

A Regular Meeting of the Village of Potsdam Board of Trustees was held on Monday, January 23, 2017 at 7:00 P.M., in the Civic Center Board Room, Park Street, Potsdam, New York.

PRESENT: Mayor Tischler
Trustees Warr, Hopke & Sheehan

ALSO PRESENT: Maureen Gaffney, Deputy Village Clerk
Greg Thompson, Village Administrator
Fred Hanss, Planning Director
Mark Murray, Police Chief
Bruce Henderson, DPW Superintendent

Mayor Tischler opened the meeting at 7:00 P.M., and stated that all members were present with the exception of Trustee Garner.

Mayor Tischler then stated that the following sets of minutes had been submitted for Board acceptance:

January 9, 2017	Regular Meeting	7:00 p.m.
January 9, 2017	Executive Session	7:36 p.m.

Motion was made by Trustee Warr and Seconded by Trustee Hopke to accept the minutes as submitted. All were in favor, none opposed, motion carried.

Mayor's comments: Discussion regarding term limits for board members. The Mayor stated that he is looking for input from the Board to see what people think. He stated that at the end of the agenda there is a resolution setting a public hearing for the first part of February on this issue.

Trustee's Comments: Trustee Hopke stated that she thinks it is a good idea and that people get stale on a board and need to take some time off. She stated that it doesn't mean they can't get back on the board but that they need to take some time off. She stated that the board has a draft resolution with 2 four year terms in the limit. She then discussed some exceptions and stated that this is just a draft for discussion. The Mayor stated that the public would be able to comment during the public hearing. Trustee Hopke stated that this is just a draft and if the board wanted to they could do the public hearing the second meeting in February instead of the first. Trustee Warr stated that he is willing to talk about it but given the fact that he has been unopposed for 8 years and that there is not a plethora of people who want to do this. He thinks there is a point in time you should stop serving but if there is no one wanting to serve and you have term limits on those that do then you don't have a board. He stated he is willing to talk about it and get some feedback. Eleanor stated that one of the issues she has with NY State is that in order to run for office you have to be a member of a political party. She stated that in Potsdam the Republicans have not been very active and the Democrats are doing a poor job getting information out about when the caucuses are. Trustee Warr stated that people just don't show up. He stated that the information was in numerous papers, on the websites, discussed at the county meeting, he told people individual and people still didn't show up. He stated that you do not want to cut off your nose to spite your face and you don't want to leave the board shorthanded if nobody wants to run. Trustee Sheehan stated that it will be great to have the public hearing and get public comments on it.

Administrator's Comments: Administrator Thompson reported on the following:

- Crosswalk by school concerns. Will work with Bruce and get back to board on next meeting. Bruce said the main issue is elevation and trees. A gas line might have to be lowered if they drop the elevation to make it handicapped accessible.
- Carrie Tuttle from DANC has a proposal for running the water and wastewater plants. They have put together a proposal and he will invite her to the February 6th meeting to present that proposal.
- West Dam Hydro is back up and running at 100%.
- East Dam Hydro reports by February 10 from NYPA and Maine Industrial so we can start doing some comparisons.
- Brief meeting with Randy LaValley regarding the proposals he has for the airport. Will forward more information as it becomes available.
- Budget is ok. We are looking at percentages and we are cautiously optimistic right now. Next year's preliminary budget numbers will be in to us by the end of February.

DPW Superintendent's Report: Superintendent Henderson reported on the following items:

- New motor grader in service since last Wednesday.
- 1400 hours ice and snow removal this year last year we had 603 hours. Lots of snow in November and December.
- Two men down right now if we have any emergencies we will be overwhelmed.
- Water – 6 water breaks to date. Had 11 last year.
- Sewer – 15 calls for plugged sewers.
- Summer – Castle Drive rehab this year – 1st half Leroy to culvert.
- Budget – about ½ way through it.

Public Comment:

John Myers of Taxi Zero thanked the board for increasing the taxi prices.

John & Christine Lancaster of 32 Pierrepont Avenue were in favor of the proposal for term limits.

Glenn Seymour of 8 Cedar Street spoke in favor of the property owner of 177 Elm Street wanting to put in apartments and the Village board to favorably consider his request for Village water. He also thanked the DPW for all their hard work.

New Business:

Trustee Warr Moved and Trustee Hopke Seconded a resolution approving the partial expenditures for the month of January 2017 in the amount of \$212,093.92 chargeable to the following funds:

General Fund	\$127,369.64
Water Fund	22,207.10
Sewer Fund	33,010.79
Hydro Fund	3,682.11
Trust & Agency Fund	1,688.20
Recreation Fund	4,063.32
Trash Fund	<u>20,072.76</u>
TOTAL	<u>\$212,093.92</u>

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Hopke Seconded a resolution authorizing the Treasurer to make the following FY 16-17 budget modifications:

<u>INCREASE</u>	<u>Description</u>	<u>DECREASE</u>	<u>Description</u>	<u>Amount</u>
05-1640-103	Salaries o.t.	05-1640-470	Bldg. Maint.	\$200.00

ROLL CALL VOTE:

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Hopke Seconded a resolution authorizing the Treasurer to pay the following invoice:

TO: GHD Consulting in the amount of \$2,000.00 for professional services rendered through December 18, 2016 in connection with the Cross Town Canal Dual Siphon Installation Project.

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Hopke Seconded a resolution authorizing the Treasurer to pay the following invoice:

TO: Development Authority of the North Country in the amount of \$1,111.32 for professional services rendered through December 2016 for the WWTP Technical Services Agreement.

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Hopke Seconded a resolution authorizing the Treasurer to pay the following invoice:

TO: Development Authority of the North Country in the amount of \$167.50 for professional services rendered in December 2016 for the Crosstown Stormwater Canal Project.

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Hopke Seconded a resolution authorizing the Treasurer to pay the following invoice:

TO: Development Authority of the North Country in the amount of \$167.50 for professional services rendered in December 2016 for the Water Tank Improvement Project.

