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Planning Commission
City of Jamestown, ss:

Proceedings by Authority

State of New York,
Mayor's Conference Room

The regular meeting of the Planning Commission for the City of Jamestown, New York was held on Tuesday, July 15, 2014 at 3:30 p.m.

Members Present: Chairwoman Martha Zenns, James N. Olson, Jeff Nelson, Regina Brackman, Paul Whitford

Members Absent: Paul Andalora, Joe Trusso, Jeff Lehman

Others Present: Bill Rice, Laura Bernsohn, Vince DeJoy, Journey Gunderson, Tom Benson - National Comedy Center, Rod Drake, Joe Rollman – Clark Patterson Lee, Greg Edwards - Gebbie Foundation

Chairwoman Zenns called the meeting to order.

GATEWAY PARK PLAZA SITE PLAN REVIEW

Mr. Rollman: I'm Joe Rollman with Clark Patterson Lee, presenting the Gateway Park and Plaza, part of the National Comedy Center. The project is proposing the development of the plaza space behind the train station. The plaza space utilizes hard-scaping, some shading structures, a new steel stairway connecting up to the above parking lot, at-grade pedestrian crossing for the tracks with pedestrian crossing devices, gates and signals, and some seating and some planters. Across the tracks is the development of a public park space and accessible block with site lighting that connects down to the Chadakoin Riverwalk. Going back to the plaza space here, we're utilizing stamped concrete and permeable pavers, steel and metal fence at 4' height for safety, to keep people from crossing the tracks other than at the at-grade crossing. We've done an enlargement that shows the character of the steel shading devices, the benches with seating as well as what the proposed steel and metal fence looks like. The permeable pavers will have kind of an old-world, clay brick look to kind of keep in character with the building. Per working with SHPO, we're kind of keeping an industrial look and feel to the back of the plaza space. The at-grade crossing again consists of concrete and unit pavers bringing you up to the at-grade crossing to get you across the tracks. That's in case if the rail authority needs to do any maintenance there, they'll be able to lift the pavers up, do the work, and replace them and there won't be a loss. The at-grade crossing devices include signaling, a drop gate and a swing gate. The swing gate is in case if somebody is inside the tracks when a train is coming when the cross arm comes down, you can still get out. Again this is all – we worked extensively with the railroad authority and an outside consultant Progress for the development of the at-grade crossing. There's no additional parking generated from the park space. Just some detailing of what the proposed steel stairs and the brick piers for the at-grade crossing will look like. Again, there are no building structures so we don't have any setback issues and it's pretty

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straightforward. Does anybody have any questions? I think I about covered it. You guys all saw the plan before at the last meeting.

Mr. Rice: This is kind of – I think – a final result of working with the State Historic Preservation Office and their suggestion has been to have an industrial type of flavor or theme to it, which in a lot of ways enhances that building. Architecturally, the building in back is maybe not even as nice looking as your rendering in some ways because it's somewhat boring, architecturally, and some of these features actually add to the architectural quality of this space.

Mr. Rollman: One of the big concerns – I'll flip back to the illustration - given the grade difference in the back there, it has a very non-pedestrian scale to it. Working with SHPO and trying to meet their requirements with the industrial feel, we developed these shade structures to try to bring that plane down to a more pedestrian scale to make it a little bit more comfortable for people using the space, and again, introducing minimal green space through the use of planters.

Mr. Rice: And that also was one of SHPO's directions was to minimize the landscaping in the back, keep- it more in tune with the industrial heritage of the area.

Mr. Rollman: As far as storm water and drainage goes, there's not a big impact on this. We've got some under drainage underneath the permeable pavers, but that pretty much satisfies requirements from the DEC in terms of the storm water collection. And then across the tracks, it's all green space so we're not really creating any more pervious surface.

Ms. Zenns: We do have that as a contingency in terms of the final storm water management review. I know often Jeff Lehman is here to speak on that, he's not here today.

Mr. Rollman: Yes. Jeff did get a full copy of this study, so he should have everything he needs.

Ms. Zenns: There are some other contingencies. Do you just want to bring those up now? We can talk now.

Mr. Rollman: Sure.

Ms. Zenns: One of our concerns is beyond the patio itself, not the patio area, but in terms of the lease and the site plan control that if that exists yet, in terms of the railroad authority. So, we would need to have that provided and that would have to be reviewed by counsel before we could issues building permits and everything else. Certainly there are some liability issues for the City if that is not in place.

Mr. Rollman: Just today we received final notification that the agreement's set. We're just waiting for final hard copies for signatures.

Ms. Zenns: Okay. We definitely would need the hard copies.

Mr. Rollman: Right, but the lease agreement has been finalized.

