

March 17, 2009

Planning Commission

--- Proceedings by Authority

State of New York,
City of Jamestown, ss:
Mayor's Conference Room

The regular meeting of the Planning Commission for the City of Jamestown, New York was held on Tuesday, March 17, 2009 at 3:30 p.m.

Members Present: Chairwoman Martha Zenns, James Olson, Jeffrey Lehman, Paul Andalora, Joseph Trusso, Douglas Champ, Jeff Nelson

Members Absent: George Spitale

Others Present: Bill Rice and Amanda Bleck

Chairwoman Zenns opened the meeting stating that Jeff Lehman has a site plan to present to us on Eagle Street which is between Willard Street and Benedict Avenue.

EAGLE STREET RECONSTRUCTION

Mr. Lehman: Essentially, we've got some CDBG money this year for neighborhood revitalization that we are putting into Eagle Street between Willard and Benedict Avenue. It's two blocks – one considerably large block – between Sciota and Willard, basically reconstructing it in kind; doing some storm sewer improvements up there, but unfortunately those pictures don't really reflect the true spirit of the streets when they're snow covered, but that's what we had at the time. It's pretty straight-forward; it's a very narrow street that we're trying to maximize the surface area, but it's only a 28' right-of-way so we're trying to make some very minor changes to make it as user friendly as possible. I don't have a whole lot more to tell you about it.

Ms. Zenns: Is there a reason why Eagle Street was chosen and not others?

Mr. Lehman: Because it's in the center of the zone; it's in terrible condition. I don't know if you've driven up through there – it's just really bad. We've had a lot of complaints over the years. So, we've looked at this over the past couple of years and Eagle's been on the list and we decided this year would be a good time to do that. We'll be replacing all the utility poles – it's all pretty

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beat up. There is no district heat in the area and we were wondering that, just in case.

Mr. Trusso: Are you considering like Harris Avenue...

Mr. Lehman: Harris? We've done work on that and will continue to do work on that.

Mr. Trusso: Harris is not in the plan?

Mr. Lehman: No – it's not in the CDBG zone.

Mr. Trusso: It's awful bumpy going that street. Harris? Oh yes.

Mr. Lehman: Harris is not even close to Eagle Street. There's no argument that Eagle needs to be reconstructed.

Mr. Trusso: Well, there's other streets that are below Eagle...

Mr. Lehman: No doubt...there's no doubt that other streets need it, but this was one – that again – we've had a lot of complaints on over the past four or five years and it's been programmed. You can make an argument for numerous streets.

Mr. Nelson: Basically, none of them have been...I don't think any of them have had much done since...

Mr. Trusso: The last one at the very, very end at city line, that was repaved a little over...sidewalks were put in – the whole works.

Mr. Lehman: Willow - that was about three or four years ago.

Mr. Trusso: I talked to.....down from there and take these streets... that's the best...

Mr. Lehman: That was CHIPS money that we used up there. They get a lot of bus traffic.

Mr. Nelson: When I was a kid in high school – all of those were bad up there. It's no different. It's worse now than it was then, but probably not that much.

Mr. Trusso: I used to go see Tony all the time over there. Real bad.

Ms. Zenns: Is the CDBG funds thought to be adequate to cover the entire cost?

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Mr. Lehman: Probably not.

Ms. Zenns: Does the rest come from the City?

Mr. Lehman: Yes – it comes from the City.

Ms. Zenns: And that is not a problem?

Mr. Lehman: No – we program that in for the storm sewer work.

Mr. Andalora: Is this a one year project?

Mr. Lehman: One year project – it's going to be completed by June 1st.

Mr. Nelson: It's going to be tough on the neighbors...

Mr. Lehman: ...very tough on the neighbors because it being so narrow when we're in there, it's going to be very difficult for traffic to flow. We had a neighborhood meeting two weeks ago and obviously they're all excited that it's going to be done and we know there's going to be some drawbacks but we'll do what we have to do.

Mr. Trusso: How do those people park – you're going to resurface the whole thing – right? Sidewalks? Sewers?

Mr. ????: 28 feet – that's the pavement width – curb to curb?

Mr. Lehman: No – 28 feet is the right-of-way.

Mr. Nelson: Right-of-way. I was thinking – gosh it doesn't seem like it was that wide...

Mr. Trusso: It's a glorified alley.

