

**Village of Brockport  
Planning Board  
Meeting Agenda  
Monday, December 9, 2013 7pm**

**CALL TO ORDER / PLEDGE / ROLL CALL**

**APPROVAL OF MINUTES** of November 12, 2013

**CORRESPONDENCE:**

**NEW BUSINESS APPLICATIONS:**

1. Name: Gerald Timm  
Address: 93 Fayette Street  
Tax Map #: 069.37-1-10  
Zoning: O-Residential  
Parcel Size: 171' wide x 117.6' deep  
Prop. Class: 210  
Purpose: Conditional Use Permit for front yard fence
  
2. Name: Daniel Hawken  
Address: 55 Park Avenue  
Tax Map #: 069.13-2-22  
Zoning: O-Residential  
Parcel Size: 50' wide x 266' deep  
Prop. Class: 210  
Purpose: Conditional Use Permit for front yard fence

**OTHER BUSINESS:**

- Member McCarthy to discuss recent workshop

**ADJOURNMENT:**

**UPCOMING REGULAR MEETINGS/DEADLINES (only upon application):**

January 13, 2014 7pm.                      Deadline: Monday, December 30, 12 noon  
February 10, 2014 7pm.                    Deadline: Monday, January 27, 12 noon

**PENDING OLD BUSINESS APPLICATIONS:**

- 24 North Main Street, proposed commercial building

# VILLAGE OF BROCKPORT

49 State Street, Brockport, New York 14420  
Telephone: (585)-637-5300 Fax: (585)-637-1045  
Website: [www.brockportny.org](http://www.brockportny.org)

## PLANNING BOARD APPLICATION

Change of Use: _____	Addition: _____	VILLAGE OF BROCKPORT P A I D PER NOV 20 2013 25.00 cash ENV	DEADLINE: MONDAY Noon, 2 weeks prior to meeting
Subdivision: _____	Site Plan: _____		Meeting Date: <u>Mon 12/9</u> at 7:00pm
Other: <u>Fence</u>			Application Fee: \$ <u>25<sup>00</sup></u>
			Date Submitted: <u>11-20-2013</u>
			Plans Submitted ( <del>10</del> copies): <u>1</u>
		Environmental Assessment Form Submitted: _____	

Please note:

- Applicant must attend meeting(s).
- Failure to show, withdrawal of application, or denial will result in forfeiture of fee.
- Applicant may be billed for Village Engineer fees related to the review of application.
- The Planning Board will determine the need for a public hearing. If so, a separate fee will be billed.

PROPERTY ADDRESS: 93 Fayette St, Brockport ny 14420

Tax Map Parcel #(s): 069.37-1-10 Parcel size: 171.0' width 117.6' depth

Property Zoning District: 0-Res Property Class: 210

Present Use of Property: Residential Proposed Use of Property: Residential

Flood Zone:  Yes  No Map # \_\_\_\_\_ Map Date \_\_\_\_\_

Description of Proposal: 50 ft split rail fence, along right side yard in front, 3 ft <sup>in</sup> from sidewalk. Also a 10ft section along right side of <sup>driveway</sup>

Value of Construction: \$ 300.00 Building Permit required after Planning Board approval:  yes  no

### Certification of Statements:

The applicant(s) hereby affirms that the above information is accurate and complete, to the best of his/her knowledge and he/she/they is/are the title owner(s) of the property or has/have been authorized by the title owner(s) to make this application.

I/We hereby certify that I/We are title owner(s) of the property property identified in the above application and that the applicant(s) named is/are authorized to make the application described herein.

