

**CITY OF OGDENSBURG
PLANNING & DEVELOPMENT BOARD**

**APPROVED MINUTES FOR
AUGUST 2, 2016**

Members Present: Tim Redmond (Chairman), Linda Pellett, Frank Perretta, Michael Frary, and David Lesperance (Alternative)
Members Absent: Paul Stevenson (excused), Josh Blair (excused), Sean O'Brien (excused)
Staff Present: Andrea Smith, Planning & Community Development Director
Others Present: Aaron Jarvis, Tisdell Associates, Margie Rose, Anne Johnson, Fr. O'Brien, Fr. Morgan, Mari Cecil, Chris Todd, and John Mikolay

THIS MEETING WAS DIGITALLY RECORDED.

5:30 PM Mr. Redmond called to order the regular meeting of the Planning Board as Chairman. Mr. Redmond stated that this is a regular public meeting of the Planning Board and that not a public hearing. Chairman Redmond noted that Members Stevenson, Blair and O'Brien have asked to be excused – there was consensus to excuse those members.

1. **Approval of Previous Minutes** – Chairman Redmond noted that previous minutes required approval from the regular June 7, 2016 meeting.

Motion by Mr. Frary to approve the June 7, 2016 minutes, second by Mr. Lesperance.

Discussion: None

Vote – 5/0, Minutes received sufficient affirmative votes and are hereby approved as corrected.

2. **Correspondence** –

- a. **Ex-Parte Communication** – Mr. Redmond asked Ms. Smith to review this portion of correspondence. Ms. Smith replied, ex-parte communication is “any informal communications (written, oral, etc.) any board member has received regarding a relevant Zoning Board matter must be formally disclosed prior to any public hearing or testimony on the matter. The City Clerk should record such correspondence.”

There was none to be disclosed.

3. **Site Plan Review**

- a. 214 King Street, Claxton-Hepburn Medical Center – Mr. Redmond noted that action by the ZBA was required before Planning Board action. He added that the ZBA has completed their findings, and revisions have been made to the site plan as presented. He asked the Applicant to present an overview of the request for site plan review. Mr. Aaron Jarvis from Tisdell Associates spoke on behalf of Claxton-Hepburn Medical Center. Mr. Jarvis noted that CHMC now has ownership of all

1 the parcels in questions, and have combined them by deed to facilitate this
2 application and the previous application for variances. He noted that the intent of
3 this request is to receive site plan approval to enlarge and connect the existing
4 parking areas to support the medical centers need for off-street parking. He noted
5 that this proposal will add between 60 and 70 new spaces.

6 Discussion – the Board discussed the dimensions of the parking spaces as approved by the ZBA
7 10’x18’ – Mr. Jarvis noted that the width is the most critical to account for larger vehicles, i.e.
8 SUV’s.

9 Staff presented comments and recommendations as requested by Chairman Redmond: Ms.
10 Smith noted that the parking facility is an accessory to the Medical Facility, as an accessory use
11 in the MDR district which requires a 15’ front yard setback. As such variances have been
12 requested and approved at 5’ for Ford Ave, Rensselaer Ave, and King Street for the new areas
13 illustrated in gray in the applicant’s site plans. Ms. Smith noted that the concerns from staff
14 remain as presented previously. She noted that stormwater will be addressed through the
15 installation of stormwater retention basins under the parking areas, and landscape screening will
16 be provided. She added that a note should be added to the site plan regarding maintenance of
17 the landscaping. Lastly, she inquired about how the Applicant intends to manage snow
18 storage/removal which is not addressed in the plans. Mr. Jarvis stated that snow will be stored
19 on site as it is now. Discussion ensued among the Board – it was decided that a note would be
20 required stating that all snow would be removed from the site.

21
22 Motion for approval with conditions by Mr. Lesperance, 2nd by Mr. Frary.
23 Mr. Lesperance read aloud the following resolution for approval with conditions:

24
25 CITY OF OGDENSBURG PLANNING BOARD

26
27 214 KING STREET SITE PLAN
28 FINAL SITE PLAN APPROVAL
29

30 **WHEREAS**, Claxton Hepburn Medical Center (CHMC), has proposed an addition expansion of their
31 parking facility as an accessory use to the medical facility located at 214 King Street in the City’s
32 Moderate Density Residential (MDR) zoning district, which does support the proposed accessory land
33 use; and

34
35 **WHEREAS**, the proposed parking facility has received approval of the front yard setback in the MDR
36 District from the Zoning Board of Appeals, providing 5’ where 15’ is required. Furthermore, the ZBA has
37 approved dimensional relief of the required parking stall dimensions for 77 parking spaces, where
38 10’x20’ is required 10’x18’ has been approved; and

