

PLANNING BOARD MEETING MINUTES OF March 11, 2019

Approved

**Regular meeting of the Village of Brockport Planning Board  
Held in the Conference Room, Municipal Building, 49 State Street, Brockport, NY  
Monday, March 11, 2019 at 7:00pm**

**PRESENT:** Chair Charles Switzer, Vice Chair Kevin McCarthy, Member Kris Bonzyck, Member Lyle Stirk, CEO Chad Fabry, Clerk Barbara A. Krizen

**EXCUSED:** Member Patricia Baker

**ABSENT:**

**ALSO PRESENT:** Daniel Vasile, Darrell Stewart, Mark Kristansen

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

**REVIEW OF MEETING MINUTES:** Chair Switzer called for a motion to approve minutes of December 10, 2018.

→ Member Stirk moved, Member McCarthy seconded, unanimously carried to approve the minutes as written.

**CORRESPONDENCE:** Chair Switzer acknowledged receiving a few letters from various people regarding tonight's applicant concerning 71 Adams St.

**DISCUSSION:** A discussion took place concerning proper procedure of scheduling future meetings and confirming Board availability to hold a meeting. The Chair and Members present at the meeting agreed to hold the meeting of March 11, 2019 and to waive the 2-week submission deadline for Mr. Vasile's application.

The Board collectively agreed with Member Bonzyck's statement that, "to be fair to all parties involved, the current matter can be discussed tonight and continued to April's meeting as one neighbor is in California at the present time."

**OLD BUSINESS:**

**NEW BUSINESS:**

1. Name: Daniel M. Vasile  
Address: 71 Adams St  
Tax Map #: 068.75-1-5  
Zoning: Residential  
Parcel Size: 66' x 132' (0.2 acres)  
Prop. Class: 210 – One Family  
Purpose: Widen driveway

**Presentation/discussion:**

Chair Switzer invited the applicant to address the Board. Chair Switzer informed the applicant that the Board thinks they know what the applicant wants to do, and Chair Switzer talked of Section 58-22 concerning parking in the front yard and acknowledge some properties in the Village do have people parking in the front yard.

CEO Chad Fabry read the Code Section 58-22 B2(l): Off Street Parking Requirements:

PLANNING BOARD MEETING MINUTES OF March 11, 2019

(i) For residential use, such off-street parking shall not occupy any part of any required front yard except that portion of the front yard which may be construed as the logical extension of the side yard, being in particular that area running perpendicular from the extreme or side of a structure on the premises or garage thereon to a street or alleyway. No more than 50% of any side yard, or 25% of any rear yard other than the required driveway, shall be permitted for a parking area. Such off-street parking space may be included as part of a required open space for side or rear yards.

CEO Chad Fabry indicated the left of the house is a logical extension of the side yard but the front of the house is not a logical extension of the side yard.

Chair Switzer indicated the property is a 3-bedroom house; the applicant noted the property was a 4-bedroom house. Information from the Monroe County Real Property Portal indicates the property as 3-bedroom: 1½ bath. Single family residence.

CEO Chad Fabry indicated with single family residence the bedroom count is a moot issue as there is no requirement for parking like there is with multi family. Multi family every bedroom requires a parking spot. Every single-family house is required to have two parking spots and is not correlated with the number of bedrooms.

Chair Switzer asked the applicant how many people will be living in the house, the applicant indicated right now there are two people at the house and eventually there will be four people residing there. Chair Switzer noted by the looks of the survey there is more than enough space for 4 cars. Chair Switzer also noted that a neighbor complained that "one kid was bypassing cars and going on the neighbor's property" and asked that the applicant address this issue with his tenants. Chair Switzer also asked "what do you do to stop the tenants from doing that, bollards, shrubbery or something". The applicant indicated he did park off the driveway to unload/load and work on the house but that residents did not drive around the house and if they did, there would be tracks in the snow.

Member McCarthy noted that "I can't imagine why the neighbors said you were driving on the lawn if you were not and then on top of that there was a driveway expansion that was illegal, we were not told about it by putting gravel in and making the driveway wider." People are nervous that you are going to fill the house up and it is a little unsettling. Member McCarthy said by Code Dan could expand his driveway in the back. The applicant said, "that is why I am here."

Member Stirk said "the drawing that was submitted showing the back is perfectly fine".

The applicant further described that the people that walk a lot, like his daughter, could park her car in the back and then walk to classes. A discussion then took place regarding switching cars around every day for someone to get out of the driveway.