Applicant Signature

Gerald J. Timm

Applicant Name Printed/Typed

93 Fayette St. Brockport NY

Owner Signature

Gerald J. Timm

Owner Name Printed/Typed

93 Fayette St. Brockport NY

617.20  
Appendix B  
Short Environmental Assessment Form

**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>		
<i>Fence, split rail type 50ft across front lawn</i>		
Name of Action or Project: <i>93 Fayette St, Brockport NY 14614420</i>		
Project Location (describe, and attach a location map):		
Brief Description of Proposed Action: <i>50ft split rail fence along right side yard. Located 3ft back from sidewalk and 3ft high at rail, also a 10ft section along right side of driveway. Material is P/T wood, posts are 10ft apart with top rail not over 36"</i>		
Name of Applicant or Sponsor: <i>Gerald J. Timm</i>	Telephone:	
	E-Mail:	<i>t.com</i>
Address: <i>93 Fayette St. Brockport. NY 14614</i>		
City/PO: <i>Brockport</i>	Stat:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	NO	YES
	✓	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	NO	YES
	✓	
3.a. Total acreage of the site of the proposed action?	<u>0</u>	acres
b. Total acreage to be physically disturbed?	<u>0</u>	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>= .5</u>	acres
4. Check all land uses that occur on, adjoining and near the proposed action.		
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)		
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____		
<input type="checkbox"/> Parkland		

