

**CITY OF OGDENSBURG
PLANNING & DEVELOPMENT BOARD**

**APPROVED MINUTES FOR
APRIL 5, 2022**

Members Present: Tim Redmond, (Chairman), Frank Perretta, Dean Lichterman, Ryan Frary and Michael Weaver

Members Absent:

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 regular meeting of the Planning Board. Remote participation was provided using Go To Webinar ID: 373-182-347.

1. **Call to order** – Chairman Redmond reviewed members present. All members present were introduced.
2. **Approval of Previous Minutes** – Motion by Mr. Perretta to accept the minutes from March 1, 2022, second by Mr. Redmond. Chairman Redmond noted a correction on page 1, line 22 with regard to the spelling of his last name. There were no other changes, therefore the minutes are hereby approved as corrected 5/0.
3. **Correspondence**
 - a. Ex-parte communication – none
 - b. Written communication – Ms. Smith noted that a letter from the DEC had been received on Monday, April 4th with regard to wastewater outflows and endangered species for the development proposal at 17 Main Street. A copy of the DEC and email correspondence are attached to these minutes.

4. Items for Planning Board Action

a. 17 Main Street, River Street Brewing Company
Ms. Smith introduced proposal for 17 Main Street by noting that the Zoning Board of Appeals has met and approved the area variance application requesting relief of the parking dimensions for both standard parking spaces and handicap accessible parking spaces. She added the unapproved March 22nd meeting minutes were provided as an attachment to the revised drawings. Ms. Smith also noted that the City Council has held a public hearing on the sale of the property to Mr. Hosmer and at the March 28th meeting voted in support of the resolution to sell the .58-acre portion to Mr. Hosmer. Both of these items were part of the required next steps the Applicant was required to obtain approval of before coming back to the Planning Board. She introduced Mr. Hosmer to review the revisions to the drawings. Mr. William Hosmer presented the site plan revisions for final approval for 17 Main Street for the proposed 2500 SF brewery. Mr. Hosmer presented the following changes:

- Addition of a concrete pad at the base of the exterior stairs.

- 1 • moved the fence exit to the rear and connected it to the concrete sidewalk
- 2 • Added a sidewalk from the main sidewalk to the brewery front door
- 3 • Sidewalk along W. River Street is now on the drawings along with the
- 4 proposed landscape screening.
- 5 • Included vegetative screening along W. River Street
- 6 • Provided photometrics and lighting plan
- 7 • added 2' to the building size which was needed to fit in the kitchen area.

8
9 Mr. Hosmer noted that the brewery will serve a very limited menu that compliments the beer,
10 things like pizza, and pretzels.

11
12 There were no additional comments or discussion.

13
14 The following resolution was introduced by Mr. Perretta and seconded by Mr. Weaver.

15
16 **RESOLUTION P-2022-001(B)**

17
18 **RESOLUTION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**
19 **RELATIVE TO DECLARING THE INTENT TO BE LEAD AGENCY**

20
21 **WHEREAS**, 17 Main Street, TMN 48.078-4-4.11 located in the City's Residential/Business (R/B)
22 District, requests Site Plan Approval for the construction of a 2,500 SF Brewery and Biergarten at
23 this location; and

24
25 **WHEREAS**, the applicant William Hosmer, on behalf of River Street Brewing Company (RSBC)
26 has submitted a completed revised application on February 7, 2022 in accordance with the
27 standards prescribed by §221-72; and

28
29 **WHEREAS**, the intent of the R/B district is to delineate those areas of the city appropriate for
30 mixed residential and compatible business uses that will generate street level activity and provide
31 for water-dependent uses; and

32
33 **WHEREAS**, the Ogdensburg Planning and Development Board, as Lead Agency conducting SEQR has
34 determined this an Unlisted Action under SEQRA pursuant to 6 NYCRR 617.3 and does not warrant the
35 preparation of a draft Environmental Impact Statement (EIS).