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Hopke Seconded a resolution authorizing the Treasurer to pay the following invoice:

TO: Development Authority of the North Country in the amount of \$167.50 for professional services rendered in December 2016 for the Water Sewer Rate Study Project.

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Hopke Seconded a resolution authorizing the Treasurer to pay the following invoice:

TO: Development Authority of the North Country in the amount of \$280.00 for professional services rendered in December 2016 for the SCADA WWTP Capital Improvement Project.

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Hopke Seconded a resolution approving the permanent appointment of Preston Forbes to the position of Head Motor Equipment Mechanic at the DPW. Preston has successfully completed his probationary period.

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Hopke Seconded a resolution approving the taxi rates for inside the Village of Potsdam limits of Potsdam Madstop Taxi for the period of January 24, 2017 through April 30, 2018 as follows:

\$7.00 for 1 passenger
\$1.00 for each additional passenger
\$4.00 for each additional stop - \$1.00 per minute after 5 minutes
\$10.00 for 1 passenger for 12 p.m. to 6 a.m.
\$1.00 for each additional passenger for 12 p.m. to 6 a.m.
\$8.00 for SUNY Potsdam, Medical vouchers
\$100.00 per hour for moving boxes, totes, bins, etc. minimum of \$50.00

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Hopke Seconded a resolution approving the taxi rates for inside the Village of Potsdam limits of Taxi Zero for the period of January 24, 2017 through April 30, 2018 as follows:

\$10.00 for 1 to 2 passengers (6:00am – 12:00am)
\$2.00 added to fare 12:00am – 6:00am
\$2.00 added to fare beyond 2 miles
\$2.00 added to fare per stop up to 3 minutes
\$2.00 added to fare per extra passenger (3rd & 4th passengers)
\$0.70/minute added to fare per stop after 3 minutes
50% charge for no-shows or cancellations after taxi is dispatched **
** charge will be added to next Taxi Zero engagement

AYES 4 (Mayor Tischler)
(Trustee Warr, Hopke & Sheehan)

NAYS 0

Trustee Warr Moved and Trustee Hopke Seconded a resolution designating the Village of Potsdam as the lead agency for the SEQRA review for the revision of the Village of Potsdam Municipal Code Chapter 180, Zoning.

AYES 4 (Mayor Tischler)
(Trustee Warr, Hopke & Sheehan)

NAYS 0

Trustee Warr Moved and Trustee Hopke Seconded a resolution designating the SEQRA action for the revision of the Village of Potsdam Municipal Code Chapter 180, Zoning as an unlisted action. Further issuing a Negative Declaration.

Trustee Warr Moved and Trustee Hopke Seconded a resolution as follows:

LOCAL LAW #1-2017

Section 1. Purpose.

The Purpose of this Local Law is to Amend Chapter 180, Zoning of the Village of Potsdam Municipal Code.

Section 2. Amendment.

Article II. Definitions

§180-4. Definitions.

AMEND:

Airport, Potsdam

The Potsdam Damon Field Airport located on Elm Street and Hatch Road.

Antenna

A device used for the transmission or reception of an electro-magnetic signal that is mounted to a structure.

Banner

Any sign for advertising which is typically exposed to the weather and which is made from cloth, vinyl, canvas or other limp material. See image at Attachment 3.1.6 (reserved) also referred to as a “feather flag”. A flag shall not be considered a banner.

Basement/Cellar

A story partly underground and having at least ½ of its clear height above the average level of the adjoining ground.

Bed and Breakfast

An owner-occupied one family home in which overnight accommodations are provided or offered for transient guests in return for compensation.

Building Height

The vertical distance measured from the lowest point of the grade plane to the highest point of the structure.

Club, Membership

An organization catering exclusively to members and their guests or premises and buildings for recreational and athletic purposes which are not conducted primarily for gain, provided that there are no vending stands nor merchandising or commercial activities, except as required generally for the membership and purposes of such club. It includes the YMCA, YWCA, YMHA, veteran’s organizations, lodges, and religious or similar clubs but does not include fraternities, sororities or other clubs having dormitory accommodations.

Dwelling, Group

A building or portion thereof with sleeping and living accommodations for more than five persons, used or occupied as a dormitory, fraternity or sorority house, boardinghouse or rooming house but not as a bed and breakfast; or for similar use.

Fraternity House/Sorority House

A dwelling occupied as a residence by a fraternity or sorority fully recognized by the State University of New York at Potsdam and/or Clarkson University to include the site at which organization members reside and at which organization members and their guests conduct organization activities, including but not limited to meetings, group business, rushing, pledging, parties and social events. Any such fraternity or sorority house will constitute a group dwelling under the purposes of these regulations.

Fraternity/Sorority

A group or organization of university students established to provide opportunities for its member to be involved in social, academic and other philanthropic or service goals under the auspices of and fully recognized by the State University of New York at Potsdam and/or Clarkson University. Such groups customarily use Greek letters for names but may be otherwise identified.

Landscaped Island

A parking area/lot design feature that may include facilities such as sidewalks to promote pedestrian safety, landscaped strips, islands, perimeter strips or similar features intended to assist in the management of storm water, facilitate traffic channelization, to control and minimize heat, glare, and increase the supply of oxygen. See 180 Attachments 3.1.1, 3.1.2 and 3.1.3.

Loading Space

The area required for loading and unloading of one service vehicle, which in these regulations is held to be 55 feet in length, 12 feet in width and 15 feet in height, not including passageways.

Lot, Depth Of

The horizontal distance between the front and rear lot lines, measured from the general direction of the side lot lines from the inside edge of the Village right-of-way per §180, Attachment 2 (II-A).

Lot, Lines

The property line bounding a lot. Where a property line has been overlain by a dedicated right-of-way for any road or street or has a proposed road or street or has a proposed road or street, the property line shall be deemed to be the street line (See Attachment II-A).

Mobile Home Park

Mobile home parks shall mean a property consisting of a tract of land having more than 4 lots maintained by an operator for mobile homes and /or manufactured homes, and buildings or other structures that may be pertinent to their use, any party of which may be occupied by persons for residential purposes other than recreation, traveling or vacationing, and who are provided services or facilities necessary for their use of the property.

