

Regular meeting of the Planning Board of the Village of Brockport was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Monday, June 9, 2003 at 7:30pm.

PRESENT: Chair R. Scott Winner, Vice Chair John Brugger, (arrived at 8pm) Member Charles Switzer, Member Annette Locke, Member Arthur Appleby, Building/Zoning Officer Scott C. Zarnstorff, Village Clerk Leslie Ann Morelli.

EXCUSED: Frank A. Alois: Deputy Village Attorney

ALSO PRESENT: Tom Carpenter of Chatfield Engineers (Village Engineer), Bradley B. Upson; DPW Superintendent, Larry Vaughan; Assistant Building Inspector, Scott Warthman, Michael Martinez, Jim and Joan Hamlin, R. Gillespie, John Lessord, Fred Webster, Bill Weber, Larry Goforth.

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

REVIEW OF MEETING MINUTES: Chair Winner called for a motion to approve the minutes of the previous meeting.

➔ Member Appleby moved, Member Switzer seconded, unanimously carried to approve the minutes of the meeting held May 12, 2003 as written.

CORRESPONDENCE: None

PUBLIC HEARINGS: None

OLD BUSINESS:

1. Application of: Name: Scott Warthman – Capen Hose Company
 Address: Main Street at 5 corners
 Purpose: parking plan

Applicant Presentation:

S. Warthman shared that he met on site recently with Trustees Knapp and DeToy, DPW Superintendent Upson, and President Gillespie. He said they stick with their original request and plan for parking behind the fire escape. Scout Troop 84 of Spencerport will be doing some landscaping there and between the engine room and 186 Park Avenue, the Capen's rental property next door. This will help camouflage it and help to avoid people cutting through to avoid the traffic light. S. Warthman referred to Past Fire Chief Larry Vaughan's letter of last month. It is difficult for firefighters on the east side of the Village coming down Park Avenue to get to the truck quickly. It is an active company and there is a need for quick and easy parking for the volunteers. It will also serve as closer parking for monument spectators. They do not want parking in the turnaround. This has been and will continue to be enhanced with brick for the monument and museum.

Continued Board discussion on application:

Chair Winner commented that he thought it was odd that no member of the Planning Board was invited to the on-site meeting.

Member Switzer asked if the Capen members even considered the Planning Board's suggestions at the last meeting. S. Warthman said they did, but did not agree with it. Member Switzer said the turnaround would not be good for spaces. With 3 cars parking parallel, it would become the fourth parking spot. Member Switzer said he would be fearful of monument parkers backing up onto Park Avenue. He said his wife, a lifelong resident of Brockport, questioned why they would want to ruin a beautiful view. Member Switzer said if it came to a vote, he would vote no. He does not want to fight with the firefighters, but it seems they won't listen to the Planning Board's reasoning. Member Switzer said the Capen Hose Co. may be private, but Village taxes help fund the department.

A gentlemen in the back row sounded a loud, unintelligible outburst. Chair Winner said this is not a public hearing and is the third outburst heard from the gentleman. Another outburst and the Planning Board will invite him to leave. S. Warthman apologized and introduced Capen President Dick Gillespie.

Member Switzer said he is worried about the safety of the average person. S. Warthman said he respects that, but there are 14 driveways that back out onto Park Avenue from the railroad with no problem. Some are close to the intersection. Member Switzer asked if it is proposed to be gravel or blacktop. S. Warthman said gravel to start and then blacktop (or greentop) later if the Planning Board prefers. S. Warthman said the existing tree is ugly and half dead. Therefore, losing it is no great loss.

Member Appleby said he agrees with Member Switzer on the risk of backing out on Park Avenue so close to the intersection. He further commented that the proposed ewes should go north and south not east and west or it blocks the parking. Member Appleby said he really thinks utilizing the existing rear lot is preferable. They could use concrete islands to cut down on cut throughs. S. Warthman said the Capen Hose Co. owns the properties, but would have to have them re-surveyed at an expense. If they

were to sell the rental house, there is not much yard there. He said the priorities are firefighter response time then monument parking.

Member Locke said if firefighter response time is the number one priority, then they should not allow monument visitors to park there at all and should mark it so. S. Warthman said they could do that.

Chair Winner summarized that the presentation points made thus far have not prompted the Planning Board to vote in favor of the proposal as it stands. Each member has spoken. The Board has a great respect for the volunteer firefighters, but a bad idea is a bad idea. So far anecdotes rather than data have been provided. The argument that 14 driveways back out onto Park Avenue does not work since those that do not live and park there on a daily basis would not be as aware of the danger. The need for firefighter parking has been undone if they were willing to let monument viewers park there. If it were

for firefighters only, a driveway with a gate would avoid the cut through issue. There is a large parking lot there that is empty 90 percent of the time. Utilize it with a drive in from the east side. Chair Winner said it appears the Planning Board would vote no on the current proposal. Therefore, he suggested tabling the application and collaborating on a solution that works. The application fails to show a true need and appears to be trying to solve a problem we really may not have.

8:00pm – Member Brugger arrived.

S. Warthman asked if the Planning Board wants them to get figures on Police Department ticketing. S. Warthman said they have been all above board since the initial planning of the monument and the Planning Board was helpful will that.

Member Brugger said the Planning Board strives to see a need when reviewing applications. They do not see a need for additional parking since the existing parking lot is underutilized. As a matter of fact, the existing lot was expanded and is still not being used. Member Brugger said he does not see how a drive into the parking lot would cost more than a 47' cut for parking spaces. He further commented that signage is dependent upon people reading and adhering to it. Member Brugger said the Planning Board does not want to see the whole world paved for a small convenience.

