

Town Council
Town of Watertown
22867 County Route 67
Watertown, NY 13601

By email to pamd@gisco.net

November 21, 2018

Re: Opposition to Local Law 4 of the year 2018

Dear Supervisor Bartlett and Town Council Members,

We are six businesses located in the Jefferson County Corporate Park opposed to modifying Chapter 107 of the Town of Watertown Code to include “fleet vehicle operations” to the permissible uses in the Neighborhood Commercial Zoning District. We object for 3 primary reasons:

1. A school bus garage in the Corporate Park will create traffic problems, and make it a less appealing location to do business;
2. Making this change will not be effective, as there are other impediments to the First Student project; and
3. This change isn’t worth upsetting at least 7 major employers, while creating no new jobs. Better alternatives exist.

About Us

CAR-FRESHNER was founded in Watertown in 1952. Its global headquarters and a manufacturing operation are located in the Corporate Park, where it employs about 270 full-time. It remains family owned, and donates extensively to the community, including JCC, Thompson Park Zoo, Samaritan, DPAO, and 1812 Marathon. CAR-FRESHNER exports its Watertown-made products worldwide, and its LITTLE TREES air fresheners have become cultural icons.

Opal Development, LLC has been part of the Jefferson County Corporate Park since 2008 and is a developer and operator of commercial properties throughout the North Country. For many years, Opal has served as the headquarters and administrative offices for Nice-N-Easy and multiple locations of Subway and Tim Horton restaurants.

LCO Destiny, LLC (Timeless Frames, Décor and Expressions) purchased the assets of Timeless Frames, a struggling manufacturer with 7 employees, in 1999. Since then, Timeless Frames enjoyed explosive growth and remains one of the few manufacturers still producing readymade picture frames in the United States. Seeing opportunity in the market place, a second company, Timeless Décor, was formed in 2005 and is now the nation’s largest single site producer of custom picture framing fulfillment services in the country. Combined the companies have a dedicated workforce of 175 team members operating out more than 220,000 square feet in the Jefferson County Corporate Park. We have also made significant investment to our community through monetary donations and leadership at Samaritan Medical Center, JCC, Hospice of Jefferson

County, Greater Watertown Chamber of Commerce, JCIDA, Family Counseling Service of NNY, YMCA, Antique Boat Museum, North Country Regional Economic Development Council and numerous other charities and community growth initiatives. We are here for the long haul and fully invested in our community.

North American Tapes was founded in 2003 at 22430 Fisher Road, employing 45 full-time. We have invested over \$3.5 million over the last 4 years in buildings and equipment to become the second largest Hockey Tape Manufacturer in the world, and growing with Watertown New York in the core of every roll of tape.

Structural Associates, Inc. (SAI) is a local general contracting firm, founded in 1975, and established our Watertown office at the Jefferson County Corporate Park in 2004. SAI employs 50 full time personnel that reside in the 'North Country' region. We have been responsible for the construction of numerous projects at Ft. Drum and surrounding areas that have employed hundreds of trade personnel.

SWBG Wholesale Inc. (Soft Water By George) is a third generation family company serving Northern New York with an office in the Corporate Park. It specializes in water treatment, water pumps, well drilling, maintenance, snow plowing, lawn care, and property preservation.

The Bus Garage Would Make The Corporate Park Less Attractive For Other Employers

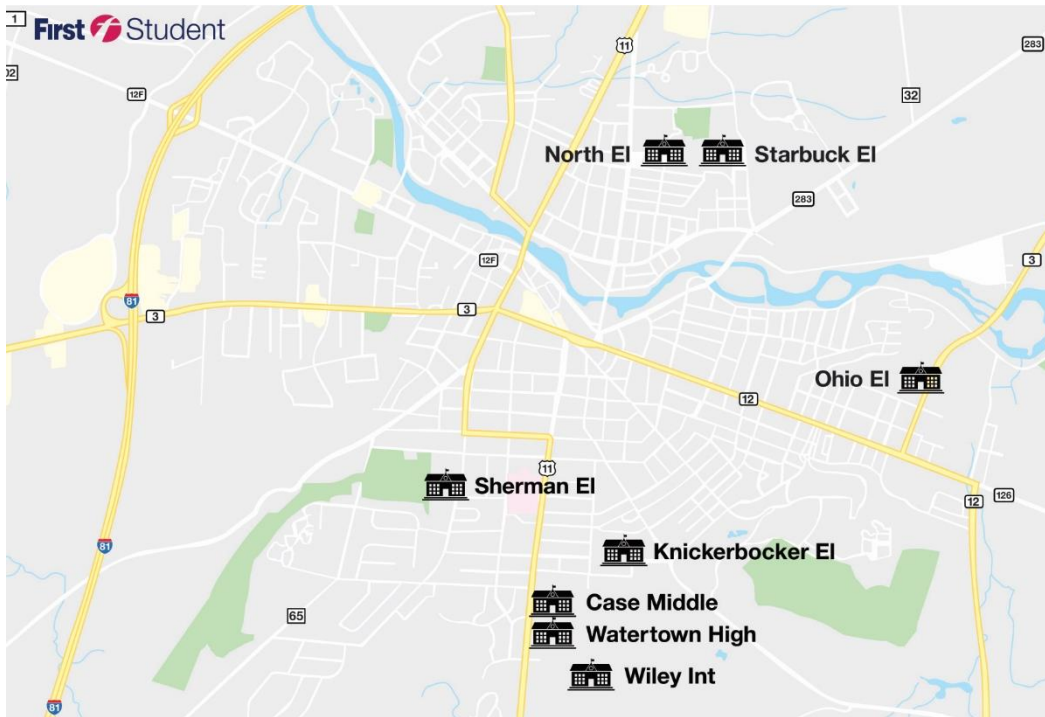
It appears this change is being proposed primarily as an attempt to permit construction of the First Student Bus Garage in the Jefferson County Corporate Park. References to FedEx, Beam Mack, and Henderson are *post hoc* rationalizations. Several of these businesses are not "fleet vehicle operations" at all, and, in any event, we are aware of no complaints about their presence in the district.