Park

An area designated for recreational activities oriented to the natural landscape, including hiking, picnic, boating or beach areas and similar outdoor structures and uses.

Parking Space/Stall

The area required for parking one automobile, in which these regulations is designated as improved area consisting of a compacted, stabilized surface measuring a minimum of nine and a maximum of 10 feet in width and a minimum of 18 and a maximum of 20 feet in length, not including any required maneuvering aisle or any public street, highway or right-of-way but having direct access to the same.

Public Or Private Utility

A structure, use or land designed and maintained as a public, private or municipal utility service facility in the provision of electronic, natural gas, telecommunications, wireless telecommunications, fiber optic cable, radio/television, water and sewer services.

Rooming House

A dwelling unit operated by a resident occupant and providing a room or rooms for rent, with or without board, to individuals.

Satellite Dish Antenna

Any parabolic dish, antenna or other device or equipment of whatever nature or kind, the primary purpose of which is to receive wireless telecommunications, radio, television, microwave or other electronic signals from space satellites.

Sign Mobile

A sign attached to or suspended from any type of motor vehicle or trailer which is capable of being moved from place to place, whether actually moved or not, either under its own power or by attachment to any vehicle and which is intended primarily for the display of advertising messages. Such sign shall not include lettering or other graphics painted or attached flush to the body of service, delivery or other such vehicles, provided that such do not exceed more than six inches beyond the normal body configuration of such vehicles; and, further that the vehicles are engaged in service or delivery or are stored in the primary residence of a business owner or tradesperson.

Sign, Multiple Tenant Listing

A multitenant listing sign is a single sign affixed to the wall of any structure or building in the Central Business District (CBD) which lists the names of businesses sharing the first or second floor footage.

Sign, Roof

A sign located above the cornice and fascia of a peaked or sloping roof or the bottom of a mansard roof per §180, Attachment 3 (II-B).

Subdivision

The division of any parcel of land into two or more lots.

- A. **Major Subdivision** – The division of any parcel of land into two or more lots, plots, sites, or other division of land for the purpose, whether immediate or future, of transfer of ownership or building development and shall include resubdivision, whether for sale, rent or development over a period of time.
- B. **Minor Subdivision** – The one time allowance for the division of an improved lot having the customary services of water, sewer, electrical and fronting on an existing paved roadway. The portion of property which is to be separated cannot exceed one acre.

Utility Area

That part of the lot or parcel intended for the placement of public or municipal utilities including water, sewer, electricity, natural gas, telecommunications, and fiber optic cable whether by easement, deed or other conveyance.

DELETE:

Area of Special Flood Hazard

Garden Apartments

Tourist Home

Trailer

ADD:

Addition

New construction added to an existing building or structure.

Adult Book And/Or Video Store

An establishment having a substantial or significant portion (more than 25% of merchandise in number, value or bulk and/or more than 10% of floor area) of its stock and trade books, magazines, periodicals, or other printed or digital matter or photographs, films, videos, slides, or other visual representations, which are characterized by the exposure or emphasis of specified sexual activities or specified anatomical areas or instruments, devices or paraphernalia, which are designed for use in connection with specified sexual activities, which are for sale, rental, viewing on or off the premises.

Adult Entertainment Cabaret

A public or private establishment which regularly presents topless and/or bottomless dancers, strippers, waiters, waitresses, male or female impersonators, lingerie models, or exotic dancers, or other similar entertainment or films and motion pictures digitalized CDs or videos, slides, or other photographic material, or which utilizes employees, who as part of their employment, regularly expose patrons to specified sexual activities or specified anatomical areas.

Adult Model Studio

Any place where a person who appears in a state of nudity or who displays specified anatomical areas is provided to be observed, sketched, drawn, painted, sculpted, photographed or similarly depicted by other persons who pay money or any form of consideration; are acceptable if duly licensed by the Board of Regents of the State of New York as an educational institution.

Adult Motion-Picture Theater

Any motion-picture theater where for any form of consideration, films, motion-pictures, digital CDs, videocassettes, slides or other photographic or digital reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of materials characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

Adult Theater

A theater, concert hall, auditorium or similar establishment which, for any form of consideration regularly features live performances characterized by the exposure of specified sexual activities or specified anatomical areas.

Alteration, Historic Preservation

Construction or other modification that changes one or more exterior features of a structure or building, but not limited to the erection, construction, reconstruction, addition, sand blasting, water blasting, chemical cleaning or removal of any structure, but not including changes to the color of exterior paint.

Alcohol

Ethyl alcohol or hydrated oxide of ethyl from whatever source or by whatever process produced.

Alcoholic Beverage

Includes alcohol, spirits, liquor, wine, beer, cider and every liquid or solid containing alcohol, spirits, wine, beer and capable of being consumed by a human being.

Applicant, Sexually Oriented Business

The person applying for a license to conduct a sexually oriented business.

Application, Sexually Oriented Business

The application for a license to operate a sexually oriented business.

Art Gallery

A room or building devoted to the exhibition of works of art.

Artist Studio

The workplace of one who professes or practices an imaginative and expressive art.

Belt Course

A molding or projecting material running horizontally along the face of a building. Belt courses are typically constructed of stone, tile, brick, shingles or similar material.

Buffer

An area provided to reduce the conflict between two (2) different land uses. Buffers are intended to mitigate undesirable views, noise and glare, to provide greater privacy to neighboring land uses. Typical buffers include, but are not limited to plant materials, walls, fences, and/ or significant land area to separate uses.

Building Containing Licensed Premises

The licensed premises and also any part of a building in which such premises is contained and any part of any other building connected with such building by direct access or a common entrance.

Build-to-Line

A build-to-line defines precisely where at least one exterior wall (generally the front or principal façade) of a proposed building or addition must be located with respect to a street or property line.

Business Street

A street which services or is designed to serve as an access to abutting business properties.

Café

A small, informal establishment that serves a variety of light refreshments.