39
40
41 **WHEREAS**, the Ogdensburg Planning Board, as Lead Agency is conducting a SEQR of this Type II
42 Action under SEQRA pursuant to 6 NYCRR 617.5(c)(2) and is not subject to further environmental
43 review; and

44
45 **WHEREAS**, Members of the Planning Board are familiar with the area and the specific site of same; now
46 therefore,
47

1 **NOW BE IT RESOLVED** that the Planning Board hereby grants FINAL approval the applicant’s
 2 request to expand the parking facility at 214 King Street subject to the following conditions:

- 3 1. Applicant revise site plan to include:
 4 a. Applicant ensure that landscape screening along King Street, Ford Avenue, and
 5 Rensselaer Ave be watered regularly and maintained as needed for one year after
 6 planting, and be replaced should any of it die within the first two years of planting to
 7 provide a buffer to adjacent single-family residences, and R/B zoning district,
 8 2. Applicant revise site plan to include a note that snow removal is required. All snow to be
 9 removed from the site and shall not be stock piled on site.

10
 11 The question of adoption of the forgoing Resolution was duly put to vote on a roll call, which
 12 resulted as follows:
 13

Moved:	Lesperance			
Second:	Frary			
VOTE	Aye	Nay	Abstain	Absent
Mr. Redmond	X			
Ms. Pellett	X			
Mr. Blair				X
Ms. Perretta	X			
Mr. Frary	X			
Mr. O’Brien				X
Alt. Mr. Lesperance	X			
Mr. Stevenson				X

14
 15 The foregoing resolution received sufficient affirmative votes and is henceforth approved 5/0
 16 with conditions by the Planning and Development Board.
 17

18 Ms. Smith stated that the applicant would receive an approval letter along with a copy of the
 19 unapproved minutes including the resolution for approval with conditions. She added that
 20 building permits are required and can be obtained in the Code Office. The Applicant did not
 21 have questions for Staff or the Board.
 22

- 23 **b.** Picquet Drive/Lions Ball Park Subdivision – Mr. Redmond requested that Ms. Smith
 24 provide an overview of the subdivision process. Ms. Smith provided and overview
 25 reading aloud from Chapter 193 Subdivision of Land (attached with these minutes),
 26 and the need for SEQRA and a public hearing. Mrs. Rose followed stated that she has
 27 been unsuccessful selling the property as a whole and desires to subdivide the lot
 28 further to create 3 additional lots in addition to the one lot, ‘Parcel A’, that has been
 29 recently established. Ms. Smith stated that the Planning Board will be required to
 30 hold a public hearing and comply with the requirements of SEQRA. She noted that a
 31 resolution for SEQRA has been prepared for the Board and September 6, 2016 can be
 32 established as the date for the public hearing.

33 Motion made by Mr. Perretta, 2nd by Chairman Redmond to classify the SEQRA action and make a
 34 negative declaration stating no negative environmental impacts.
 35
 36
 37

DRAFT

**PLANNING BOARD
CITY OF OGDENSBURG**

**SEQR RESOLUTION
CLASSIFICATION OF ACTION AND
NEGATIVE DECLARATION**

**APPLICATION FOR SUBDIVISION APPROVAL
LIONS CLUB BALL PARK SUBDIVISION**

11 WHEREAS, on June 7, 2016 the Planning Board of the City of Ogdensburg, received an
12 application from the Estate of Steve Rose (Margie Rose) for subdivision of 48.073-
13 4-1.1 located on Picquet Drive in order to create three lots; and,
14

15 WHEREAS, the Planning Board has received a short Environmental Assessment Form (“EAF”)
16 for the project with Part I completed by the applicant, and;
17

18 WHEREAS, the NY State Environmental Quality Review Act (SEQRA) regulations found at 6
19 NYCRR Part 617.3(a) require that no agency shall carry out, fund or approve an
20 action until it has complied with the requirements of SEQRA, and;
21

22 WHEREAS, 6 NYCRR 617.6(a) requires that when an agency receives an application for
23 approval of an action it must: (1) determine whether the action is subject to
24 SEQRA, (2) determine whether the action involves a federal agency, (3) determine
25 whether other agencies are involved, (4) make a preliminary classification of the
26 action, (5) determine whether a short or full EAF will be used to determine the
27 significance of the action, and (6) determine whether the action is located in an
28 Agricultural District, and;
29

30 WHEREAS, this project appears to be an “unlisted” action under SEQRA; and;
31

32 WHEREAS, 6 NYCRR 617.6(b)(4) indicates that when more than one agency is involved in the
33 review of an unlisted action, an agency may conduct an “uncoordinated” review as
34 if it were the only involved agency under SEQRA, and
35