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Ms. Zenns: Okay. That would be something to review. So that would be another contingency that we would have on that. Also, just brought up today, that the National Park Service does need to have approval?

Mr. Rollman: They have received a submission. Late last week they received it. It's under review currently through National Parks Services. SHPO has reviewed it and signed off. They approved it. Now it just goes to National Parks for more as a formality. They really kind of lean more on the State Historic Preservation Office for final determination so we believe there shouldn't be any issues there.

Ms. Zenns: Good. These are just things that we have to get obviously on the way. And then the final contingency having to do with, and certainly this is not a project that we have specific information for, but the possibility in the future of having another railway spur that could allow for excursion trains whether for specifically the comedy center purpose or the Jamestown area as a whole, or going from Jamestown to other areas. This would be on the other side of the existing track.

Mr. Rollman: Right.

Ms. Zenns: So therefore, the current site plan is not taking that into consideration, but getting some sort of recognition and a written statement that if this project does come forward in the future that there's a willingness to work with that. And I think we need a bit of a sense of what all would be impacted by that site plan and therefore should be covered in that letter in terms of what would need to be done. I don't know if you would want to speak to that?

Mr. Rollman: I can speak to that. Absolutely we have no problems accommodating that. With the current offset from the existing track that's there we have 25' offset through the center line to where those fences are. It is my understanding that a spur line would be located 15' off the center line of the existing track and the tracks are 5' wide so we actually have enough space in here already to accommodate a spur line and then still have 10' before you reach the fence. So depending on what the railroad specific requirements are regarding a spur line, we may not have to do any modifications to this plan other than adjusting the pavers at the at-grade crossing in order to accommodate a spur line there. Worst case scenario, if they want 25' offset from that spur line, we'll have to relocate this fence. The biggest piece would be relocating the at-grade crossing two points which would be the same as the drop gate.

Ms. Zenns: So potential changes are the crossing components and the fence. Would that require a renegotiation in terms of the lease with the railroad company?

Mr. Rollman: It would because that land would then not be utilized by the National Comedy Center. That would be going back to the rail authority so the lease agreement would have to be modified to reflect that.

Mr. Rice: It looks like that would only be about 15 more feet.

Mr. Rollman: Right.

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Mr. Rice: At worst case scenario?

Mr. Rollman: At worst case scenario.

Mr. Rice: The changes would have to be at the cost of the people spearheading the excursion trains.

Mr. Rollman: Correct.

Ms. Zenns: Again we're talking about a project that may or may not happen.

Mr. Rollman: If it does, great. Like I said, I don't believe it would have any major impacts to our...

Mr. Benson: From the point of view of the National Comedy Center. This is Tom Benson speaking as a representative of the project. We would be absolutely delighted if those kinds of things came to fruition. It's good for the town, it's good for the project. We can certainly find a way to work with whomever and make that happen. So we have no qualms with that whatsoever.

Ms. Zenns: Okay. Again, we just want to have a written statement. I guess including the fence, the crossing components, and willingness to renegotiate or modify the lease. For those of you who are not as aware, right now the single track and I don't know how many feet down, but further down there's a spur, but if we were to have excursion trains come, giving a location where it was easier in terms of getting on and off and being more connected with the train station and certainly the proximity then also in terms of the comedy center, to not shut the door on that possibility, but make it more possible to happen if indeed it can come to fruition in the future.

Mr. Rollman: On behalf of the comedy center, the more draws that we can have to get pedestrians down to this space, the more successful this space will be. So we're by all means for it, if it did come to that.

Ms. Zenns: And I know there's an existing spur further down, but I know one of the concerns is because it's further down, lack of security, and maybe not it's not as safe and again not feeling as much a part –

Mr. Rollman: A little disconnected from this.

Mr. Rice: But even that can work. The number of times you could have any excursion trains you could hire an armed guard if necessary and have lights to make sure it's secure. So there's ways of satisfying...

Mr. Benson: You could let the people out at the main gate there and go park the train.

Mr. Rice: Right.

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Ms. Zenns: We do have a letter and this is dated July 14th.

Members of the Jamestown Planning Commission: On behalf of the National Comedy Center, we wish to express our favorable interest in the idea of welcoming excursion trains into Jamestown. Given an efficient way to do so, it would be a positive thing to receive visitors via rail and something we would welcome the opportunity to facilitate.

Best regards, Journey Gunderson Executive Director

Ms. Zenns: As far as the Department of Development, would you want more specifics included?

Mr. Rice: No, I think we've got that plus we also have it on tape talking about those issues, so I think we're fine.

Ms. Zenns: Alright. Then we will accept this letter.

Mr. Rice: Did you say there was one other?

Ms. Zenns: Yes and I spoke to you briefly Joe that on the Environmental Assessment Form. Section 6, page 4 impacts on air, it is just not checked as either yes or no.