The Bus Garage would add hundreds of bus trips into and out of the Corporate Park every day, all during our business hours. These buses would clog the roads into and within the Corporate Park. One estimate suggests that buses leaving the park could block the Fisher Circle/Coffeen Street intersection for up to an hour several times a day. Everyone, including the developer, agrees that this project will "result in a substantial increase in traffic". If our employees' commutes are 15 minutes longer, if they can no longer run errands within their 1-hour lunch, and if our delivery trucks sit in traffic instead of easily accessing Interstate 81, the Corporate Park will become less attractive as a business locale.

To address these concerns, some of us have asked for an unbiased traffic study. The developer has only provided a self-serving one-page letter based on outdated traffic counts and a demonstrably inaccurate "school bus schedule". For example, the schedule says buses will return to the Corporate Park between 9 and 10 am (which the developer terms "off-peak"). School schedules show, however, that the buses will return much earlier, and interfere with peak morning rush hour. The schedule also omits all the associated employee trips in and out of the Corporate Park.

Separately, most of the schools and students serviced by First Student are located on the East Side of the City of Watertown. This will require buses to pass through downtown Watertown 6 times each day, backing up traffic in this already congested

area. This is a much smaller problem for a bus garage located either at the former Freeman location, or even the temporary First Student facility on Bradley Street.



This Change Would Be Ineffective and Unnecessary

Even if the Town were to make this change to the Town of Watertown Code, the bus garage could not be built, because it would still violate the Zoning District, as well as the Corporate Park’s restrictive covenants.

First, the developer has announced plans to refuel vehicles in the bus garage, but this activity is not permitted in the Neighborhood Commercial district under the current Town Code, and Local Law 4 of the year 2018 does not change this.

Separately, a bus garage is not a permitted use under the Corporate Park’s restrictive covenants, which permit only

- a) Manufacturing, assembling, or packaging of goods.
- b) Engineering or research and development.
- c) Administrative or other professional services.
- d) A distribution center.
- e) Warehousing.

Since a bus garage is not one of these things, its construction in the Corporate Park is prohibited. This issue is currently pending before the courts.

Some have argued that current uses that violate the covenants mean a bus garage can be built as well. This is legally and logically wrong. The restrictive covenants explicitly provide that permitting one violation “will in no event be deemed a waiver of the right to do so” in the future. This makes sense – otherwise neighbors would have to sue each other constantly over small transgressions.

This Change Offers Only Risks, no Benefits

This project has attracted strong opposition from at least 7¹ local employers, representing many hundreds of jobs. It has triggered 6 lawsuits and 2 appeals to the Zoning Board of Appeals. It has created ill-will, distracted employers from creating jobs, and is costing taxpayers tens of thousands of dollars in legal fees.

Yet this project has no real benefits for the Town of Watertown, as it will create no new jobs; it simply relocates them a few miles down the road. And even if it did create jobs, those jobs are only guaranteed for the 5 years of First Student's contract. That stands in stark contrast to the undersigned companies that have collectively been in the area for over 150 years.

Furthermore, there are 2 zoning districts that already permit bus garages, and at least 2 locations that would create no controversy (the former Freeman's facility and the interim First Student location on Bradley St.).

In sum, pushing this change through will have net negative consequences for the community.

Conclusion

We are opposed to this project for the reasons listed above. There is no reason to rush this change through in the middle of all this controversy, lawsuits, and appeals. To do so would be inefficient, expensive, and send a powerful message to businesses about the Town of Watertown's priorities.

We are fighting against this project because Watertown is our home, and we want to stay here.

Finally, we would welcome a further dialogue about our operations, this project, or zoning in general.

Sincerely,

Daniel Sämann
CAR-FRESHNER Corporation

Darrin Prance
North American Tapes

William Halsey, PE
Structural Associates

Lisa Weber
LCO Destiny, LLC

Ed Valentine
Opal Development LLC

Neil Katzman
SWBG Wholesale, Inc.

¹ Onondaga Development LLC has also publicly opposed this project, although it was not involved in this letter.