Chair Winner stressed to S. Warthman that the Board is willing to work with him and would be willing to conduct a site visit.

→ Member Appleby moved, Member Locke seconded, unanimously carried to table the application pending further review.

NEW BUSINESS:

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| 1. Application of: | Name: | Michael Martinez for Tony's Pizzeria |
| | Address: | 121 Main Street |
| | Purpose: | fence |

Applicant Presentation:

M. Martinez shared that he purchased Tony's Pizzeria in December 2002. He said 95 percent of the business is take out or delivery, but he wants to improve and build the business and encourage dine-in as well. He explained that he has had a problem with area tenants and laundry patrons parking overnight behind his building and in the alley way between his building and the laundry blocking his dumpster and oil dumpster. There have been many occasions when the waste hauler cannot access the dumpsters and therefore, doesn't empty them. He asked if it would be okay to put up signage and contract with a towing company. He also questioned if he could put up a fence. He showed the proposed location on a tape location map. The drive is 9 feet wide. It would leave a 2 to 3 foot opening. He said he owns this driveway.

Continued Board discussion on application:

Member Locke questioned who owns the driveway on the other side of the building. M. Martinez said he does not own it, but thinks Lifetime Assistance, Inc. does. This driveway takes the delivery trucks and pizza delivery vehicles. Chair Winner said LAI could do the same thing and prevent Tony's from using its driveway. If that were the case, then customers could only access through the Sweden parking lot from State Street.

B. Upson asked if he has checked the deeds to see if there is a covenant allowing sharing of the driveway. M. Martinez said he doubts that there is or it would have come in at time of closing in December.

Chair Winner suggested pipe bollards instead of fencing so that there is open access for emergency personnel. Members Brugger and Appleby agreed. Member Switzer asked if he doesn't fence both sides what prevents the problem. Chair Winner suggested clearly striping the parking and posting

signage that parking is for Tony's patrons only. Chair Winner said there is a certain hostility with gates. M. Martinez said he would prefer to go the less expensive route for the short term anyway. Member Switzer referred to the bollards and chains near Charlotte Beach that look attractive. Chair Winner
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referred to the memorial monument at the Capen Hose Company and how attractive the bollards and chains look.

S. Zarnstorff commented that striping the parking would be helpful. Member Locke asked when the garbage haulers come. M. Martinez said usually Mondays as early as 5am. Member Brugger commented that bollards could make for difficult plowing. Member Appleby said they are better than fencing. Member Brugger figured the 76-foot area would take 7 parking spaces at 10-foot width and require a minimum of 4 bollards. The Planning Board agreed that bollards would be better than a fence in this case.

S. Zarnstorff encouraged M. Martinez to talk to LAI and get an agreement in place for shared driveway use. Member Switzer suggested the Planning Board conduct a site visit. Chair Winner said M. Martinez could go ahead with striping and signage and contracting with a towing agency if he wished. Then the Planning Board would conduct a site visit.

→ Member Switzer moved, Member Appleby seconded, unanimously carried to table the application until the site visit on Monday, June 23rd at 7:30pm.

2. Application of:	Name:	Larry Goforth of Goforth Electric for YMCA
	Address:	16 Liberty Street
	Purpose:	change of use to utilize 1,700 square feet to lease to YMCA for use as office and part-time day care and possible exercise center [to go before ZBA re 58-11A(11)]

Applicant Presentation:

Larry Goforth was in attendance. He is the owner of 16 Liberty Street and Goforth Electric, which uses the rear of the building for its offices. He shared that the Brockport YMCA, currently on the corner of Main Street and Water Street will not be renewing its lease, which expires the end of September. They would like to re-locate to the front of his building at 16 Liberty Street. They have a verbal commitment and are working on a lease as long as they receive Village Planning Board and Zoning Board of Appeals approvals. L. Goforth said they would build out the interior to suit the Y's needs. His space is double the size the Y currently has, has parking and is much brighter with windows. He said they plan to use the space as an office, part-time day care (pre school) programs in 3-hour increments (no food and no naps) and exercise center.

Continued Board discussion on application:

S. Zarnstorff said it is a change of use from retail to office and children. S. Zarnstorff said he is comfortable with the plans and intended use. He further stated that it is a better location for the Y for many reasons including maintenance and fire safety.

Chair Winner commented that he visited L. Goforth's office in the rear of the building and the build out was top shelf all the way. He encouraged the Planning Board to stop by and see it. Member Locke commented that the exterior is also looking much better. Board commented that there should be more than enough parking. L. Goforth said he uses 3 spaces. There would be 3 Y employees and possibly 12 participants in pre-school or exercise class.

Member Appleby asked if sprinklers would be required. S. Zarnstorff said no due to the 3 hour block status of Y childcare / pre school. L. Goforth said there would be a hardwired alarm system.

→ Member Appleby moved, Member Brugger seconded, Chair Winner abstained, carried to grant the change of use from retail to office and children at 16 Liberty Street contingent upon all Building Inspector requirements being met.

SITE VISIT: Monday, June 23, 2003 7:30pm at Tony's Pizzeria then Capen Hose Co. Chair Winner will not be in attendance since he will be at a weeklong class on Economic Development in Schenectady.

NEXT REGULAR MEETING: Monday, July 14, 2003 7:30pm

ADJOURNMENT:

→ Member Brugger moved, Member Locke seconded, unanimously carried that the meeting be adjourned at 8:55pm.

Leslie Ann Morelli, Village Clerk