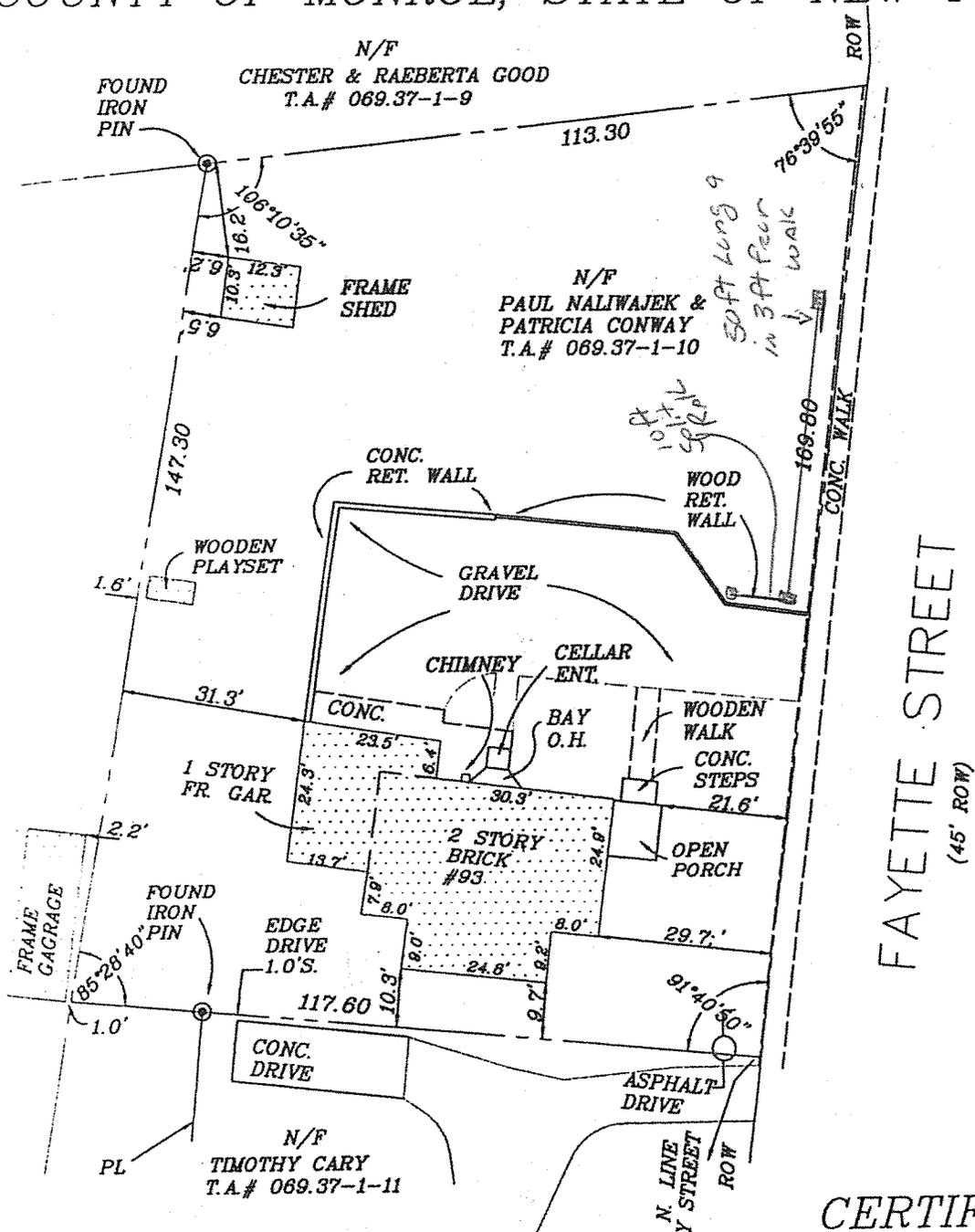


18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>Gerald J. Timin</u> Date: <u>11/19/13</u> Signature: <u>[Handwritten Signature]</u>		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

LAND LOCATED AT #93 FAYETTE STREET, SITUATED  
 IN THE VILLAGE OF BROCKPORT, TOWN OF SWEDEN  
 COUNTY OF MONROE, STATE OF NEW YORK.



SCALE: 1" = 30'



**REFERENCES**

- 1.) LIBER 9532 OF DEEDS, PAGE 545
- 2.) CROSSROADS ABSTRACT NO. 22708, DATED OCTOBER 3, 2012
- 3.) LIBER 3134 OF DEEDS, PAGE 351 EASEMENT TO RTC, CITY OF ROCHESTER, N.M.P.C., CITY OF MEDINA, FOR POLES & WIRES.

**CERTIFY TO:**

- 1.) GERALD J. TIMM
- 2.) ROBERT J. BURKE, ESQ.
- 3.) SCHELL & SCHELL
- 4.) HOMESTEAD FUNDING CORPORATION ITS SUCCESSORS AND/OR ASSIGNS
- 5.) THE TITLE INSURANCE COMPANY INSURING THE MORTGAGE

**SURVEY CERTIFICATION**

WE, JAMES H. MISSELL AND ASSOCIATES CERTIFY THAT THIS MAP  
 WAS PREPARED IN ACCORDANCE WITH CURRENT STANDARDS JOINTLY

VILLAGE OF BROCKPORT  
 PAID NOV 21 2013  
 #1044  
 PER. \$2500 (pd)

# VILLAGE OF BROCKPORT

49 State Street, Brockport, New York 14420  
 Telephone: (585)-637-5300 Fax: (585)-637-1045  
 Website: [www.brockportny.org](http://www.brockportny.org)

## PLANNING BOARD APPLICATION

**DEADLINE: MONDAY Noon, 2 weeks prior to meeting**

Meeting Date: Mon 12/9/13 at 7:00pm

Application Fee: \$ 2500

Date Submitted: 11-21-13

Plans Submitted (10 copies): ✓ (1)

Environmental Assessment Form Submitted: ✓

Change of Use: \_\_\_\_\_ Addition: \_\_\_\_\_

Subdivision: \_\_\_\_\_ Site Plan: \_\_\_\_\_

Other: INSTALL FENCE CLOSER TO SIDEWALK  
+ HIGHER THAN CODE ALLOWS

Please note:

- Applicant must attend meeting(s).
- Failure to show, withdrawal of application, or denial will result in forfeiture of fee.
- Applicant may be billed for Village Engineer fees related to the review of application.
- The Planning Board will determine the need for a public hearing. If so, a separate fee will be billed.

PROPERTY ADDRESS: 55 Park Ave

Tax Map Parcel #(s): 069.13-2-22 Parcel size: 50' width 266' depth

Property Zoning District: O-Res Property Class: 210

Present Use of Property: residence Proposed Use of Property: residence

Flood Zone:  Yes  No Map # \_\_\_\_\_ Map Date \_\_\_\_\_

Description of Proposal: INSTALL A ALUMINUM PICKET FENCE IN FRONT YARD.

We would like to install a fence 48" high, and closer to sidewalk 12" which is common in our neighborhood

Value of Construction: \$ 2,000 Building Permit required after Planning Board approval:  yes  no

### Certification of Statements:

The applicant(s) hereby affirms that the above information is accurate and complete, to the best of his/her knowledge and he/she/they is/are the title owner(s) of the property or has/have been authorized by the title owner(s) to make this application.

