

**CITY OF OGDENSBURG
PLANNING & DEVELOPMENT BOARD**

**APPROVED MINUTES FOR
JULY 16, 2019**

Members Present: Tim Redmond (Chairman), Frank Perretta, Linda Pellett, and Dean Lichterman
Members Absent: David Lesperance,
Staff Present: Andrea Smith, Planning & Community Development Director

ALL RECORDS ARE KEPT ACCORDING TO NYS STATUTE.

5:30 PM Mr. Redmond called to order the rescheduled regular meeting of the Planning Board.

1. **Call to order** – All members introduced themselves. Chairman Redmond noted they would be following an agenda beginning with approval of previous Board minutes.
2. **Approval of previous minutes** – Chairman Redmond noted that June 25, 2019 meeting minutes required approval.
 - (a) Motion by Mr. Perretta, 2nd by Ms. Pellett to approve the minutes as submitted for June 25, 2019.

All members present voted in support of the motion for approval, henceforth, the minutes of June 25, 2019 are accepted and approved as submitted, 4/0.

3. Correspondence

- (a) Letter of recommendation from Zoning Board of Appeals – Ms. Smith read aloud the letter from the ZBA, attached with these minutes.

4. Items for Planning Board Action

- (a) Public hearing – Proposed subdivision of Tax Map Parcel 48.072-8-44
 Chairman Redmond opened the public hearing at 5:34 PM and asked if there was anyone present that wished to address the Planning Board. There was no one present, no comments were issued. The Public Hearing was closed at 5:35 PM.
 The Board went on to reviewing the request to subdivide tax map parcel 48.072-8-44, submitted by Mr. Donald E. Barry. Chairman Redmond asked Ms. Smith to review the application and any staff concerns.

Ms. Smith stated the Applicant proposes the creation of lots 1, 2, 3, 4, 5, and 6 for which deed descriptions have not been provided. The minimum lot size in the SFR district is 75' x 75'. The proposed lots meet the minimum dimensional standards and furthermore, are in excess of 1 acre, except for lot 5, having .80 acres. However, lots 2, 3, and 4 do not have frontage on a developed street. Therefore, these lots will not meet the City's standards for subdivision without restrictions. Any approved subdivision would require a contingency that lots 2, 3, and 4 be combined by deed

1 with a conforming adjacent lot having frontage on a developed street. Ms. Smith further added,
2 the proposed subdivision does not propose the addition any new streets or highways.

3 Chairman Redmond inquired about SEQRA compliance. Ms. Smith stated that the appropriate
4 SEQRA forms had been submitted by the Applicant and the proposal constitutes an unlisted action;
5 a negative declaration shall be filed with no detrimental environmental impacts.

6 Chairman Redmond asked if there were any outstanding staff concerns. Ms. Smith replied, because
7 lots, 2, 3, and 4 will not (as proposed) have frontage on a street, these three lots will require
8 combination with an adjacent conforming lot. Furthermore, deed descriptions for all proposed lots
9 must be provided in accordance with Chapter 193, Subdivision of Land.

10 Board discussion – The Board reviewed the application and expressed concern with the need to
11 combine lots with adjacent lots without any written consent. The Board inquired about issuing a
12 preliminary approval until the commitments were confirmed.

13
14 Motion by Mr. Perretta to grant preliminary approval with conditions as follows:

- 15 a. Utilities (inclusive of any future utilities) to service the subdivision be placed
16 underground, consistent with the utilities of the adjacent Beaver Brook
17 Subdivision;
- 18 b. Applicant provide deed descriptions for proposed lots 1, 2, 3, 4, 5, and 6;
- 19 c. Subdivision of lots 2, 3, and 4 will require combination with conforming adjacent
20 lot.
- 21 d. §193-7 H. Monuments. Permanent reference monuments of precast concrete or a
22 durable stone, thirty by six (30 x 6) inches, with forty-five-degree beveled edges
23 shall be set at final grade at all corners and angle points of the boundaries of the
24 original tract to be subdivided and at all street intersections and such intermediate
25 points as may be required. All lot corner markers shall be permanently located
26 and shall be at least a three-fourth-inch metal pin with a minimum length of thirty
27 (30) inches located in the ground to final grades.