Canopy

A projection over a storefront façade, doorway, often decorative or decorated; a roof over an accessory structure, including but not limited to gasoline pumps, and an automated teller machine or drive through window.

Collector Street

A street which serves or is designed to serve as a route connecting different parts of the municipality.

Comprehensive Plan

A comprehensive plan for development of the municipality prepared by the Planning Board, pursuant to §7-722 of the Village Law and includes any part of such plan separately accepted as a guide or adopted and any amendment to such plan, or parts thereof.

Cornice

The projection at the top of a wall or the top course or molding of a wall when it serves as a crowning member.

Curb Cut

An interruption to the curb to permit ingress and egress from property to a public Right-of-Way.

Dead-End Street

A street or a portion of a street with only one vehicular outlet.

Easement

Authorization by a property owner for the use of another and for a specified purpose of any designated part of his property.

Enclosed Motor Vehicle Repair

A building or structure in which a business or service industry involving the maintenance, repair, servicing, inspection or painting of motor vehicles is conducted or rendered.

Façade

The portion of any exterior elevation on the building extending from grade to the top of the parapet, wall or eaves and extending the entire length of the building facing a front, side or rear line.

Flag

A rectangular piece of fabric that is used as a symbol of a state or nation.

Full Cut-Off or Full Shield Fixture

An outdoor lighting fixture that is shielded or constructed so that all light emitted is projected below a horizontal plane running through the lowest light emitting part of the fixture.

Glare

Direct light that causes annoyance, discomfort or loss in visual performance and visibility.

Guideline, Historic Preservation

A guideline is a level that is preferred and recommended, and uses the term “should “and “may”. A guideline addresses a specific subject and is a strong suggestion but is not a requirement. Guidelines will be discussed with the Planning Board during site plan review.

Landscaping

The combination of natural elements such as trees, shrubs, ground covers, vines, or other organic and inorganic materials, which are installed for the purposes of creating an attractive and pleasing environment, screening unsightly views, and reducing environmental impacts.

License

A license issued pursuant to Article X. Sexually Oriented Businesses §180-47 (E).

Licensee

Any person to whom a license is issued pursuant to Article X §180-47 (E).

Light Fixture

The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror and a refractor or lens. A light fixture also includes the assembly for luminous tube and fluorescent lighting.

Massing

The three (3) dimensional shape of a building’s height, width and depth.

Massage Establishment

An establishment having a fixed place of business where massages are administered for pay, including but not limited to massage parlors, sauna baths or steam baths. This definition shall not be construed to include a hospital, nursing home or medical clinic or the office of a physician, surgeon, chiropractor, osteopath, duly licensed physical therapist or duly licensed massage therapist or barber shop, beauty salon, athletic club, health club, school, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental accessory service.

Owner-Occupant

A person or persons who own a dwelling in fee simple, is a party to a land contract or life estate and who occupy a dwelling as their principal, year-round residence.

Parapet

The portion of a wall that extends above a building’s roof line.

Parking Overload (Residential)

The habitual presence of vehicles parked in a manner or patterns of ingress or egress from an approved parking area that conflicts with a parking plan submitted as an exhibit to an application for a rental housing permit in accordance with §134-5 (B) (8) or other requirements of §180-22.

Pedestrian Walkway

A surfaced walkway, separate from the traveled portion of a public or private right-of-way, parking walkway lot or driving aisle.

Peep Shows

A theater which presents materials distinguished or characterized by primary emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas, in the form of live shows, films or videotapes, viewed from an individual enclosure, for which a fee is charged.

Person

An individual, firm, partnership, corporation, company, association, syndicate or other legal entity, whether he, she or it is acting for himself, herself, or itself or as a servant, employee, agent or representative of another.

Preliminary Layout

The preliminary drawing or drawings indicating the proposed manner or layout of the subdivision to be submitted to the Planning Board for its consideration.

Premises, Licensed

The premises licensed pursuant to Article X, §180-47 and on which a sexually oriented business may be operated.

Property Lot Line Adjustment

A mutually agreed upon relocation of a property line between two adjacent property owners which is not for the purpose of creating a new lot. The property being transferred shall not constitute a lot of division and will be absorbed into the original plat of land. The property lot line adjustment is completed when both the new property descriptions are recorded in the St. Lawrence County Clerk's office.

Scale

The size or proportion of a building element or space relative to the structural or functional dimension of the human body.

Sexually Oriented Business

Any commercial activity which sells, rents, shows, exhibits, or makes available for sale or rent, showing, exhibition, any material or entertainment distinguished or characterized by an emphasis on depicting or description of specified anatomical areas or of specified sexual activity and shall include, but not be limited to, adult arcades, adult markets, adult motion-picture theaters, adult theaters and adult video rental sales stores.

Special Flood Hazard Area

The land designated by the U.S. Federal Emergency Management Agency subject to a one (1) percent or greater chance of flooding in any given year.

Specified Anatomical Areas

Less than completely and opaquely covered human genitals, pubic region, buttock, and female breast below a point above the top of the areola; and the male genital is a discernibly turgid state even if completely and opaquely covered.

Specified Sexual Activities

Human genitals in a state sexual stimulation of arousal, or acts of human masturbation, sexual intercourse, oral copulation or sodomy; or fondling or other erotic touching of human genitals, pubic region, buttocks or breasts.

Standard for Historic Preservation

A level that requires conformity and uses the term “shall” or “must”. A standard addresses a specific subject and is a requirement. Relief from a standard requires a variance from the Zoning Board of Appeals, unless otherwise stated or the applicant demonstrates that it would be clearly be unreasonable or undesirable to do so under all circumstances, in which case the applicant may offer, and the Planning Board or Zoning Board of Appeals may approve, an alternative standard, criterion or action.

Storefront, Historic

The traditional “Main Street” façade bound by a structural pier on either side, the sidewalk on the bottom and lower edge of the upper façade at the top.

Street, Subdivision

Includes streets, roadways, avenues, lanes or other ways.

Street Pavement

The wearing or exposed surface of the roadway used by vehicular traffic.