Member McCarthy said, "you have already done something you shouldn't have done, so there are some red flags. I am concerned about turning the back yard into a parking lot and several cars back there, it's not pretty to look at."

Chair Switzer asked if the applicant was provided with a copy of the correspondence. The applicant did not have a copy of the correspondence. Clerk Krizen immediately provided a copy of the letters received from various individuals opposing the expansion to the applicant.

The applicant indicated he hasn't read the correspondence as he just now received it, but he feels like the it is not really like the lady that lives in the house that is upset but it is her daughter who lives in California who visits a few times a year. The applicant also mentioned he has text correspondence from the daughter. Member McCarthy said, "she is doing what a good daughter would do."

PLANNING BOARD MEETING MINUTES OF March 11, 2019

Chair Switzer asked the applicant to review the correspondence and, also mentioned that gravel may not be the best thing.

The applicant indicated that he didn't expand the driveway and you are welcome to come look. Member McCarthy noted it would be smart to do a site visit. The applicant then described the size of the gravel as well as the location of the gravel installed.

Member McCarthy agreed with Chair Switzer that the applicant should put in a privacy fence along the border of the property or shrubs. In addition, Chair Switzer suggested some type of physical barrier.

Member (Stirk) (Bonczyk) spoke that the key is that you don't always know who your guests are and that guests might drive through the neighbor's yard to get out. To be a good neighbor you would want to install a privacy barrier.

Chair Switzer said he would take the applicant up on his offer to do a site visit and that Clerk Krizen would set something up next week or the week after.

The applicant indicated the neighbor complaining also has a driveway to the right of the house and drives to the back of the house to a garage. Member McCarthy said, "that is not uncommon."

Member Stirk mentioned the applicant is doing his application the right way and the problem is with the individuals who do not do it the right way.

CEO Chad Fabry added that the Code does specify that any additional parking does need to be paved. Member McCarthy added "within one year." CEO Chad Fabry further explained that there is no criteria where the Village has any authority to ask for barriers or fences or bollards. Member McCarthy said, "we are not saying that, we are saying to make peace or whatever its quite obvious this woman is upset." Chair Switzer said, "if the neighbor is upset about someone driving on their property then he would be fixing the neighbor's lawn." CEO Chad said, "the applicant would have a civic responsibility to fix the lawn."

A discussion between the applicant and CEO Chad Fabry took place about the paving requirement and considering the area in the back be enlarged so that a car can pull back and turn around to pull out of the back yard and that if you are going to ask for additional parking you should ask for the additional 6' to allow cars to back out.

Chair Switzer asked if there were any other comments and that the matter would be tabled until the next meeting so that individuals out of town can attend the next meeting.

**MOTION:** Chair Switzer called for a motion to table the decision until the next meeting of April 8, 2019.

→ Member Bonzyck moved, Member McCarthy seconded, unanimously carried to table the decision until April 8, 2019.

**OTHER BUSINESS - DISCUSSION:**

Upon Chair Switzer asking for an update on a certain property, CEO Chad Fabry addressed the Board and indicated you must fill out a Complaint form so that the issue is in the system to be addressed.

Member McCarthy then brought up a driveway issue from several years ago on a Main Street house property and that the parking lot was supposed to be paved 5 or 7 years ago. Member McCarthy said, "it is in the system because the Planning Board approved it."

Member McCarthy brought up parking and parking scenarios and is there anything that could be done and possibly limit the number of cars allowed for each single-family home.

PLANNING BOARD MEETING MINUTES OF March 11, 2019

- Member McCarthy further brought up illegal parking expansions, cars parking along the street and certain houses having more than one driveway.

CEO Chad Fabry said "if you want people to stop parking on the street then give them the maximum allotted amount of parking." "The Village wasn't built with cars in mind."

A discussion took place concerning business district structural issues.

A discussing took place concerning the percentage of people who rent or own in the Village and tax income from single family homes. Chair Switzer feels landlords and single families should be taxed at different rates. Member McCarthy feels there should be regulations and laws to stop people from buying up houses for rentals.

**UPCOMING MEETINGS/DEADLINES:**

- April 8, 2019 - 7pm                      Deadline: March 25
- May 13, 2019 – 7pm                      Deadline: April 29

**ADJOURNMENT:**

- Member Stirk moved, Member McCarthy seconded, unanimously carried that the meeting be adjourned at 7:47pm.

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Barbara A. Krizen, Clerk