

June 23, 2020

Planning Commission  
City of Jamestown, ss:

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Proceedings by Authority

Via Zoom Conference

The regular meeting of the Planning Commission for the City of Jamestown, New York was held on Tuesday, June 23, 2020 at 3:35 p.m.

Members Present: Chairman Greg Rabb, John LaMancuso, Jeffery Nelson, Mike Laurin, Jeffery Lehman

Members Absent: Regina Brackman

Others Present: Steve Ricca, Steve Ald, Katie Castro, Greg Peterson

Chairman Rabb called the meeting to order.

Chairman Rabb: For the record, Jennifer has notified me that there have been no public comments. Is that correct, Jennifer?

Clerk/Treasurer Williams: That's correct.

Chairman Rabb: Thank you. We only have the one, obviously very important item on the agenda, and to go to that I'm going to turn to Crystal and ask her if she could tell us the staff recommendation with respect to the application.

Ms. Surdyk: The staff recommendation is for a negative declaration with regard to the SEQR, and we recommend approval of the site plan. We also recommend a recommendation to the Zoning Board of Appeals for the two variance items from the Planning Commission.

Chairman Rabb: Crystal, if we recommend that they give the variances, can that be part of the vote on the site plan itself or do we have to have a third vote?

Mr. Scalise: You could make a condition, the approval based on receiving zoning approval.

Chairman Rabb: Right, but then, Crystal said, it wasn't just the idea of it being conditional, it was the idea of it being conditional, it was the idea of making a recommendation to the Zoning Board that they granted variances. I understand the conditional part, but I'm just wondering if we're going to make that recommendation.

Mr. Scalise: I would think it would be implied that you're approving it if you're sending it to them with the approval.

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Mr. Ricca: I would prefer a separate. It will just, redundancy is a good thing from our point of view.

Chairman Rabb: And the problem, yeah, I understand what you were saying, Larry, but it's just that implication, I'm a little uneasy about that myself. I think I'll go with Steve's recommendation that we have, in effect, a third vote.

Ms. Surdyk: Yeah, I agree.

Chairman Rabb: Alright.

Ms. Surdyk: Ben concurs with that as well.

Chairman Rabb: He's too far in the back. I don't know if he's allowed to concur.

Ms. Surdyk: We're not wearing our masks, so we have to stay...

Chairman Rabb: You're social distancing, I'm proud of you. So, in the interest of time and efficiency, I'm going to ask board members not yet to vote, but to make any comments or ask any questions and I'll take the prerogative as chair to move it along myself, so, we'll start, if you would please, with John LaMancuso.

Mr. LaMancuso: Thanks, Greg. I don't want to belabor this too much, it's been a long road for all of us and everybody has put in a ton of work on this and so I think it's a great example of a lot of different people coming together and ultimately, I think, arriving at a compromise that I think is going to be a victory for the City of Jamestown and the people here. Specifically, the targeted housing mitigation plan agreement, I think it's a reasonable one. I think it's been well thought out and, based on that and all the other adjustments that STEL has made to the project over the course of the past many months, I think really improved the project and made it one that is consistent with our plans. For those reasons, and many others, I support the application as it currently stands and I'm happy to vote in favor of it.

Chairman Rabb: Thank you, John. If I could, could we go to Jeff Nelson next please?

Mr. Jeff Nelson: I agree its been a lot of work to put this together but I think the time has been well spent and with everybody's cooperation I think we've developed a really good plan. I'm positive for it and ready to go.

Chairman Rabb: Thank you, Jeff. And then, Mike Laurin please.

Mr. Laurin: I just have two, or I guess one question and one comment. The first question is the financial commitment; how would that process take place in terms of those funds becoming available for the city?