Street Width

The distance between property lines.

Subdivider

Any person, firm, corporation, partnership or association who shall lay out, for the purpose of sale or development, any subdivision or part thereof, as defined herein, either for himself or others.

Subdivision Plat

The final map or drawing on which the subdivider’s plan of subdivision is presented to the Planning Board for approval and which if approved will be submitted to County Clerk for recording.

Tenant

A person or persons occupying a dwelling subject to a leasehold.

Texture

The visual and tactile quality of a surface apart from its color and form. A building texture refers to the variations in the exterior façade and may be described in terms of roughness or the surface material, the patterns inherent in the material or the patterns in which the material is placed.

Watercourse

Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed and banks and includes any area thereto subject inundation by reason of overflow of floodwater.

Article III. Establishment and Interpretation of Districts and Map

§180-5, Zoning Districts

DELETE:

Central Area (Overlay) District – CA

ADD:

Central Business District – CBD

Business and Light Industrial - BLI

Innovation District – ID

§180-6, Zoning Map

AMEND:

Village Zoning Map 2016

§180-9. One Family Residence District (R-1).

AMEND:

- C. Special Uses. Upon application to and authorization by the Village Planning Board and issuance of a permit, the following uses are permitted:

DELETE:

- D. (8) Tourist home.

ADD:

- D. (8) Bed and Breakfast.
- E. §180 Attachment 4, Zoning Schedule R-1 One Family Residence District provides standards for development in this zoning district.

§180-10. Two-Family Residence District (R-2).

AMEND:

- C. Special Uses. Upon application to and authorization of the Village Planning Board and issuance of a permit, the following uses are permitted:

DELETE:

- (5) Community centers.
- (6) Membership clubs.
- (12) Garden apartments.
- (14) Tourist homes.

AMEND:

- (5) Public or private utilities.
 - (6) Schools.
 - (7) Parks.
 - (8) Religious institutions.
 - (9) Funeral homes.
 - (10) Personal service uses.
 - (11) Bed and Breakfast.
- D. Site Plan review. The following uses shall require site plan review by the Village Planning Board per §180-32 prior to the issuance of a permit:

AMEND:

- (5) Public or private utility.
- (6) School.
- (7) Parks.

- (8) Religious institutions.
- (9) Funeral homes.
- (10) Bed and Breakfast.
- (11) Multiple-family dwelling.

ADD:

- E. §180 Attachment 4, Zoning Schedule R-2 Two Family Residence District provides standards for development in this zoning district.

§180-11. Multiple-Family Residence District (R-3).

AMEND:

- C. Special Uses. Upon application to and authorization of the Village Planning Board and issuance of a permit, the following uses are permitted:

- (3) Bed and breakfast.
- (9) Mobile home park.

DELETE:

- (14) Garden apartments.

AMEND:

- D. Site Plan Review. The following uses shall require site plan review by the Village Planning Board per §180-32 prior to the issuance of a permit:
 - (5) Bed and breakfast.
 - (11) Mobile home park.

ADD:

- E. §180 Attachment 5, Zoning Schedule R-3, Multiple- Family Residence District provides standards for development in this zoning district.

§180-12. Group Dwelling District (R-4).

B. Standard uses. Upon application for and issuance of a permit, the following uses are permitted:

ADD:

(3) Multiple family dwellings.

AMEND:

C. Special Uses. Upon application to and authorization by the Village Planning Board and issuance of a permit the following uses are permitted:

(3) Bed and breakfast.

DELETE:

(11) Garden apartments.

D. Site plan review. The following uses shall require site plan review by the Village Planning Board per §180-32 prior to the issuance of a permit:

AMEND:

(3) Accessory uses or buildings.

(4) Bed and breakfast.

(8) Public or private utilities.

(10) Schools.

(11) Religious institutions.

(12) Funeral homes.

(13) Long-term care facilities.

(14) Parks.

ADD:

- E. §180 Attachment 5, Zoning Schedule R-4, Group Dwelling District provides standards for development in this zoning district.

§ 180-13. Institutional and College District (SCH).

AMEND:

- C. Special Uses. Upon application to and authorization by the Village Planning Board and issuance of a permit, the following uses are permitted:

ADD:

- E. §180 Attachment 6, Zoning Schedule SCH, Institutional and College District provides standards for development in this zoning district.

§180-15. Business District (B-1).

AMEND:

- C. Special Uses. Upon application to and authorization by the Village Planning Board and issuance of a permit, the following uses are permitted:

ADD:

- (11) Enclosed motor vehicle repair.

AMEND:

- D. Site plan review. The following uses shall require site plan review by the Village Planning Board per §180-32 prior to the issuance of a permit:

- (1) All standard uses and specially permitted in the Business District (B-1) shall require site plan review.

ADD:

- E. §180 Attachment 8, Zoning Schedule B-1, Business District provides standards for development in this zoning district.

§180-15.1. Light Business District (B-2).

- B. Standard Uses

DELETE:

- (8) Tourist homes.

AMEND:

- C. Special uses. Upon application to and authorization by the Village Planning Board and issuance of a permit, the following uses are permitted:
 - (1) Multiple family dwellings.
- D. Site plan review. The following uses shall require site plan review by the Village Planning Board per §180-32 prior to the issuance of a permit:
 - (1) All standard uses and specially permitted uses in the Light Business District (B-2) shall require site plan review.
- E. §180 Attachment 9 Zoning Schedule B-2, Business District provides standards for development in this zoning district.

§180-16 Industrial District (IND)

AMEND:

B. Standard Uses

- (13) Utility Scale photovoltaic collectors.

- C. Special uses. Upon application to and authorization by the Village Planning Board and issuance of a permit, the following uses are permitted:

ADD:

- (3) Convenience stores.

AMEND:

- D. Site plan review. The following uses shall require site plan review by the Village Planning Board per §180-32 prior to the issuance of a permit:
 - 1) All standard uses and specially permitted uses in the Industrial District (IND) shall require site plan review.

ADD:

- E. §180 Attachment 10 Zoning Schedule IND, Industrial District provides standards for development in this zoning district.