28 Motion was seconded by Chairman Redmond.

29
30 Mr. Perretta read aloud the following resolution:

31
32 CITY OF OGDENSBURG PLANNING AND DEVELOPMENT BOARD

33
34 RESOLUTION RECOMMENDING APPROVAL WITH CONDITIONS OF THE
35 REQUESTED SUBDIVISION OF
36 TAX MAP NUMBER 48.072-8-44

37
38 RESOLUTION No. 2019-003

39
40 **WHEREAS**, an application has been filed with the Ogdensburg Department of Planning and Development,
41 City of Ogdensburg, St. Lawrence County, New York (“City”) seeking subdivision approval for tax map
42 number 48.072-8-44. Requested by the Mr. Donald E. Barry (“Applicant”), Ogdensburg, New York; and,
43

44 **WHEREAS**, the Board, acting on said application, duly advertised in the Watertown Daily Times held a
45 public hearing on said application for subdivision at City Hall, 330 Ford Street, Ogdensburg, New York
46 today the 16th day of July, 2019. All those desired to be heard were heard and their testimony duly recorded
47 at this hearing; and
48

1 **WHEREAS**, in accordance with 239-m requirements, the application did not require review by the St.
 2 Lawrence County Planning Offices; and

3
 4 **WHEREAS**, the Ogdensburg Planning and Development Board, as Lead Agency completed SEQR of this
 5 Unlisted Action, making a negative declaration pursuant to 6 NYCRR 617.5(c)(7) and is not subject to
 6 further environmental review; and

7
 8 **NOW BE IT THEREFORE RESOLVED** that the Planning and Development Board hereby recommends
 9 **Preliminary approval with conditions** of the requested subdivision of TMN 48.072-8-44.

10
 11 Conditions of approval are as follows:

- 12 a. Utilities (inclusive of any future utilities) to service the subdivision be placed
- 13 underground, consistent with the utilities of the adjacent Beaver Brook Subdivision;
- 14 b. Applicant provide deed descriptions for proposed lots 1, 2, 3, 4, 5, and 6;
- 15 c. Subdivision of lots 2, 3, and 4 will require combination with conforming adjacent lot.
- 16 d. §193-7 H. Monuments. Permanent reference monuments of precast concrete or a durable
- 17 stone, thirty by six (30 x 6) inches, with forty-five-degree beveled edges shall be set at
- 18 final grade at all corners and angle points of the boundaries of the original tract to be
- 19 subdivided and at all street intersections and such intermediate points as may be required.
- 20 All lot corner markers shall be permanently located and shall be at least a three-fourth-
- 21 inch metal pin with a minimum length of thirty (30) inches located in the ground to final
- 22 grades.

23 The question of adoption of the forgoing Resolution was duly put to vote on a roll call, which
 24 resulted as follows:

Moved:	Perretta			
Second:	Redmond			
VOTE	Aye	Nay	Abstain	Absent
Mr. Redmond	X			
Ms. Pellett	X			
Mr. Perretta	X			
Mr. Lesperance				X
Mr. Lichterman	X			
Alt. Mr. St. Joseph				X

26
 27 The motion to provide preliminary approval with conditions was approved 4/0. The Applicant will
 28 have 45 days to provide the required information as listed in the conditions and submit for final
 29 approval to the Planning Board. If the materials can not be provided within 45 days, the Applicant
 30 shall request an extension in writing which can be approved by the Director of Planning.

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 32 **5. New Business**

33
 34 **6. Old Business**

- 35 (a) Review of public comment on Consolidated Draft Zoning Ordinance – The board
- 36 resumed discussion of comments from both OBPA and the Zoning Board of
- 37 Appeals regarding the Consolidated Draft Zoning Ordinance. Specifically, the
- 38 Board discussed portions of Port Authority property between Tate Street and Kiah
- 39 Street Industrial and maintaining the recommendation for R/B zoning from Kiah
- 40 Street East to Kenrick Street (Proctor Ave). The Board discussed the proposed

1 zoning within Commerce Park as requested by OBPA. Members noted the
2 concern that Industrial zoning is not necessarily compatible with the existing
3 businesses within the park, and the Business zoning propose will support all of the
4 existing uses, and will only prohibit heavy industrial which could be a detriment
5 to those businesses. The board reviewed the zoning on Ford Street and discussed
6 the idea of having a more concentrated “downtown” verses R/B zoning
7 throughout Ford Street...the Board asked to further review this at the August
8 meeting. The members also discussed the concerns raised by the ZBA regarding
9 setbacks for accessory structures. The ZBA recommended a 5’ setback where the
10 Planning Board and Council had recommended a 3’ setback, presently the setback
11 is 6’. Ms. Pellett stated that she agreed the 3’ setback did seem like a substantial
12 reduction and noted that there seemed to be pressure from Council to recommend
13 the 3’. Mr. Perretta and Chairman Redmond also voiced concern and suggested
14 the Board consider the recommendation form the ZBA and look more closely at
15 the other changes in that section as well including the change in height and lot
16 saturation. Ms. Smith noted the changes begin on page 221:43 of the revision.
17 The board requested that Ms. Smith make draft changes to the proposed zoning
18 map for the next meeting with these changes.
19 No action was taken, additional changes will be discussed at the August 6, 2019
20 meeting.

21
22 **7. Items for Discussion**

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24 **8. Member Comments**

- 25
26 9. **Adjournment** – Motion by Ms. Pellett to adjourn, second by Mr. Lichterman. Meeting
27 adjourned at 6:47 PM by a vote of 4/0.

28
29 **Next REGULAR Meeting Date: Tuesday, August 6, 2019 at 5:30 PM**
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