Mr. Nelson: I think that's the worst one up there.

Mr. Trusso: Benedict isn't too bad coming down...

Mr. Lehman: No. Benedict's considerably wider...

Mr. Trusso: Sciota?

Mr. Lehman: It's very difficult. And that's one thing that these pictures will show you in the winter when you do get snow up there – it gets so narrow that they can't even get plows through sometime.

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Mr. Nelson: Is there street parking on Eagle?

Mr. Lehman: I believe there is – it's pretty narrow.

Ms. Zenns: They park on the street....

Mr. Lehman: ...because the majority of the houses on the east side don't have off street parking...

Mr. Trusso: Now Johnson's down – what – two streets from there? I was just thinking that you could remove the fencing there if you're having trouble with parking on Eagle and they can park there for the time being...

Mr. Lehman: Yes – that's something we could look into – that might not be a bad idea.

Mr. Trusso: That's a place where they can park. Otherwise, they'd have to park either on Benedict or Winsor. Sciota going down...that's quite a walk.

Mr. Lehman: Understood. Part of our battle is to make sure that it's open when we leave at the end of the day so the fire trucks and emergency vehicles can get in.

Mr. Trusso: Well if you've got the money – you should do it.

Ms. Zenns: Are there any further questions for Jeff on this plan? Now do you have the environmental form that needs to be accepted? Do I hear a motion to accept the Environmental Assessment Form?

Mr. Nelson moved to accept the Form and Mr. Trusso seconded the motion.

Motion carried.

Mr. Trusso moved to accept the Site Plan and Mr. Nelson seconded the motion.

Motion carried.

Members viewed the continuation of Introduction to the Planning Commission, Part One of a two-part CD-ROM series about Planning Commissions and their roles.

Mr. Trusso: I don't know if you had anything to do with this or not, but I think you were there. When they talked about putting the hotel over where this new building is.....and I'm not in that business – you are – and whatever they

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want to do; but I think for the City, the hotel would have been a much better place – a much better building over there. All that's occupied now is the upper floor and the park – that went through the hearings downstairs – they're saying "well people, the noise, in the hotels, we don't need another hotel," and we do. There's no doubt about that. When people go all the way to Warren to get rooms when they're having different events up here...it just goes against my grain to see that kind of money put in over there when the person that has the Fenton Grill – he's re-doing the whole building there because it's an older building; he's got the money, or getting the money, and he's doing the whole thing. Why can't we refurbish our old buildings in Jamestown rather than build new buildings like that? That just doesn't make sense to me and you'll see that Dr. Walter, Urologist in Jamestown, is sinking over 4 million dollars in an old building. He can build a new building outside of Jamestown, but he's got the money, they have the money, but he wanted to stay in Jamestown in the Empire Zone and have that building built there. That's going to be quite a building, I think, three stories, four stories like that. And it's beautiful – you go down there and you see what they're doing right now. That's the kind of development you should be looking for. The third thing is this Northside PRIDE. We build all those on Second, Cross, Winsor and Crescent over there. All those buildings that are over there, when we could have...and that was public money – right? That wasn't...

Ms. Bleck: The majority of it was state money that was received by CODE.

Mr. Trusso: Yes, but it's still Appleyard Court – it's still...why couldn't they have formed different committees like this throughout the City to refurbish what we already have, rather than try to tear that down and build up row houses which in no time at all – they're going to have a problem down there?

Ms. Bleck: We do have pots of money available for people in Northside PRIDE – it's income eligible again – because it is federal money, but there's owner-occupied and rental rehab dollars, plus federal dollars for fixing the streets and sidewalks and things...

Mr. Trusso: Has anybody been told about this – have they advertised it?

Mr. Lehman: I think Joe's talking about the Appleyard Court project...not the neighborhood PRIDE.

Mr. Rice: But Amanda's talking about – there is money available for the Northside PRIDE, but they have to come forward to use it.

Mr. Trusso: Yes, well I mean, I don't think some of these neighborhoods even know that there's money available. If they had a person up there that just

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wanted to do this and got into it and advertised it among the neighbors up there and they started doing a good job, as far as that goes.