§180-16.1. Business and Light Industrial District (BLI).

DELETE ENTIRE SECTION AND REPLACE WITH:

§180-16.1. Innovation District (ID).

- A. Purpose. In furtherance of the general purposes noted above, it is the objective of this district to delineate those areas appropriate for the advancement of university education, foster entrepreneurship, emerging technologies and provide necessary community facilities and to appropriately separate such uses from those with which they would be incompatible. Such use or purpose will not adversely affect or be detrimental to adjoining land uses or the character of the district.
- B. Standard uses. Upon application for and issuance of a permit, the following uses are permitted:
- (1) School.
 - (2) Business, research, arts, incubator uses.
 - (3) Business and professional offices.
- C. Special uses. Upon application to and authorization by the Village Planning Board and issuance of a permit, the following uses are permitted:
- (1) Community center.
 - (2) Theater.
 - (3) Artist studios and galleries.
 - (4) Museum
 - (5) Conference center
 - (6) Indoor recreation.
 - (7) Variety store.

- (8) Café.
- (9) Multiple dwelling.
- (10) Off-street parking
- (11) Light industry and or light assembly and manufacturing.
- (12) Other uses determined by the Village Planning Board to be compatible with existing uses in the district and adjoining districts.

D. Site plan review. The following uses shall require site plan review by the Village Planning Board subject to §180-32 prior to the issuance of a permit:

- (1) All uses permitted and specially permitted in the Innovation District (I-D) shall require site plan review.

E. §180 Attachment 11 Zoning Schedule ID, Innovation District provides standards for development in this zoning district.

§180-16.2. Business and Light Industrial 2 District (BLI-2).

AMEND:

§180-16.2. Business and Light Industrial District (BLI)

B. Standard uses. Upon application for and issuance of a permit the following uses are permitted:

- (1) Business and professional offices.
- (2) Hotel, motel.
- (3) Conference center.
- (4) Incubator
- (5) Community center.
- (6) Indoor Recreation.
- (7) Enclosed light manufacturing.
- (8) Enclosed light assembly, service or repair.

C. Special uses. Upon application to and authorization by the Village Planning Board and issuance of a permit the following uses are permitted:

- (1) Restaurants.
 - (2) Commercial-utility scale photovoltaic projects.
- D. Site plan review. The following uses shall require site plan review by the Village Planning Board per §180-32 prior to the issuance of a permit:
- (1) All uses permitted or specially permitted in the BLI District shall require site plan review.
- E. §180 Attachment 12 Zoning Schedule BLI, Business and Light Industrial District provides standards for development in this zoning district.

§180-17. Central Area (Overlay) District (CA).

DELETE ENTIRE SECTION AND REPLACE WITH:

§180-17. Central Business District (CBD).

- A. Purpose: In furtherance of those general purposes noted above, it is the objective of the Central Business District to delineate the central business area of the Village to provide a process for review and standards that reflect the unique architectural heritage and the vital economic and visual relationship of this area to the Potsdam community.

Owners of buildings located within the CBD and in particular those located within the Market Street National Register Historic District have a singular responsibility to preserve and protect the Village of Potsdam's history as reflected in its unique architectural heritage. This section provides a process for review and standards that reflect the unique architectural heritage, the vital economic and visual relationship of this area to Potsdam.

The economic and social viability of the Village depends on maintaining its attractiveness, the economic viability of its businesses, and a hospitable atmosphere for residents and visitors. The standards and guidelines contained herein accomplish these objectives by:

- 1.) Creating a flexible and sensible set of expectations, some requirements and recommendations that do not inhibit growth or pose a hardship for property owners.
- 2.) Supporting a design approach that creates a high quality, pedestrian –oriented environment without prescribing an architectural style or mimicking historic buildings.
- 3.) Encouraging compatibility through the use of variations in building elements to achieve individual building identity rather than uniformity.

- 4.) Connecting Main Street, Maple Street, Island Street, Market Street, and Raymond Streets to the Raquette River with a sense of creativity and connection to the past; and,
 - 5.) Meeting the expectations of residents and visitors to the Village's downtown/waterfront area.
- B. Standard uses. Upon application for and issuance of a permit, the following uses are permitted:
- (1) Retail store.
 - (2) Business and professional offices.
 - (3) Personal service shop.
 - (4) Hotel, motel.
 - (5) Religious institution.
 - (6) Community center.
 - (7) Indoor recreation.
 - (8) Financial institution.
 - (9) Funeral home.
 - (10) Public or private utility.
 - (11) Accessory use or building.
- C. Special uses. Upon application to and authorization by the Village Planning Board and issuance of a permit, the following uses are permitted:
- (1) Upper story multiple family dwellings.
 - (2) Restaurant, bar.
 - (3) Membership club.
 - (4) Theater, cinema.
 - (5) Enclosed light industry.
 - (6) Uses determined by the Village Planning Board to be compatible with existing uses in the district.

- (7) Ground floor residential uses subject to §180-17.1.
- D. Site plan review. The following uses shall require site plan review by the Village Planning Board per §180-32 prior to the issuance of a permit
 - (1) All uses permitted and specially permitted in the Central Business District (CBD) shall require site plan review.
- E. §180 Attachment 13 Zoning Schedule CBD, Central Business District provides standards for development in this zoning district.
- F. Standards and Guidelines

These standards shall apply to properties located in the CBD that meet the following criteria:

- 1.) All newly constructed nonresidential buildings and multi-family buildings having more than three (3) units.
 - 2.) Any substantial rehabilitation of existing structures, including additions or landscapes, where the cost of improvements, as verified by the Code Enforcement Officer, exceeds fifty (50) percent of the assessed value.
 - 3.) Improvements to existing properties where the cost of improvements is less than fifty (50) percent of assessed value shall comply with the applicable standards related to the specific improvement. For example, a new or reconstructed lighting plan shall comply with the standards related to lighting even if the cost of improvements does not exceed the threshold for whole property compliance.
- G. General Building Design Standards
 - 1.) Standards:
 - a. Employ building types and detailing on new development, additions and alterations that are compatible with the historic character of buildings in the CBD in massing, height, size, proportion and external treatment.
 - 2.) Guidelines:
 - a. Mixed-use, multistory (two to three story) structures are preferred.
 - H. Building Orientation and Entrances