36 WHEREAS, the Planning Board has independently considered both the information provided in
37 the EAF and application materials, and comments provided by City Staff,
38

39 NOW, THEREFORE, BE IT RESOLVED,
40

41 that the Ogdensburg Planning Board hereby determines that:
42

- 1 1. the proposed action constitutes an Unlisted action which is subject to SEQRA,
- 2 2. The proposed action does not involve a federal agency,
- 3 3. The proposed action is not located in, or within 500 feet of, an Agricultural District and,
- 4 therefore, is not subject to the provisions of the Agriculture and Markets Law,
- 5 4. A short EAF is adequate for determining the significance of the proposed action, and

6
7 BE IT FURTHER RESOLVED,

8
9 that there being no other involved agencies with respect to the proposed action, the
10 Planning Board hereby declares it is lead agency with respect to SEQRA review
11 of the proposed subdivision; and,

12
13 BE IT FURTHER RESOLVED,

14
15 that based upon its review of the project and the EAF, comments from City Staff, and
16 comparison with the Criteria for Determining Significance found at 6 NYCRR
17 Section 617.7(c), the Ogdensburg Planning Board hereby finds that approval of the
18 Lions Club Ball Park Subdivision constitutes an action which will not have a
19 significant impact on the environment and, therefore, does not require preparation
20 of a Draft Environmental Impact Statement; and,

21
22 BE IT FURTHER RESOLVED,

23
24 that this determination is based upon the following facts and conclusions:

- 25 1. The proposal is to subdivide one existing lot in a manner that would create
- 26 three (3) conforming lots within the City's single-family residential zoning
- 27 district.
- 28 2. The subdivision does not require the construction of any new streets or
- 29 highways, or other City infrastructure. Access would be provided from the
- 30 existing Picquet Drive.
- 31 3. The subdivision is located within both the municipal boundary with
- 32 accessible public water and sanitary sewer. The City has adequate capacity
- 33 to serve the proposed subdivision.
- 34 4. Review of available environmental inventory information revealed the site
- 35 is located in an archeological sensitive area as defined by NY SHPO, but {a
- 36 letter of no significance has been requested}.
- 37 5. Review of the site in the field and with available environmental data
- 38 revealed no other significant or environmentally sensitive characteristics of
- 39 the parcel or issues requiring further study;
- 40

41
42 BE IT FURTHER RESOLVED,

43
44 that this Determination of Significance shall be considered a Negative Declaration made
45 pursuant to Article 8 of the Environmental Conservation Law; and,

1
2 BE IT FURTHER RESOLVED,

3
4 that the Department of Planning and Development is hereby authorized to file any and
5 all appropriate notices so that the intent of this Resolution is carried out.
6

7 **On a motion by Mr. Perretta, seconded by Chairman Redmond, and by a vote of 5 for, 0**
8 **against and 0 absent, this RESOLUTION was adopted on August 2, 2016.**

9
10 The question of adoption of the forgoing Resolution was duly put to vote on a roll call, which
11 resulted as follows:
12

Moved:	Perretta			
Second:	Redmond			
VOTE	Aye	Nay	Abstain	Absent
Mr. Redmond	X			
Mr. Blair				X
Mr. Perretta	X			
Ms. Pellett	X			
Mr. O'Brien				X
Mr. Stevenson				X
Mr. Frary	X			
Alt. Mr. Lesperance	X			

13
14 The foregoing resolution received sufficient affirmative votes and is henceforth a negative
15 declaration has been made 5/0 by the Planning and Development Board.
16

17 The Planning Board further established September 6, 2016 as the date for the Public Hearing on
18 this subdivision by unanimous consensus, 5/0.

19 Mrs. Johnson inquired how the public hearing works and if the public speaks out against if the
20 request would be denied. Ms. Smith stated that the public hearing is most simply an opportunity
21 for the public to ask questions, voice their concerns, or support for the request. Ms. Smith noted
22 that if a member of the public speaks in opposition does not necessarily result in denial of the
23 request.

- 24 c. 315 Gates Street, Adaptive Reuse Permit Application – Ms. Mari Cecil from BCA
25 introduced herself as the Architect working with Father Morgan and Father
26 O'Brien on behalf of Notre Dame Church. Ms. Cecil stated that since the closing
27 of St. Marguerite D'Youville Academy the Church would like to reuse the facility
28 for parish offices, along with the continuation of Religious Education and Head
29 Start programing. She added that religious ed. is offered on the weekends only.
30 The Parish offices would be 8 am – 4 pm roughly.