I/We hereby certify that I/We are title owner(s) of the property property identified in the above application and that the applicant(s) named is/are authorized to make the application described herein.

Daniel A Hawken

Applicant Signature

Daniel A Hawken

Owner Signature

Applicant Name Printed/Typed

Daniel A. Hawken

Owner Name Printed/Typed

Mailing Address

55 Park Ave, Brockport NY 14420

Phone # / Fax # / E-mail

/ E-mail

Copies to: \_\_\_\_\_ Planning Board \_\_\_\_\_ B/Z Officer \_\_\_\_\_ Village

r \_\_\_\_\_ DPW Spt.

617.20  
Appendix B  
Short Environmental Assessment Form

**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>	
Name of Action or Project: <p style="text-align: center;">INSTALL PICKET FENCE</p>	
Project Location (describe, and attach a location map): <p style="text-align: center;">FRONT YARD, 55 PARK AVE</p>	
Brief Description of Proposed Action: <p>INSTALL 48" TALL ALUMINUM PICKET FENCE. There are several picket fences in our neighborhood. Their heights range from 42" to 51" from grade when installed. They are all between 4" and 15" from the sidewalk. We would like to do the same.</p>	
Name of Applicant or Sponsor: <p>Daniel A. Hawken</p>	Telephone: E-Mail: <u>d</u>
Address: <p>55 Park Avenue</p>	
City/PO: <p>Brockport</p>	St:
1. Does the proposed action only involve the legislative adoption of a plan, local law, or administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	
<input checked="" type="checkbox"/>	X
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	
<input checked="" type="checkbox"/>	X
3.a. Total acreage of the site of the proposed action? <u>0.001</u> acres	
b. Total acreage to be physically disturbed? _____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.	
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland	



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>Daniel A. Hawken</u> Date: <u>11-19-13</u> Signature: <u>Daniel A. Hawken</u>		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	NO	
2. Will the proposed action result in a change in the use or intensity of use of land?	NO	
3. Will the proposed action impair the character or quality of the existing community?	NO	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	NO	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	NO	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	NO	
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	NO NO	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	NO	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	NO	

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	NO	
11. Will the proposed action create a hazard to environmental resources or human health?	NO	

**Part 3 - Determination of significance.** The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

~~AWA~~

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

November 2013

To the Planning Board, Village of Brockport, NY,

We the undersigned, have no reservations or concerns regarding our neighbors' (Daniel Hawken) request to erect a 4 ft high picket fence in the front yard of his home at 55 Park Ave, Brockport. We understand that Mr Hawken is requesting to place the fence closer to the public sidewalk than village code affords, as well as taller than code, however; none of the picket fences in the immediate neighborhood (#'s 47 Park, 74 park, 91 Park, 14 Spring, 20 Spring, 45 Union) meet code, and all are both taller than the code prescribes and closer to the sidewalk as well. Mr Hawken has our encouragement and cooperation in this capital improvement to his yard and to our neighborhood. We may even help dig the post holes.

Sincerely,

Name	Address	Date
	51 park ave	11/20/13
Kathy Cooper	63 Park Ave	11/20/13
	67 Park Ave	11/20/2013
	47 Park Ave	11/21/2013

D=4"

