

Regular meeting of the Village of Brockport Planning Board was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Monday, August 8, 2016 at 7:00pm.

PRESENT: Vice Chair Charles Switzer, Member Kevin McCarthy, Member Patricia Baker, Member Ronald Staub, Member Lyle Stirk, Clerk Katie Brown, CEO Tim McElligott

ABSENT:

Excused: CEO David Miller

ALSO PRESENT: Travis Finger, Jill VerWeire

CALL TO ORDER: Vice Chair Switzer called the meeting to order and led the Pledge of Allegiance.

REVIEW OF MEETING MINUTES:

- ➔ Member McCarthy moved, Member Switzer seconded, unanimously carried to approve the minutes of June 13, 2016.

CORRESPONDENCE: NYS Planning Federation Newsletter

NEW BUSINESS:

1. Name: TF Nail Salon & Spa
Address: 66 Market St
Tax Map #: 069.53-1-8
Zoning: B-Business Use
Parcel Size: 0.18 acres
Prop. Class: 482
Purpose: Change of use to nail salon & spa (formerly vacant)

Presentation/Discussion:

Applicant Travis Finger provided some background information on his career and explained that he graduated from cosmetology school in 2013. At age 19 he opened his first business in a neighboring village. As his business grew, he decided he needed a larger location and felt Brockport would be a good fit.

Vice Chair Switzer complimented the applicant on his business plan, stating it provided good attention to detail and outlines several facets of the business such as the customer base, mission statement, pricing/products, floor plans, etc. He asked if the applicant would like to provide any additional information.

Mr. Finger added that he has a strong client base in Brockport who are happy with his new location. His salon will offer high end services such as facials, nail treatments, and hair services. He noted that he is currently the only employee at the salon but is hoping to hire up to three additional workers as demand grows. Mr. Finger is currently licensed as a cosmetologist and esthetician. All future employees will be licensed with New York State as well.

Member Staub reviewed his concerns with the applicant. He confirmed with Mr. Finger that there are nine parking spaces in front of the building and four spaces on the side. The side spaces are used by tenants occupying the second floor apartments. Member Staub advised the applicant that the parking spaces are not properly striped and should be painted, which is the responsibility of the property owner. Member Staub noted there are three exterior light fixtures and not all of them are working. He believes all the lights should be functional to promote the safety of the salon's customers. Member Staub verified with Mr. Finger that the business is subject to health department inspections and added that all inspection certificates as well as cosmetology licenses should be prominently displayed in the building. Member Staub asked the applicant if there have been any concerns or reports of odors from the salon permeating into the second floor apartments, to which Mr. Finger replied no.

Member McCarthy added he believed there are new ventilation regulations coming in 2017 that will apply to salons. Mr. Finger is aware of the new regulations and noted he currently use low odor acrylic products. Member McCarthy asked how long the salon has been operating, to which Mr. Finger replied it opened on June 1.

Member Staub conferred with the other members as to whether the Board can require the parking lot striping and exterior light repair as a contingency of approval. Vice Chair Switzer stated the lights can be required. Clerk Brown added, per CEO David Miller, the Board can enforce the parking lot striping if they so desire. Mr. Finger inquired as to whether he would be responsible for striping the area in front of the salon or the whole plaza, to which the Board clarified that it is the property owner's responsibility to stripe the entire plaza as well as repair the exterior lighting. Member Staub added it is an important safety issue that customers know where to park and can see clearly, particularly in the evening and

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during winter months. Mr. Finger confirmed with the board that his business is open until 9pm and therefore lighting is very important, as is the safety of his customers.

Vice Chair Switzer requested that Clerk Brown send a letter to the property owner notifying him of a conditional approval and specifying that the parking lot needs striping, the exterior lighting needs repair, and the salon will be subject to a fire safety inspection.

Member Staub informed the Board that he checked with the Building Department and there have not been any complaints filed by other tenants of the property in reference to odors or disturbances of from the salon thus far. Vice Chair Switzer asked CEO Tim McElligott if the Building Department had any concerns or comments regarding the application. CEO McElligott stated that he has not been in the particular unit where the salon is located, but there have been some violations in other units in the past that were not always easy to get rectified. CEO McElligott asked if Mr. Finger has already signed a lease and Mr. Finger confirmed he has. Mr. Finger apologized to the Board for opening the salon prior to gaining change of use approval and explained he was unaware of the required process. Member McCarthy advised that a change of use review offers benefit to the applicant in that it can help identify potential concerns with the property prior to the applicant becoming significantly invested in the location.