36
37 **NOW BE IT THEREFORE RESOLVED** that the Ogdensburg Planning Board hereby grants Final Site
38 Plan Approval of the request to develop a 2,500 SF Brewery at 17 Main Street with the following
39 conditions:

- 40 1. This approval is contingent on the completion of the required subdivision of the parent parcel
41 owned by the City of Ogdensburg
 - 42 a. Proof of subdivision shall be a copy of the filing receipt with the Office of the St. Lawrence
43 County Clerk.
 - 44 2. Any and all vegetative material shall be planted and maintained in accordance with the International
45 Society of Arboriculture (ISA), tree plantings standards for compacted urban soils and replanted
46 should any material fail to thrive within three years of the date of a certificate of occupancy.
- 47

1 **BE IT FURTHER RESOLVED** that nothing in this Resolution shall relieve or reduce the
 2 applicant's expressed or implied responsibilities for completion of the approved Site Plan, and
 3 the applicant must report any and all changes to the Department of Planning and Development
 4 prior to their initiation; and

5
 6 **BE IT FURTHER RESOLVED**, that the City of Ogdensburg Code Enforcement Officer is
 7 hereby directed to enforce this resolution.
 8

Motion by Mr. Perretta to classify the action as Unlisted in accordance with SEQRA with no detrimental impacts, and henceforth provide for final site plan approval with conditions, 2 nd by Mr. Weaver.			
MEMBER	AYE	NAY	ABSTAIN
Chairman Redmond	X		
Mr. Perretta	X		
Mr. Lichterman	X		
Mr. Frary	X		
Mr. Weaver	X		
Alt. Member, Vacant			

9
 10 The motion to declare intent to be designated as Lead Agency received sufficient affirmative
 11 votes, 5/0 and is hence forth approved with conditions for filing with the City Clerk.
 12 with the City Clerk.
 13

14 Ms. Smith asked if the Applicant had any questions of the Board or Staff. Mr. Hosmer did not,
 15 but he asked if he could be provided with a copy of the completed SEQRA documents. Ms.
 16 Smith stated that while there is still work to be done to acquire the parcel which the City is
 17 working to complete, please note that building permits will be required prior to any
 18 commencement of work.
 19

20 **5. Old Business** – Ms. Smith also noted that at the February 28th meeting of the Council,
 21 Councilor Skamperle asked to revisit the Planning Board recommendation to expand
 22 retail sales as a home occupation that was discussed and denied (City Council Bill #44 of
 23 2018) in June 2018 (§221-47 E (5)[h][4](c)).
 24 The board reviewed the current language as well as the recommended language that was
 25 presented to the Council in 2018. The proposed language would add “The maximum
 26 square footage for general retail sales, as a home occupation, shall be the lessor of 33% of
 27 the residential premises or 600 square feet.” This would replace the existing language that
 28 states “Retail sales of products not produced on the premises shall be prohibited except
 29 for the sale of products incidental to services offered by the home occupation.”
 30

31 The board discussed the current language and the possibility of changing the language.
 32 Many members stated they would be concerned about negative impacts that this type of a
 33 change could bring to residential neighborhoods. Discussion about online sales and
 34 alternatives which include application for a use variance.
 35

1 A motion to recommend a change to the current language regulating retail sales as part of
 2 a home occupation to add “The maximum square footage for general retail sales, as a
 3 home occupation, shall be the lesser of 33% of the residential premises or 600 square
 4 feet.” Was introduced by Mr. Frary and second by Mr. Lichterman.
 5

Motion by Mr. Frary to recommend a change to the language regulating home occupations, 2 nd by Mr. Lichterman.			
MEMBER	AYE	NAY	ABSTAIN
Chairman Redmond		X	
Mr. Perretta		X	
Mr. Lichterman		X	
Mr. Frary		X	
Mr. Weaver		X	
Alt. Member, Vacant			

6
 7 The motion to recommend a change to the zoning code did not receive sufficient affirmative
 8 votes, 0/5 and is hence forth denied.
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10
 11 **6. Adjournment** – Motion to adjourn by Mr. Redmond 2nd by Mr. Frary
 12

Moved:	Redmond			
Second:	Frary			
VOTE	Aye	Nay	Abstain	Absent
Mr. Redmond	X			
Mr. Perretta	X			
Mr. Lichterman	X			
Mr. Weaver	X			
Mr. Frary	X			
Alt. (vacant)	-----	-----	-----	-----

13
 14 On a motion by Mr. Redmond, seconded by Mr. Frary and by a vote of 5 in favor, and 0 against,
 15 and 0 absent, the meeting adjourned at 6:08 PM.

16 The next regular meeting of the Board will be May 3, 2022 at 5:30 PM.