

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, November 10, 2003 at 7:00pm.

PRESENT: Chair R. Scott Winner, Vice Chair John Brugger, Member Charles Switzer, Member Annette Locke, Member Arthur Appleby and Building/Zoning Officer Scott C. Zarnstorff.

EXCUSED: Village Clerk Leslie Ann Morelli

ALSO PRESENT: Deputy Clerk Betty Coopenberg, Deputy Village Attorney Frank A. Aloï, Village Engineer Tom Carpenter of Chatfield Engineers, DPW Superintendent Bradley B. Upson, Betty Knab, Carrie Maziarz, Arthur Brennan, Joan Hamlin, Mike Torregrossa, Mike Lana, Mark Edwards, Jim Hamlin, Michael Menzh, Bill Walter, Paul Nicosia, Don Riling, Guglielmo Maniscalco, Sal Maniscalco.

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 Switzer moved, Member Locke seconded, unanimously carried to approve the minutes of the meeting held October 27, 2003 as written.

CORRESPONDENCE: None

PUBLIC HEARINGS: None

OLD BUSINESS:

1. Application of: Name: Michael Torregrossa & Michael Lana – Maliboo Lounge
 Address: 38 Merchants Street
 Purpose: open a tavern

Applicant Presentation:

M. Torregrossa presented proposed changes for the exterior of 38 Merchants Street.

Continued Board discussion on application:

There was much discussion regarding the proposed sign. M. Torregrossa explained that the sign would be on the roof of the building similar to the Mark's Pizzeria sign. Chair Winner shared that the sign at Mark's is in question and they would not be permitted to have this type of signage.

Board discussed the type and placement of the proposed fence. Member Appleby expressed that the fence at Canalside Pub was not working and a peek-a-boo fence would be needed. This way, patrons may not pass drinks through it. M. Torregrossa explained there would be a security guard outside to secure this area and felt this would not happen. Chair Winner disagreed with Member Appleby and felt that the Canalside Pub fence was working and would be able to be used at this location. No other input from the rest of the Board.

Board discussed the parking lot. The owner of the adjoining property claims that one of the parking spaces is his and not the applicant's. S. Zarnstorff said it would be better to have more handicapped parking spaces and not make it more complicated than it should be. M. Torregrossa assured the Board that the dimensions of the parking spaces would be up to code at 10 feet by 20 feet.

Board asked the proposed colors of the building. M. Torregrossa said it would be beige with brown trim.

Member Switzer asked about the patio lighting. Mr. Torregrossa explained that he would work with the Village if they required more lighting. S. Zarnstorff will work with him on this.

Board discussed the front patio doors. Member Appleby felt they should be single doors. Chair Winner asked S. Zarnstorff whether the doors should swing out. S. Zarnstorff said not necessarily. Member Brugger asked if the doors should be double doors for the entrance to the building and single doors to the smoking area. However, this suggestion would undo the requirements requested by the Planning Board in the last proposal.

Board discussed the use of tables on the patio area. S. Zarnstorff expressed that no having tables on the patio would cut down on the number of people on the patio. They would not be comfortable there for a long period of time. B. Upson asked why there was a patio in the front of the building. Mr. Torregrossa said that there is no patio in the rear because they would need a permit from the NYS Canal Corporation. They will apply for this in a couple of years. Discussion ensued regarding an alternative to the front patios. It was agreed that a door would be created on the eastern wall at the front of the building to create a patio in front of the eastern section of the building.

Board discussed the dumpster being a problem. There may be a concern with the parking spaces being so close to the dumpster. M. Torregrossa said their business is mostly during night hours instead of daytime hours, so he did not foresee a problem with garbage truck access.

⇒ Member Appleby moved, Member Switzer seconded, Chair Winner in favor, Member Brugger and Member Locke opposed, carried to 3 to 2 to approve the application for the Maliboo Lounge at 38 Merchants Street with the understanding that the applicants would follow all of the updated exterior proposals and stay in contact with S. Zarnstorff for code requirements and changes.

2. Application of: Name: Mark Edwards for Lakeside Health System
 Address: 156 West Avenue
 Purpose: mechanical enhancements

Applicant Presentation:

Mark Edwards was in attendance regarding the mechanical enhancements at Lakeside Health System.

Continued Board discussion on application:

Chair Winner shared that the Board with the exception of Member Switzer met on site to review possible

concerns. Member Brugger recused himself from discussion and voting, as usual, due to a possible conflict of interest since he is employed by Lakeside Health System.

Chair Winner said he had spent a great deal of time looking into the conditions of the existing problems and concerns. Regarding the dumpsters, drainage, air handling units and trying to reduce noise that the

towers may or may not make. He said he is looking to set up a time frame that the concerns may be addressed while not placing a financial burden on the Lakeside Health System projects.

Member Appleby expressed concerns regarding the noise of the generator, trucks and smoking gazebo.

Member Locke also expressed concern for noise and suggested an enclosure barrier to the smoking gazebo. M. Edwards said the gazebo is enclosed by plexi glass for a visual issue. He explained that the lower section is removed in the summer when weather is nice.

Member Switzer asked about the dumpsters being enclosed individually or together. M. Edwards said he has documents that told the hospital that they were compliant with the fencing that was agreed upon the by then-Planning Board in 1998-1999. Chair Winner asked that he forward said documents that were supposedly in support of fencing for the dumpster.

