, if the Planning Board has the authority to grant exceptions (variances) from the impervious surface requirements in the NC District, and that the Town include a description of the process to land a Floating Zone was made by Jean Waterbury, seconded by John Stano and carried. David Prosser abstained.**

5. Village of Dexter, Zoning Amendment, V Dex 1-24

Sam presented this project to the Board displaying slides indicating the new uses and definition for mixed use building and multiple family dwellings. He also displayed the zoning map of the village to allow the Board to see where the districts were located that added the uses.

There were no county or local issues identified.

Recommendation:

Staff recommends the County Planning Board pass a motion that the project is of local concern only.

**Motion: refer to project seven motion below.**

6. Lundy Construction, Site Plan Review, Office/Manufacturing Building, T Wa 3-24

Sara presented this project to the board displaying the locator map, aerial photo, and site plan.

She discussed the County/State related matters:

A Highway Access permit is required from Jefferson County Highway Department.

A building permit is required from Jefferson County Code Office.

Any proposed lighting should incorporate dark sky compliant fixtures to limit potential glare impacts for pilots utilizing the Watertown International Airport.

If a crane will be used during construction, the applicant should complete FAA Form 7460-1 (Notice of Proposed Construction or Alteration) as the project site is located within the geographic boundaries of the airport's FAR Part 77 surfaces.

A Stormwater Pollution Prevention Plan (SWPPP) is required since total disturbance is greater than one acre.

Local:

An easement for a future sidewalk is depicted on the plan; while the Town's Zoning Law actually requires a walkway within the front yard landscape buffer area. The local board should determine where they want the walkway and request it be installed.

Minimum distance between access ways is 500 feet, while this project includes two access ways within approximately 400 feet.

The Town should require an access easement for the shared driveway.

The applicant should depict snow storage areas on the site plan. Snow storage should not negatively impact the landscaped buffering (trees).

The local board should require an updated site plan application and Short EAF.

**Motion:** A motion could not be made to conclude this project, with Jean Waterbury and Neil Katzman abstaining, a quorum was not present. Therefore, staff comments will be returned to the Town.

7. Wilna II Solar PV, Site Plan Review/Special Use Permit, 3 MW Solar Project, T Wi 1-24

Sara presented this project to the Board displaying the locator map, aerial photo, and site plan.

She presented the County/State related matters:

A Glint and Glare Report is required to determine potential impacts on arrivals and departures at Wheeler Sack Army-Airfield and training flights.

The applicant shall provide the local Fire Department, with information on how to access the site and provide the chief with all means of shutting down the SES in case of an emergency. Written correspondence should be shared with the Town.

The applicant shall contact County Highway Department to determine if a highway work permit is required for the change in use.

Locally related issues:

A bond is required to cover the expense of removal of the system and remediation of the landscape in the event the Town must remove the facility. The bond and Decommissioning Plan should be reviewed by the Town Attorney prior to acceptance.

Fencing should be wildlife friendly since the parcel contains and is adjacent to wetlands.

An Agricultural Data Statement is required since the property is located within 500 feet of a farm operation within a NYS Certified Agricultural District.

**Motion:** To accept staff recommendation to pass a motion of local concern only for projects 5 & 7 was made by Rick Nuijens, seconded by Neil Katzman and unanimously carried.

Intergovernmental Reviews:

2024 – 3: The Town of Watertown is seeking \$8,085,000 in funding from the USDA - RD for Water District # 7.

**Motion:** To send a letter of support was made by Neil Katzman, seconded by Rick Nuijens and unanimously carried.

Adjournment

Neil Katzman made a motion to adjourn the meeting at 6:05 pm., seconded by Rick Nuijens, and it was unanimously carried.