Mr. Rollman: That would be no.

Ms. Zenns: That should be a no, okay. I just wanted to make sure that there weren't any other issues associated with that. Again, that's on the Environmental Assessment Form Section 6 that should be a no even though it is not marked.

Mr. Nelson: Is basically all the water drainage off the site going to go to the Chadakoin?

Mr. Rollman: We're not modifying the current drainage pattern and that's currently what happens and that is what will continue to happen. Given the location of the parcel and the classification of the Chadakoin, being so close, the DEC actually doesn't want us to hold back any water, they want us to release it immediately so that way the drainage from upstream enters our site, we're not compounding it. Where at this site we would be ready to handle it as it comes through. Currently, it will drain toward the Chadakoin through sheet flow over the land.

Mr. Nelson: Do you see that area close to the river being – how do you expect it to be used? What are you planning on what people will use it for?

Mr. Rollman: In the hard scape part of the tracks?

Mr. Nelson: Yes along the river. I'm just kind of interested in how the two work together.

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Mr. Rollman: This space as it's set up right now will be set up mostly for some passive and active recreation. It could be picnicking, Frisbees. As the comedy center piece itself develops and becomes more connected to this whole thing, possibly the future development of an amphitheater for more sort of an entertainment type of space on this side, but by in large, this piece will be utilized as a green space.

Mr. Nelson: I was wondering about the amphitheater when I didn't see it on the drawings because it's been talked about for probably the last 15 years.

Mr. Rollman: If or when, the larger piece of the National Comedy Center will support it, that will be completed.

Mr. Benson: There's a phase two of the comedy center specifically related to the comedy center, where there will be an amphitheater performing space, a comedy themed playground area, comedy themed stuff which would be consistent with what the comedy center's all about. First let's get it opened up, let's get the public using it.

Mr. Rollman: This is really setting the stage for those future developments. And creating an access to the site and to the comedy center or the train station.

Mr. Drake: That's an important element. The access, making the Riverwalk, Second St., Third St., so it's all part of the Riverwalk system. And the trail goes to an elevator so it's accessible.

Ms. Zenns: And that is something that last Tuesday at part of the complete streets workshop was brought up in terms of all site plans. We should be looking at accessibility, both pedestrian accessibility as well as handicap accessibility. This seems to meet both of those criteria and if they do, which is the connector for this across the Chadakoin and we have even more accessibility if that project goes forward.

Mr. Rice: One other thing that this is really beneficial to, the at-grade crossing really makes the lower levels viable for different commercial entities underneath. Where if you went to a bridge going over the tracks, it really negates that. So this really has a real positive aspect.

Ms. Zenns: I have a question with the existing space which will be green space. Right now it's all overgrown. If you do or when you take over in terms of site plan control of the lease, is that something you will be looking at improving or at least clearing?

Mr. Rollman: Yes. The site was kind of rough graded I believe it was last year. It wasn't top soiled or seeded though so as part of this project that whole space will receive top soil and seed for lawn space and as you can see, we're going to be introducing a lot of trees to make it more of a park as it develops.

Ms. Zenns: There will be a lot of work to be done with that.

Mr. Rollman: Yes. It's fairly barren at the moment.

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Mr. Benson: But all that is part of the space so once that seeding takes over the landscaping is done. What you're envisioning for that.

Ms. Zenns: I saw at the BPU meeting the vision for that.

Mr. Benson: You saw the flyover it might take a while to get to that.

Ms. Zenns: Absolutely but step by step.

Mr. Rollman: Yes it'll take a little bit for the trees to get that big, but that is the plan.

Ms. Zenns: Yes just as I look over now, it's obviously all overgrown and in need of care.

Mr. Rollman: Yes it will certainly have a more manicured look after this is done.

Mr. Edwards: To address that for you right now, it's in the process of being mowed. It'll be done in the next four or five days so it'll be cleaned up so the appearance of even its current condition will be improved dramatically. Just over the next week or so when all the weeds are cut back.

Ms. Zenns: Oh absolutely. Because at this point it's just the railroad and if they're doing nothing, then nothing is being done.

Ms. Bernsohn: I have a question. Is the at-grade crossing going to be open twenty-four hours or how does that work? Just when trains come by, it's going to close up essentially?

Mr. Rollman: That's my understanding, how the signaling is currently setup.

Ms. Bernsohn: And then the other facility, the green space, that's going to be open as well? Twenty-four seven?

Mr. Rollman: Yes.

Ms. Zenns: There really would be no way of closing that off though, would there?

Mr. Rollman: Especially not from the south.

Ms. Zenns: The decorative fence, do you see any need for annual upkeep or is it designed to go for many years?