Mr. Rice: But they are very much aware of the money that's available. Also, there's one thing coming up. We just had a media forum about it and they'll be getting involved, and there's a Neighborhood Revitalization Plan that's going to get started, so that is going to be a market driven textbook plan which will look at issues like our housing stock and what happens in housing in a broad sense as they're telling you to do in the presentation; so that would help to make decisions as to what's appropriate – what's not appropriate. When it comes to the downtown forum, the Urban Design Plan calls for a combination of revitalization through rehabbing old structures plus also placing new structures and doing something additional that's helping to revitalize by the pedestrian activity that it's trying to create; so it's a combination of both.

Mr. Trusso: Well, looking through the Bigelow's building over there – what they've done to that and made it into something really, really nice over there. The Samuels Hotel – the same thing there; other buildings downtown have been done. Most of it's been on the west side of town that's been done. I'd like to see old buildings – get the owners, whoever, - into meetings and ask them if they need help and we could help them with some of the money and get these old buildings refurbished. I can't see tearing down these old buildings just to put up new buildings that aren't even going to be occupied. The only thing that's occupying the new building is upstairs. They were talking about having commercial downstairs – where? Are we fooling ourselves?

Mr. Nelson: Well, they did have a plan for it. In the Planning Commission we reviewed with them their floor plans before and they do plan that, would like to have, additional businesses there. It's really, some of it may be impacted now by the change in the economy, or it just might show up that worse case, that there never was the ability to attract more. It's a difficult market to work in.

Mr. Trusso: You're in the business -you answer me this question. Would it have been more profitable to have that building there or would it have been more profitable to have a hotel there?

Ms. Zenns: Joe – we passed a site plan one of the first years I was on the Planning Commission to approve a Hampton Inn on that site. Then it was challenged in the courts – they couldn't go ahead. They eventually decided...

Mr. Trusso: ...well why is it...I mean that's the other part of this thing...

Ms. Zenns: ...that was totally out of our hands Joe.

Mr. Trusso: Why was it got...who was it challenged by? People that have borrowed money to the bar over and wanted to see the bar have all that

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property...people that have invested in the hotel across the street and came before the Commission and told all kinds of tales, not knowing anything about... what was that? That waswere you at the hearings?

Ms. Zenns: But we did what we could do.

Mr. Rice: That's part of the deal. If they wanted to continue with that project, they could have followed through...

Mr. Trusso: Well, that was what – two years, three years...they had that money and they went out and invested somewhere else. They wanted to invest it in a hotel in Jamestown.

Mr. Rice: It may be news to Jamestown, but it happens everywhere in the country.

Mr. Trusso: Yea. Well, and that's why Jamestown is where it's at right now.

Mr. Rice: That's the procedures you go through.

Mr. Trusso: You've got to be very aggressive of these things. You've got to go after those kind of people and you've got to bring them to court if you have to for lying about what they were saying at those meetings. In fact, when one of them came up, I just clapped – I said "that's the best performance I've ever seen you make." Even in Court, you never performed that way.

Mr. Rice: Well, the person we'd be challenging that would be the potential developer of that property. Not us.

Mr. Nelson: You do try to reduce your competition – there's no question about that.

Mr. Trusso: And that's what they did.

Mr. Nelson: It's part of the business.

Mr. Trusso: That's exactly what they did and they screwed us up...

Mr. Nelson: But you know, there's another part to that though too. Depending on whether you're looking at public dollars or private dollars...

Mr. Trusso: That was private dollars.

Mr. Nelson: With private dollars, you have to be very, very concerned about the competition that you're up against and what it might mean because

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you're on a line for a whale of a lot of money in putting up any kind of a development together. With public money, it doesn't matter.

Mr. Trusso: It doesn't?

Mr. Nelson: It doesn't matter at all. If you want to go ahead and do something and it sounds good – it doesn't even have to have, in many cases, a reasonable market base because it's politics that drives it and you end up with a building. Not this isn't in all cases, obviously, but nevertheless it's true, and if you look around Jamestown, what have we really had over a lot of years? The majority of what's been put in here, except for a couple of developments, has been using federal and state dollars to drive it and it's owned by not-for-profits and in many cases, they can get away without paying taxes into the community and this is the kind of development you get. As long as you're going to continue to try to drive everything with public dollars, that's what's going to happen; but there's another reason for public dollars. This area does not have sufficient income running through the community to do a lot of different things. It needs public dollars and subsidies to be able to exist. You go out to the other end of the state – they can put up a lot more and do a lot more development with private dollars because there's a reasonable chance that there's enough money in the area that they can get a return, and that ends up being a huge factor in what can be successful in this area.