31 Ms. Smith presented the staff comments with an introduction to the ARD. She noted that the
32 property was rezoned in July 2015 to Adaptive Reuse District being 1.8 acres in size and
33 institutional/quasi-public in nature. She read from the staff report: “The purpose of the district
34 (§221-23) is to “(i) recognize the public, quasi-public, and institutional nature of particular parcels
35 of land and provide standards and guidelines for their continued use and future adaptive reuse; (ii)
36 to ensure that the developments within the district will be compatible with surrounding zoning
37 districts and uses; and (iii) promote development, community compatibility and economic

1 development by allowing the adaptive reuse of existing buildings and/or land uses, which may
 2 have become obsolete, after public review. Adaptive Reuse permits a wider range of land uses to
 3 be available to existing buildings and uses for the purpose of extending their useful life.”
 4

5 Ms. Smith further noted that the role of the Planning Board is to make a recommendation to the
 6 Zoning Board of Appeals, who will then make a formal recommendation to the City Council.
 7 The City Council will hold a public hearing and make a final determination to approve,
 8 disapprove or approve with conditions the request for an ARD permit. Following the conclusion
 9 of the City Council action, the Applicant will be required to complete site plan review.
 10

11 Ms. Smith read aloud the comments as follows:

- 12 a Screening should be installed due to the nature of the ADR and the ability of the parcel to
 13 function broadly under the Professional Office category. This may not always be
 14 restricted to the ownership of the Church, nor the hours of operation described.
 15 Therefore, the screening will uphold the spirit of the ordinance and provide some visual
 16 buffer for adjacent residential uses.
 - 17 o Ms. Cecil noted that the Church proposes the addition of vinyl slates to the
 18 existing fence to achieve the required screening.
- 19 a When the property functioned as a school there was some conflict in the traffic flow
 20 patterns. While the flow is anticipated to be less, the Planning Board requested that the
 21 flow be restricted to one entrance and one exit only with pavement markings to illustrate
 22 this.
 - 23 o The Applicant has revised the site plan to reflect this comment.
- 24 a §221-24 B 2 (vii) - Provide sidewalks along public streets, and other full control of
 25 access frontages including, but not limited to, recreational trails as determined by the
 26 ZBA.
 - 27 o The site development plan illustrates the existing sidewalks along Gates Street,
 28 and Mansion Ave, as well as Spring Street, but does not illustrate that sidewalks
 29 will be added along Albany Ave.
 - 30 o Discussion ensued among the board with the Applicant in which the sidewalk
 31 requirement was debated at length. The Board opted to maintain the spirit of the
 32 ordinance and recommend sidewalks be installed.

33
 34 Motion by “ to recommend approval of the proposed ARD Permit Application at 315 Gates
 35 Street with conditions to the Ogdensburg Zoning Board of Appeals as discussed above, I so
 36 move.”
 37

38 The question of adoption of the forgoing Resolution was duly put to vote on a roll call, which
 39 resulted as follows:
 40

VOTE	Aye	Nay	Abstain	Absent
Mr. Redmond	X			
Ms. Pellett	X			
Mr. Perretta	X			
Mr. Stevenson				X
Mr. Blair				X
Mr. O'Brien				X

Mr. Frary	X			
Alt. Mr. Lesperance	X			

1
2 The foregoing motion received sufficient affirmative votes, henceforth a report shall be issued to
3 the ZBA by a 5/0 by the Planning and Development Board.

4
5 Ms. Smith reviewed the remaining timeline of meetings for the Applicant. Ms. Mari Cecil
6 requested if an updated plan could be submitted to the ZBA – Ms. Smith replied yes.

7
8 **4. Old Business –**

9 **a. Update on Past Activities** – Ms. Smith stated that representatives from Aubertine
10 and Currier and TLS are here to discuss a pending application for an amendment
11 to the approved site plans for 231 Lake Street and 11 Rensselaer Ave. Mr. Chris
12 Todd and John Mikolay discussed the need for an amendment to the approved site
13 plan. Mr. Todd noted that upon receiving PB approval requiring that the lots be
14 combined, funders have required that the two projects are required to be on two
15 separate lots. Therefore, he noted that area variances will be required for setback
16 relief before coming back to the Planning Board for an amendment.

17
18 Ms. Smith provided a brief background on the project noting that the parking lot is
19 proposed as a shared facility and the requirement for useable open space where the
20 two primary reasons for the conditions of combining lots. Some discussion ensued
21 regarding how this would be managed. Ms. Smith responded that if the variances are
22 approved, and the request for an amendment is presented to the planning board
23 easements will be required to secure ingress and egress as well as access to the open
24 space.

25
26 **5. New Business –**

27
28 **6. Member Comments –**

29
30 **7. Adjournment** – Motion by Mr. Frary to adjourn, second by Mr. Lesperance. Meeting
31 adjourned at 6:37 PM by a vote of 5/0.