Mr. Rollman: It should be able to go many years with very minimal upkeep. Like I said, it's going to be a steel fence so it should weather well. It's going to have a powder coat to it so the finish should last for quite a while.

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Mr. Rice: Joe, has there been any thought about security issues down there? I know we've had some problems on the Riverwalk. I'm not too sure how we can solve them, if we'd have to go with cameras or what. Have you had any discussions about security issues?

Mr. Rollman: Not particularly. There's not a whole lot down here for vandalism. There's going to be some planting, but in terms of actual elements, aside from the fence, there's not too much else going on. We do have site lighting going on so that this space will become lit which will certainly help with deterring activity.

Ms. Zenns: Was it concern more down there versus the patio?

Mr. Rice: Well I think it's, to be honest with you, it's everywhere that we've got to be concerned about. The more people we can get using this area down here, the more secure it is going to get. So right now, I think we're kind of in a transitional part that we're getting people down there, but not as much as we would like in a longer period of time. Once that starts taking shape, that'll be more secure.

Mr. Rollman: And the plaza space is really quite well-lit. Just utilizing the existing lighting off the building so the plaza space should be...

Mr. Nelson: Along the walkway on that side from Main Street. What I'm talking about is Brooklyn Square that's all lit and that'll continue into this and it'll be lit.

Mr. Rollman: Right.

Mr. Drake: Same style?

Mr. Rollman: Yes. Same style light pole and light fixture. So, we'll really have a look and feel and just a continuation.

Mr. Benson: As the owner/operator of that park it's obviously insured. We have to be careful of all that stuff so yes, security is an issue, we have talked about it, and we will take steps that are appropriate to address that as this thing kind of moves down the road and we can assess what is actually needed. As of right now, we're kind of operating in a vacuum but I think once it starts to get more and more occupied, those issues become maybe less and less drastic.

Mr. Rice: I think they actually caught one that was doing some of the graffiti down there. I believe they caught him. So when that word gets out it will help.

Mr. Benson: And if we have to go to security cameras or whatever, we'll do whatever it takes.

Mr. Rice: We talked about the cameras along the Riverwalk. It's rather expensive if they're inline, but I did have a conversation with Ahlstrom-Schaefer that had independent ones that are linked together by internet connections in some fashion. So that might be more cost effective. But that's something that we have to be real conscious of too. We just put the grant in

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this summer for two pedestrian bridges down there and those are going to be well-lit too. So, that'll add to the brightness in the area.

Mr. Benson: I hope that we don't have to go to make this some sort of intrusive place to be. I mean we want people to be comfortable there...

Mr. Rice: Exactly.

Ms. Zenns: And you may not know until you get into it.

Mr. Benson: Right.

Ms. Zenns: Well, it sounds exciting and in future years hopefully it'll grow more and obviously it connects with the Riverwalk that we've already been working on for a number of years and kind of strengthen the comedy center once that gets underway.

Mr. Edwards: Can you give them the schedules for construction?

Mr. Rollman: Sure. We plan on breaking ground as soon as possible. As soon as we can clarify those contingencies for the approval. We're hoping to start construction the beginning of August and substantial completion through September any outlying items that there's any delays with lead times on anything like the steel pergola construction or anything like that.

Mr. Rice: I think the one contingency that may be the biggest hassle time-wise is National Park Service approval. I think there's a thirty day window if I'm not mistaken so we're going to be kind of tight.

Mr. Rollman: Yes and how it reads you can, at the owner's risk, you can start construction before you get the National Parks approval, but it probably makes sense to wait.

Mr. Benson: Well we will have some sort of ground breaking ceremony during the festival when lots of people are down just to take advantage of that. That won't constitute a construction starting, but it's a good opportunity for us to maybe use that as PR.

Ms. Zenns: There were no comments from the BPU, the Parks and Recreation Department, the Fire Department, the Police Department. Do we have any reason to believe that there are any issues out there?

Mr. Rice: No.

Ms. Zenns: Then, are there further questions and/or comments? We've been kind of monopolizing at this end. Then I will entertain a motion to accept the full environmental form again, with that one change. With no marked in Section 6 no impact on the air.

Mr. Nelson made the motion to accept the full environmental form. Seconded by Mr. Olson.

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Motion Carried

Ms. Zenns: And then further, we need a motion for site plan approval. I will once again read those contingencies. One is vital storm water management review. A second is to provide and review lease authorization by the rail authority to build and occupy railroad land as needed per design by the City's Corporation Counsel. A third contingency being approval from the National Park's Service. So that makes it three contingencies.

Mr. Nelson made the motion for site plan approval including three contingencies. Seconded by Mr. Olson.

Motion Carried.

There being no further business, the meeting was adjourned.

James N. Olson, Director of Financial Services/City Clerk