The Board reaffirmed the importance of the three contingencies and believes they are reasonable requirements.

- ➔ Member Baker moved, Member Staub seconded, unanimously carried to approve the application contingent upon completion of a code inspection, parking lot striping, and repair of exterior lights.

2. Name: Jill's Boutique
Address: 21 Main St
Tax Map #: 069.45-2-7
Zoning: B-Business Use
Parcel Size: 0.11 acres
Prop. Class: 481
Purpose: Change of use to beauty salon (formerly clothing store)

Presentation/Discussion:

Applicant Jill VerWeire advised the Board the proposed location is adjacent to the Red Bird Café. Her business is an established salon currently located at 87 Main St, prior to which it was located at 88 Main St. Ms. VerWeire noted that she brought a rendering of her proposed sign, which was previously used at the 88 Main St location. She plans to have four employees and will offer hair services, waxing, eyebrow tattoo, and nail treatments. The business will be open from 10am-6pm Tuesday through Saturday.

Member McCarthy asked whether the sign used at the 88 Main St location was ever approved by the Historic Preservation Board and Ms. VerWeire confirmed it was. Vice Chair Switzer advised that the applicant will need to consult the Building Department to get required sign permit and approval for new location.

Member Staub confirmed with Ms. VerWeire that she and her employees will have required licenses which will be prominently displayed within the business.

Vice Chair Switzer asked whether there is a dumpster on site. Ms. VerWeire stated that her landlord, Mark Lewis, keeps garbage totes behind the building, under the stairs in an enclosed area, hidden from view.

Member Staub stated he has a concern with odors/emissions from salon products causing a disturbance to the Red Bird Café and the upstairs tenants. Ms. VerWeire replied she has not run into concerns in the past, to which Member Staub noted that the salon was not located next door to a restaurant before. Ms. VerWeire added that, while there is no exhaust fan installed in the unit, she has a large vacuum style air purifier for use in the salon.

Member McCarthy asked if there is a shared atrium or front entry with the Red Bird, to which the applicant replied no.

Member Staub asked if the plumbing is adequate to support a salon. Ms. VerWeire believes that it is and she plans on installing a few salon sinks. She added that she will be utilizing the sinks and salon furniture that has been in use at the 87 Main St location. Ms. VerWeire confirmed for CEO McElligott that the sinks have a backflow.

Member Staub inquired as to whether a plumbing permit will be needed if the application is approved. Clerk Brown verified that a permit will be needed for the installation of the new sinks. CEO McElligott agreed and added that the applicant will need to use a licensed plumber.

Member Switzer questioned if there is a shared common area in the rear of the building. Ms. VerWeire

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described the shared area as a back room that is primarily used by the Red Bird for storage. The area connects to the building's back door and also houses the basement access and a wooden staircase leading to the upstairs apartments. The front door will be used as the primary entrance and exit.

- Member Stirk moved, Member Staub seconded, unanimously carried to approve the application contingent on completion of a code inspection.

OTHER BUSINESS:

1. Selection of Chair and Vice Chair for 2016-2017

Vice Chair Switzer stated that he has been nominated to serve as Chair and Member McCarthy has been nominated to serve as Vice Chair.

Member Staub moved, Member Stirk seconded, unanimously carried to elect Charles Switzer as Planning Board Chair and Kevin McCarthy as Planning Board Vice Chair for 2016-2017.

2. Code Review Committee

Clerk Brown reminded the Board that one member is needed to serve as a representative on the Village Code Review Committee. It was noted that Member McCarthy is already serving on the Historic Preservation Board and Member Switzer serves on the Housing Task Force. Member Staub stated that he has no objection to serving on the Code Review Committee; however he feels that matters involving zoning review should be handled by an attorney, as there is significant legality involved. Clerk Brown mentioned that the village attorney can serve as a resource in such matters and that the recommendations of the committee are reviewed by the Board of Trustees for approval.

Member Stirk said he has no objection to serving on the Code Review Committee. Member Stirk and Member Staub both have pending interviews for their applications to the Tax Relief Committee. They agreed whichever member is not appointed to the Tax Relief Committee will serve as the representative for the Code Review Committee.

UPCOMING MEETINGS/DEADLINES:

- Monday, September 12, 2016, 7pm; applications due by Noon, Monday, August 29.
- Monday, November 14, 2016, 7pm; applications due by Noon, Monday, October 31.

ADJOURNMENT:

→ Member Staub moved, Member Baker seconded, unanimously carried that the meeting be adjourned at 7:28pm.

Katie Brown, Clerk