Mr. Trusso: As long as your thinking is like that, Jamestown will never move ahead. How can it actually move ahead when we don't want the best kind of developments or refurbishing in the City? You'll sink all kinds of money in there.

Ms. Zenns: As part of the Urban Design Plan when they came in and did market study, they found a population base, it's decreasing, the income levels are low; that does not attract a lot of private development.

Mr. Rice: So what you do is you pick the projects that are going to start the synergies and use the public funds to fund them as much as possible with the ability to change the demographics that the market starts...that's what you've got to do.

Ms. Zenns: We're not in a position to pick and choose.

Mr. Nelson: Right now – you know – you're pulling a lot of money out of the people's pockets. It goes into a public project that doesn't, in most cases, have to pay the regular taxes that a private development would; so you end up with less money coming back in from the development and you also have pulled money out which is your private people who might be able to pay and they're paying out to be able to put this other stuff in and there's not enough going back out.

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Mr. Trusso: Jeff – a lot of dollars are being thrown at the markets right now and a lot of that is for the housing markets – how much have we gotten back? How much have we applied for? Why aren't we applying for these kind of monies? Why aren't we trying to build Jamestown. I know we're not going to go to 46, 47,000 anymore. That's a dream. What I'd like to see at least is stay at 31, 32,00000 – or maybe a little more. We're not doing that. We're not applying for that money. We're not being forceful to get that money in here.

Mr. Rice: Well, one of the things you might not even see – in fact, DOT is going to be using a lot of it's stimulus money to cover their projects on the board right now.

Mr. Trusso: Yes, but that develops the City – what are you doing with the streets, with the sewers – that helps develop the City.

Mr. Lehman: We're not getting that money.

Mr. Trusso: Pardon?

Mr. Lehman: The City's not getting that money. The DOT is. It's filtering into their projects.

Mr. Trusso: Well, won't it come into the City?

Ms. Bleck: Some of the stimulus money's coming into the City, but it still has to be used for public projects. Low income housing, low income benefits – it's not "give everybody in the City 50 bucks."

Mr. Trusso: Well that's good. I mean let's have low income housing and all that and have the rest of the people in the City pay for it, and then we'll all be on low income housing.

Ms. Zenns: You need to take your comments to another source. We don't have control over these things that you expect us to be able to do.

Mr. Trusso: Planning? You should plan for stuff like that. That's what they were saying there.

Mr. Rice: We can plan...

Ms. Zenns: We can plan all we want...

Mr. Rice: ...but the local government and the state and federal governments bind to our planning...

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Mr. Nelson: Yes, we did with all the federal government. You guys take over planning. You tell us what we need. You give us the money that you think we should have and don't mind in the meantime – you're taking the private investment money out of the community to go to the taxes to come back. It doesn't work.

Mr. Trusso: It had for a long time.

Mr. Nelson: It did, but it....even if I go back to when I was working with Urban Renewal here...

Mr. Trusso: Don't bring...that a sore spot please.

Mr. Nelson: A lot of it really came off very well. There was a plan that was devised and it was felt to be a good plan for the community...

Mr. Trusso: It was a plan that we were going to put light industry in Brooklyn Square and you tore all those houses down and threw everybody out – right?

Mr. Nelson: Yes.

Mr. Trusso: Where's the light industry? Ahh.....Good planning...

Mr. Nelson: Oh, I'm not going to argue the planning. Of course you'd have to be in somebody else's administration before I was there...but the reality was – it was a great idea politically. The problem is you got down there and tried to do it and you didn't have sufficient size sites and you ran into a lot of other problems. It didn't make it practical to...

Mr. Trusso: Did you have good planning?

Mr. Nelson: No – it wasn't good planning.

Mr. Trusso: Of course it wasn't. It was the lousiest planning...what you did is you threw 124 businesses ---

Ms. Zenns: Okay. We're not going to discuss the past. It comes up all too often and there's nothing we can do about changing it.

Mr. Trusso: But the only thing is – you learn from the past. If you don't learn from the past...how the hell are you going to learn?

Ms. Zenns: Okay. I am going to ask for a motion to adjourn.

Motion to adjourn was presented and seconded.

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There being no further business, the meeting was adjourned.

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