1.) Standards:

- a. Place buildings at the front of the site, parallel to the street or in line with neighboring structures, with an accentuated primary entrance facing the public right-of-way to maintain a consistent setback and create or retain a traditional street and sidewalk frontage. Refer to Attachment 3.1.4.
- b. Buildings on corner lots must continue the established setback along both street frontages.
- c. Pedestrian sheltering elements such as traditional canopies and awnings with free –hanging valances are encouraged. Crown, umbrella or bubbled or domed awnings should not be used.
- d. The length of any façade should generally not exceed 50 feet maximum horizontally. Individual storefronts should be 30 feet or less.

2.) Guidelines:

- a. Preserve view corridors to the Raquette River whenever possible.
- b. Primary and secondary building and site entry points should be easily recognizable from parking areas and from the street.
- c. Emphasize main entries with changes in roofline and features such as design accents or canopies.
- d. Facades may be broken-up through the use of recessed doorways and other architectural treatments.

I. Walls:

1.) Standards:

- a. Any exterior wall facing a street, the Raquette River, a parking area, walking area or other public right-of-way shall not be a blank wall without windows or doors. Blank walls shall be broken up with such elements as, but not limited to, windows, doors or architectural treatments as described in Subsection J(2) (b) below.

2.) Guidelines:

- a. Walls or portions of walls without windows should use architectural treatments, materials, colors and details that are similar to the front façade.

- b. Examples of architectural treatments include masonry (other than concrete or split-faced block), concrete or masonry plinth at the base of the wall, belt courses of different texture or color, projecting cornices or canopies, decorative tile work, medallions, translucent glass, vertical or horizontal details or lighting fixtures. Refer to Attachment 3.1.5.

J. Building Materials:

1.) Standards:

- a. Anodized or galvanized metal shall not be used for buildings and roofs, but may be used for repair of existing structures with existing anodized or galvanized metal exteriors (such as cornices). This shall not preclude the use of modern metal roofing materials.

2.) Guidelines:

- a. Smaller, human-scale and natural materials such as sandstone, stone, wood shingles, slate, terra cotta, glass and metal are preferred. High quality imitation materials may also be appropriate. Highly reflective or glossy materials should be used sparingly.
- b. Contrasting textures and paint tones should be used to add interest.

K. Windows and Doors

1.) Standards:

- a. Doorways must be clearly accentuated.
- b. Windows shall reflect any discernible pattern of window openings that is established among adjacent structures in terms of style, configuration and size as well as legal requirements for egress.
- c. On street level primary facades window openings must be large enough to make the building appear transparent, open, and inviting. Storefront windows shall make up at least fifty (50) percent of the first floor façade. Transparent storefronts are not necessary for some businesses such as professional offices. For such businesses, it is at least preferable to maintain the original storefront windows.
- d. Smoked, reflective or black glass in windows is not permitted.

- e. Plexiglas or replacement materials other than glass are not allowed in windows or doors.
- f. When windows are replaced or repaired, replacement windows shall match the original window in style, configuration and size.
- g. In conjunction with the window opening requirements for street level windows in Subsection K (1) (c) above, windows on the front façade of upper stories shall make up at least twenty-five (25) percent of the upper story façade.

2.) Guidelines:

- a. Clear, colorless glass without tinting is preferred for all display windows. Stained glass, colored or translucent glass may be used for design accents.
- b. Street level window sills should be lower than thirty (30) inches above finished grade at the building line.

L. Roofs

1.) Standards:

- a. Roofs shall be proportional to the rest of the building and be in keeping with the character of adjacent buildings.
- b. Structures with sloping roofs must take measures to ensure that falling snow, ice and rain does not create a hazard for pedestrians, for example the installation of eaves gutters and downspouts.
- c. Rooftop mechanical apparatus including solar arrays, green roof systems and satellite dishes, should be screened to the greatest extent possible.

2.) Guidelines:

- a. Structures with sloping roof structures should consider the use of dormers

and gables to give the façade more visual prominence, except for buildings constructed in the Federal style.

M. Outdoor Refuse Storage

1.) Standards:

- a. Refuse must be stored inside the building and regularly disposed of, or outdoors in a location out of view from the primary and secondary building entrances.

N. Lighting and Utilities

1.) Standards:

- a. The number of light fixtures and the intensity of lighting shall be appropriate to illuminate the location for safety, without glare to adjoining properties.
- b. The total height of exterior lighting fixtures shall be a maximum of fourteen (14) feet for pedestrian walkways and twenty (20) feet for parking adjacent to residential uses.
- c. Animated signage, blinking, or flashing lights are prohibited. Exceptions to this include temporary holiday lighting, emergency lighting or temporary construction area lighting as may be required by a public agency.
- d. Full cutoff lighting shall be used for site lighting.

2.) Guidelines:

Decorative site lighting, display window lights, and architectural lighting are encouraged to advertise the businesses and highlight building features.

Newly installed and renovated lighting and utility services should be underground whenever possible.

O. Relation of Development to the Raquette River Shoreline

1.) Standards:

- a. Existing river access, linkages and views must be retained.