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Mr. Ricca: On a most general level, the term of the agreement is tied to the issuance of the loan to Southern Tier Environments for Living. The agreement in terms of the disbursement of the monies is intentionally general because we're going to be improvising as we go along. There weren't too many models to work from, but I'm sure that Steve will have, Steve Ald will have some additional thoughts on this, but once in collaboration with the Department of Development and the Land Bank, the targets are identified. The usage of the money will go towards whatever is necessary to accomplish the demolition of the targeted list, or number of bedrooms. How exactly that gets disbursed isn't known. What I would say is just sort of a general safety net because I don't have a particularly specific answer for you. If for example, total worst-case scenario, nothing happens during the three-year period, which I doubt would be the case, we write a check for \$350,000 to the City of Jamestown. So, I think the details of how disbursements are made can be worked out and to the satisfaction of all parties. I don't know if Steve Ald has anything, he wants to add to that.

Mr. Ald: I didn't; I was just thinking the question about timing, it's when we get like Steve Ricca said, when we're granted the loan when we close on the loan, that's when the money will be available for us. That's what it takes for us to have the money available is to close on the loan.

Mr. Lauren: My second thought is, because this project has changed significantly over the last couple of years to try to publicize the project, and the benefits that it's going to have. I think there is going to be a lot of people in the community who aren't familiar with a lot of the changes and a lot of the work that has gone into this and I think it would be in everyone's best interest to publicize that and show how this is going to benefit the area and minimize liability and risk for our housing market and residents. That's my only other thought on the project.

Mr. Ricca: Mike, we agree with you completely in addition to the many points raised in the stakeholder letter that's included in attachment four. I know Katie and Community Helping Hands and STEL and everybody wants to celebrate this accomplishment and the best way to do that is educate the public on the many services that will be offered here and all the benefits that will accrue to the City of Jamestown. I don't know if you want to add anything to that, Katie.

Ms. Castro: We're really excited to be able to share about the benefits of this program, especially relating to how they have changed over time, Mike, to go to your point. We too, anticipate that there might be some misunderstandings of the project based on what it was before and what it is now. We've been proactive in that and have some stuff prepared to release that shares all of the positive benefits and kind of the new look of the project, thanks to all of your contributions to it.

Mr. Laurin: Thank you, I have no more questions or comments.

Chairman Rabb: Ok, thanks, Mike.

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Mr. Ald: I would just add that there is two distinct opportunities in a project like this where publicity happens naturally, one is when we begin construction, we usually have some kind of a groundbreaking ceremony where we invite dignitaries and a project of this size, I imagine will attract high level people from the state to come speak and, of course, all of you would be welcome to come and speak and participate in the opening ceremonies and then once the project is built and complete then we have a ribbon cutting and a tour of the building that kind of thing and so that's another opportunity to anybody from the public to come and see the finished project.

Chairman Rabb: Thank you. Last but not least, Jeff Lehman, did you have any comments or questions?

Mr. Lehman: No; I thank everybody for their patience. This thing has taken forever, a lot of hoops to jump through, I think it's going to be a great project. We got to where we wanted to be.

Chairman Rabb: Thank you very much. I'm not trying to cut anybody off and I don't know if the project sponsors wanted to add anything else, I'm just trying to hurry this along and I apologize. But, was there anything else you think needed to be said before we do anything else? It's ok if you don't.

Mr. Ricca: I just want to thank you, thank you, thank you to everybody. You guys have been going through the points I would have raised. Crystal, the Department of Development, we've said all along, the project is better, you started out as the champion of green space and then you just took over on a number of levels and we appreciate that very much. Obviously, the Planning Commission members on this call and, in particular, the mitigation task force folks have put into extra hours. Mike dug into the data and the numbers and made us prove our case and, just everybody ends up looking better when questions are asked and facts are provided. We've also had the input and assistance of City Council members, not just Tom but councilmembers Carrubba and James were very active and generous with their time and not the least is Mayor Sundquist and Corporation Counsel, Elliott Raimondo, helping us work out the details of the mitigation agreement and so forth. I'll just leave it at that with the big thank you and I'm hoping that we will get three positive votes on the items that Crystal listed at the beginning of the meeting.