Member Appleby inquired as to the type of material to be used for the barrier around the smoking gazebo and the cooling towers. Member Locke said safety should be first and foremost. The truck and helicopter traffic is quite busy. A fence would provide safety. M. Edwards agreed and said he would return with suggestions for fencing, etc.

Chair Winner and Board agreed the drainage elevation should go back to square one. The original plan

should be followed for the expansion of the pond. M. Edwards said they have work in progress due to the weather and asked where they go from here. Chair Winner remarked that the Board could not separate the issues at this point.

⇒ Member Appleby moved, Member Locke seconded, Member Brugger abstained, carried to allow pipe and pad installation. The tower is not to be installed yet. Applicant is to return to the next meeting to update the Board on progress. It was agreed that both the Planning Board and Lakeside Health System would make sure that all prior approvals get completed.

NEW BUSINESS:

1. Application of: Name: Belmont Development Corp.
 Address: 222 Main Street
 Purpose: site plan approval for the construction of 32 one-bedroom senior citizen apartments in a single two-story building and related infrastructure improvements. Site preparation includes demolition of a single story, wood frame commercial building. (PB/ZBA joint public hearing is Monday, 11/24 at 7pm)

Applicant Presentation:

Bruce Levine was in attendance to review the application. He shared that the proposed senior citizen

apartment complex would look very much like the Park Place apartments they built on Park Avenue a few years ago. The rent would not exceed 30 percent of the senior's annual income and would meet State and Federal requirements. B. Levine explained that the curb cut would be straight back from Main Street. There will be a front entrance, which will be secured with a call system. There would be 50-foot setbacks and drainage would go towards the rear. He said they are trying to save as much green space as possible. They would keep this green space maintained.

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Continued Board discussion on application:

Chair Winner asked how many mature trees they would need to cut, if there would be new plantings and shared the importance of a buffer. B. Levine said the owner of the house to the south has an easement and right of way 10 feet wide. Member Locke asked if they plans for fencing. Chair Winner asked if they were concerned about misuse of the parking spaces by the house to the east. B. Levine said at this time there is much debris on the lot from loitering. They plan to clean it up as soon as possible.

Member Brugger said he approves of the position of the building.

Member Locke asked if there is a waiting list for Park Place Apartments or this proposed complex. She further asked if they rent only to seniors or disabled people. B. Levine answered yes to both questions.

Member Switzer asked if there is a community room, kitchen or recreation room. B. Levine said there is all of that plus a laundry room and neighbor help neighbor cords. The apartments are fully handicapped accessible. There would be a manager on site with daily office hours.

Member Locke inquired about the parking plan and asked if 4 handicapped parking spaces was enough. Member Switzer inquired about the access off Main Street and transportation as well as traffic issues. He asked if there should be a wider parking lot.

Member Locke inquired about the dumpster and its placement. B. Upson commented that the residents should not have to walk far to get to the dumpster. B. Levine said he would get back to them on this.

Member Appleby expressed concern about the green spaces at the north end near the railroad embankment.

B. Levine said he would provide more information in regards to the vines, etc.

Chair Winner asked if smoking is allowed in the apartments. B. Levine said in the individual apartments only.

Chair Winner suggested that B. Levine should have the final site plan for action at the November 24th meeting. That will be the joint ZBA and Planning Board public hearing.

B. Upson asked about Phase 1 and 2 environmental testing, if the property needs rezoning or a special permit, and suggested the Village Environmental Consultant, Ken Pike or Earthworks Environmental be consulted.

It was clarified that the ZBA public hearing is for a special permit. Board thanked B. Levine and said they are looking forward to working with him on this project.

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| 2. Application of: | Name: | Christian Center Church |
| | Address: | 10-20 King Street |
| | Purpose: | site plan approval to install dryvit system on façade w/ new entry doors and windows, re-partition for sanctuary, classrooms and office space, additional handicap accessible bathrooms. |

Applicant Presentation:

Reverend Riling introduced himself and others and reviewed his application for renovations at 10-20 King Street, which they have just purchased from Monroe County. He said there is much clean up to be done before any renovations take place. There will be about 10,000 square feet of worship space. The site will be developed in two phases. The first phase would be 20 King Street. The only plans so far for 10 King Street are to remove the overhang and strip the façade.

Continued Board discussion on application:

Member Locke asked if they thought they would have any problems with parking. Rev. Riling said because most of the services are on Sunday mornings or off times there should not be a problem.

Member Brugger asked about the façade and the material to be used. Rev. Riling said it would be a stucco material.

Chair Winner asked about the plans for the existing volleyball court. Rev. Riling said those plans are not firmed up yet.

Audience member Joan Hamlin asked if the historic front section would be acceptable with SHPO. The reply was yes; they will be restoring the façade to reflect the historical look found in old photographs.

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S. Zarnstorff said this facility would not need a special permit because a church is a permitted use at that location with the exception of 10 King Street, which will be left to a later date.

Chair Winner asked Rev. Riling to return with revised plans for the areas regarding the exterior discussed tonight. F. Aloï suggested site plan approval be based on the issues of tonight's discussion and that they stay in contact with S. Zarnstorff in the future.

NEXT SPECIAL MEETING: Monday, November 24, 2003 7pm with Zoning Board of Appeals

NEXT REGULAR MEETING: Monday, December 8, 2003 7pm

ADJOURNMENT:

➔ Member Brugger moved, Member Appleby seconded, unanimously carried that the meeting be adjourned at 9:12pm.

Betty Coopenberg, Deputy Clerk