2.) Guidelines:

- a. For new development, to be located on land directly adjacent to the Raquette River, the following development guidelines shall be considered by the Village Planning Board:
 - i. Where feasible and appropriate, designs should integrate options for outdoor waterfront dining and passive recreational activities such as pedestrian walkways and seating.
 - ii. Shallow building lots which orient to the street and the water should be double fronted, providing a pedestrian friendly façade on both the street and riverfront sides.
 - iii. On larger lots, consider clustering buildings to frame views to the water.
 - iv. Provide perpendicular connections between the street and the waterfront whenever possible.
- P. Design Guidelines for the Preservation of Buildings and Structures Listed on the National and New York State Register of Historic Places.
 - 1) Owners of buildings located in the Central Business District and in particular, those located within the Market Street National Register District have a responsibility to preserve and protect the Village of Potsdam's history as reflected in its unique architectural heritage. To this end, buildings and structures that are listed on the National or the New York State Register of Historic Places shall be rehabilitated, renovated, repaired, converted or adaptively re-used in compliance with the most recent version of the U.S. Secretary of the Interior's Standards for the Rehabilitation of Historic Structures. Prior to rehabilitation, renovation, repair, conversion or adaptive re-use, property owners shall secure written approval for the scope of work issued by the Code Enforcement Officer prior to commencing work or securing a building permit.
- Q. §180 Attachment 13 Zoning Schedule CBD, Central Business District provides standards for development in this zoning district.

AMEND:

§180-17.1 Ground Floor Residential in the Central Business District (CBD).

- A. Purpose. The purpose of this section is to regulate the location of ground floor, and particularly ground floor storefront, residential use in the Central Business District (CBD). The loss of retail and commercial spaces to residential use erodes the retail and commercial potential of the CBD. As this potential erodes, it is possible that additional

units would be converted to residential, leading to a change in the character of an area traditionally serving as a retail and service center in the community.

- B. Regulation within the Central Business District. Ground floor residential use in the CBD is prohibited on the section of Market Street between Maple Street and Sandstone Drive on the west side of Market Street and between Main Street and Munson Street on the east side of Market Street. Ground floor residential uses are also prohibited on Maple Street from the intersection of Market Street to the western bank of the Racquette River. Ground floor residential uses are also prohibited on Elm Street from the intersection of Market Street to Park Street on the south side of Elm Street and to the first (from Market Street) public access point to public parking on the north side of Elm Street. Ground floor residential is also prohibited on north side of Main Street from the intersection of Market to the eastern boundary of a parcel with the Tax Map identification of 64.059-11.20 said line beginning approximately 300 feet east of the bounds of Market Street.
- C. Ground floor residential as a special permit in the Central Business District. In the portions of the CBD not identified in subsection B, ground floor apartments shall be special permitted uses per the criteria established in §180-31.

§180 Attachments and Schedules

DELETE:

180 Attachment 4, R-1/R-2 Zoning District in their entirety.

180 Attachment 5, R-3/R-4 Zoning Districts in their entirety.

180 Attachment 6, SCH Zoning District in its entirety.

180 Attachment 8, B-1 Zoning District in its entirety.

180 Attachment 9, B-2 Zoning District in its entirety.

180 Attachment 10, IND District in its entirety.

180 Attachment 11, BLI/BLI-2 Zoning District in their entirety.

180 Attachment 12, CA, AA, FH, PUD Zoning Districts in their entirety.

180 Attachment 13, H-1 Zoning District in its entirety.

180 Attachment 14, H-2 Zoning District in its entirety.

ADD:

180 Attachment 3.1.4, Illustrative Sketch of Building Height and Set-Back Regulations.

180 Attachment 3.1.5, Illustrative Sketch of Architectural Treatments.

180 Attachment 4, R-1/R-2 Zoning Districts

180 Attachment 5, R-3/R-4 Zoning Districts

180 Attachment 6, SCH Zoning District.

180 Attachment 8, B-1 Zoning District.

180 Attachment 9, B-2 Zoning District.

180 Attachment 10, IND Zoning District

180 Attachment 11, ID Zoning District

180 Attachment 12, BLI Zoning District

180 Attachment 13, CBD Zoning District

180 Attachment 14, (Reserved).

180 Attachment 15, H-1 Zoning District.

180 Attachment 16, H-2 Zoning District.

180 Attachment 17, A-D Zoning District

180 Attachment 18, Districts

Section 3. Enactment.

This Local Law shall become effective immediately upon the notification of the filing of same with the Secretary of State.

ROLL CALL VOTE:

AYES 4 (Mayor Tischler)
(Trustee Warr, Hopke & Sheehan)

NAYS 0

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Hopke Seconded a resolution to go into Executive Session for the discussion of the employment history of particular persons at 7:45 p.m.

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Sheehan Seconded a resolution to adjourn the Executive Session at 8:38 p.m.

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

The Board back in Regular Session considered the following:

Trustee Warr Moved and Trustee Hopke Seconded a resolution approving the appointment of Michael Ames, 9 River Street, Norwood, NY to the position of Police Lieutenant with the Village of Potsdam Police Department effective January 23, 2017 at an annual salary of \$70,279.

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Hopke Seconded a resolution approving the appointment of Clinton M. Perrigo, P.O. Box 378, South Colton, NY to the position of Police Sargent with the Village of Potsdam Police Department effective January 23, 2017 at an annual salary of \$63,978.

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Hopke Seconded a resolution approving the appointment of Mark R. Murray, P.O. Box 186, Hannawa Falls, NY to the position of Police Chief with the Village of Potsdam Police Department effective January 23, 2017 at an annual salary of \$84,500 set for 2 years to not increase until June 2019. Further, granting Chief Murray, upon retirement, family coverage on a 5% contributory basis.

AYES 4 (Mayor Tischler) NAYS 0
(Trustee Warr, Hopke & Sheehan)

Trustee Warr Moved and Trustee Sheehan Seconded a resolution approving the temporary permanent appointment of Mark Maroney as Potsdam Police Department dispatcher for a time period not to exceed 90 calendar days effective January 29, 2017 at his current hourly wage.

AYES 4 (Mayor Tischler)
 (Trustee Warr, Hopke & Sheehan)

NAYS 0

Trustee Warr Moved and Trustee Hopke Seconded a resolution to adjourn the Regular Meeting of the Village of Potsdam Board of Trustees of January 23, 2017 at 8:43 p.m.

AYES 4 (Mayor Tischler)
 (Trustee Warr, Hopke & Sheehan)

NAYS 0

The undersigned was not in attendance at this meeting. Information was provided to her by Deputy Village Clerk Maureen Gaffney.

Respectfully submitted,

Lori S. Queor
Village Clerk