# Fence Description

APPROXIMATE  
55 PARK AVE  
BLOCKPORT, NY

ALL POSTS, RAILS, PICKETS AND SCREWS

ARE POWDER COATED

BLACK

ALUMINIUM

GATE HINGES AND LATCH ARE PLASTIC + STAINLESS STEEL

RAILS ARE TO

BE SECURED BY

INSERTION

INTO POST

THEN SCREWS

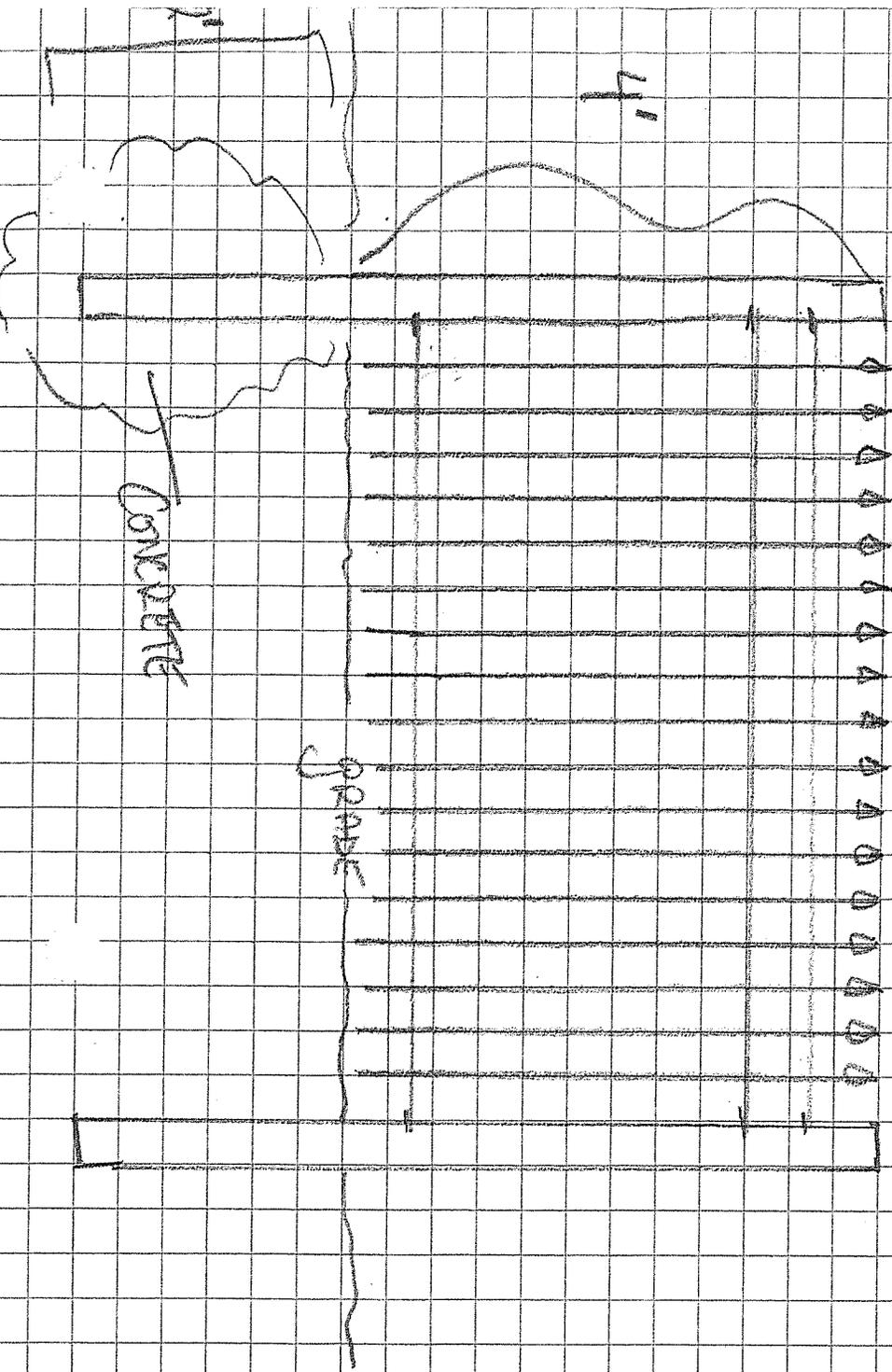
AS WELL

Pickets are

secured to

RAILS

4"



CONCRETE

GRADE

□ = 4"