Chairman Rabb: Thank you, Steve. I'm just going to briefly just building off of what Mike said earlier, and I guess all of us had said. This is probably the project that I have spent the most time in my now both first and second reincarnation as chairman of this commission, to go to the point of Mike about the benefits of this project; not too long ago, somebody stopped me on the street and asked me about the project and asked me why I changed my position, and I said because this is not the same project we started out with. In fact, because of the work of the commission and the project sponsors and especially Crystal, I think what we have here is a significantly better project that ultimately will work to the benefit of the community. Saturday, I happened to be up in Buffalo and I couldn't get into Evergreen Lofts but I did ride around it and it's in a pretty rough area to say the least but it's one of the nicest, certainly on the outside looking buildings in that whole area. So, it's a positive contribution. It's

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a smaller building but still it was quite impressive. Again I'll thank everybody for all the hard work that has been going on for a very long time, but I think by all of us working together and putting so much time in, especially my fellow unpaid members of the Planning Commission who I like to remind people that we are volunteers who serve here because we care about our city and always have and always will, that doesn't diminish those of you who get paid to do this, it's just that those of us that are volunteers I'm especially grateful. So, with that in mind I will ask for someone to move a negative declaration with respect to SEQR and the Environmental Assessment Form.

Moved by Mr. LaMancuso, seconded by Mr. Jeff Nelson

Carried: 5 – 0

Chairman Rabb: Can I then have a motion to approve the site plan subject to the variances? Conditional on the variances?

Moved by Mr. Jeff Nelson, seconded by Mr. Lehman

Carried: 5 – 0

Chairman Rabb: We want to have a third vote to make a recommendation to the Zoning Board that we are in favor of the variances that the site plan is subject to being approved. Can I get a motion to that effect, please?

Moved by Mr. Jeff Nelson, seconded by Mr. Lehman

Carried: 5 – 0

Mr. Ricca: WHOOOHOOOO! Two and a half years!

Chairman Rabb: I thought more like three, but yeah, I think you're right, two and a half years, well, like I said, it's the longest I've ever spent on a project in both times as Planning Commission Chair. We did it, thank you.

Councilman Nelson: I'm very excited to see this happen. I've been on the council for about four years, which is almost the entire time we've been working on this. I appreciate everyone's work and collaboration on that. Although, I wouldn't call myself a high-level politician, whatever that is, I'm looking forward to the ribbon cutting and being there.

Mr. Ricca: We're looking forward to seeing all of you there.

Chairman Rabb: Is there any other business or comments to come before the commission?

Ms. Surdyk: I just want to add my comments and thank all of you for your diligence, for working as hard as you have and being as open to some of my crazy wants and

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requirements of you, or asking of you. You have all really, I think, shown what collaboration can do, and I'm excited about a project that at one point in time I was not really excited about. I'm really happy about that and I'm really proud of moving this forward. I just wanted to say that and thank you all.

Chairman Rabb: I appreciate that, Crystal. In all the time I've been involved in an elected or appointed positions, the thing that always strikes me about whether it's this commission or Board of Public Utilities, the City Council, everybody who gets involved in local government are people who genuinely care about our city and are generous with their time and their energy and their knowledge and I think that's why we've come to a successful conclusion. So, with that, can I ask for a motion to adjourn the meeting?

Mr. LaMancuso: I think Greg Peterson may have had something to say, sorry.

Chairman Rabb: Oh, I'm sorry, Greg.

Mr. Peterson: No, I have nothing to say other than I look forward to the opening. I want to thank everybody (inaudible)

Chairman Rabb: I'm sorry, Greg, you're breaking up. I'm sorry we couldn't get to hear Greg's comments. So, can I go back to my earlier thought, can I have a motion to adjourn the meeting?

Mr. Lehman moved to adjourn the meeting, seconded by Mr. LaMancuso.

There being no further business, the meeting was adjourned.

Jennifer R. Williams City Clerk/Treasurer