# Fence Description

ARADISE  
55 PARK AVE  
BROOKHOLM, NY

ALL POSTS, RAILS, PICKETS AND SCREWS

ARE POWDER COATED

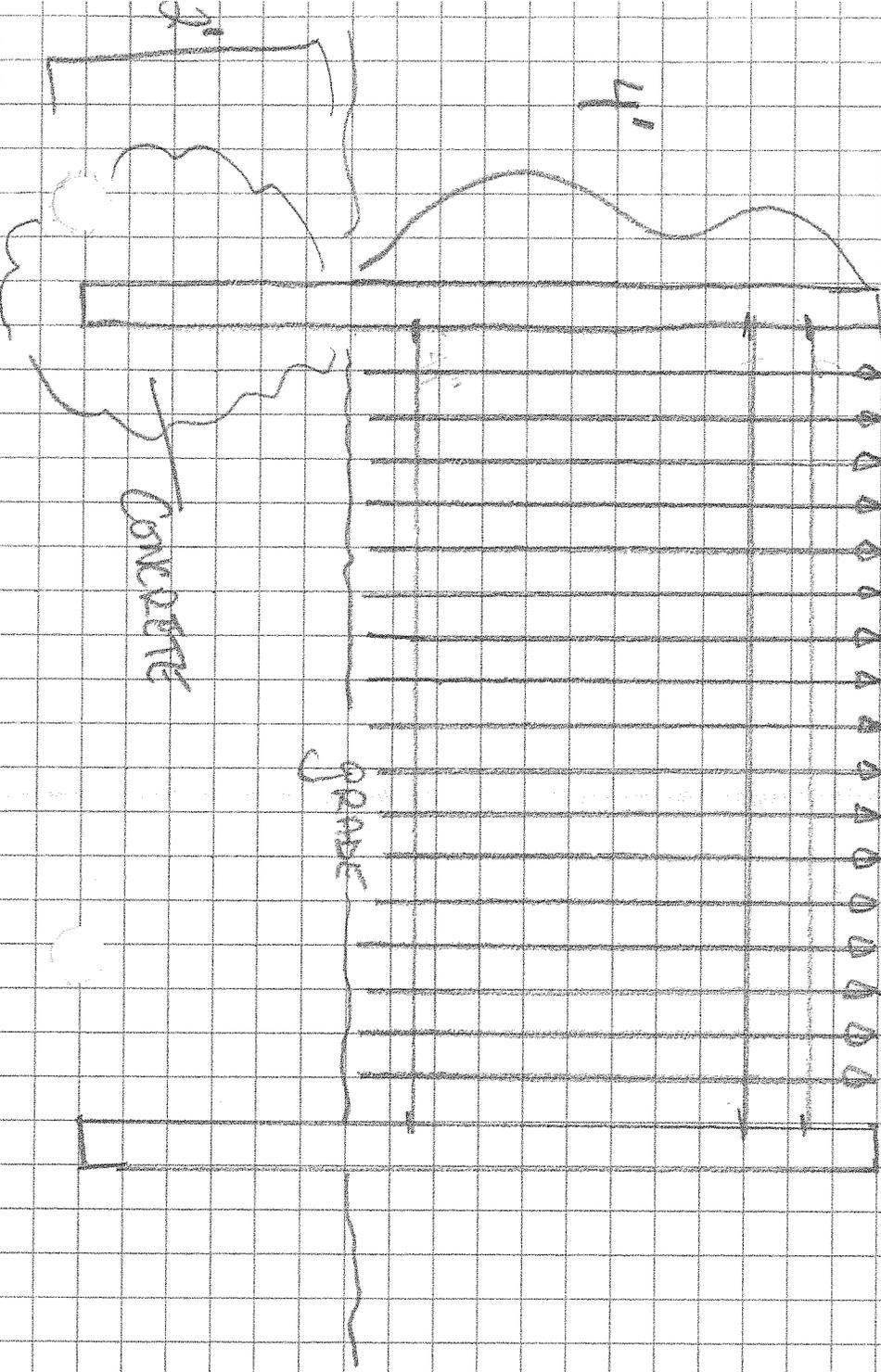
BLACK

ALUMINIUM

GATE HINGES AND LATCH ARE PLASTIC + STAINLESS STEEL

RAILS ARE TO  
BE SECURED BY  
INSERTION  
INTO POST,  
THEN SCREWS  
AS WELL

Pickets are  
secured to  
rails



GRADE