

Regular meeting of the Village of Brockport Planning Board was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Tuesday, May 15, 2012 at 7:00pm.

PRESENT: Chair Charles Switzer, Member Arthur Appleby, Member Annette Locke, Building/Zoning Officer Scott C. Zarnstorff, Clerk Pamela W. Krahe

ABSENT: Member R. Scott Winner, Member Bernard Daily

ALSO PRESENT: Nina Christopher, Peter Intcurisano, Michael Morich, Jose Mendez, Jamal Mendez, David Strabel, Jim Hamlin

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 the minutes of the previous meeting.

➔ Member Appleby moved, Member Locke seconded, carried 3-0 to approve the minutes of February 21, 2012 as written.

CORRESPONDENCE: None

PUBLIC HEARINGS: None

NEW BUSINESS:

1. Application of:	Name:	Nina Christopher
	Address:	30 Adams Street
	Tax Map #:	068.68-3-12
	Zoning:	O-Residential
	Parcel Size:	61' wide x 166' deep
	Prop. Class:	210
	Purpose:	Expand existing driveway to accommodate an additional vehicle

Applicant Presentation:

The applicant's son, Peter Intcurisano, wants to add a 6' x 22' paved area to the existing driveway. He is adding a 4' x 8' grass area that used to be rock; there will be a walkway near the door; the current path will not be replaced.

Continued Board discussion on the following points:

1. Putting driveway space in front of living space. Village Code 58-22 B (2) (i) states *"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 Zarnstorff pointed out the applicant has no side yard, so expanding there is not an option, and there is no parking allowed on the street. Members agreed it presents a hardship to have parking for only one vehicle and no other alternative. The breezeway is not heated; applicant does not want to ruin the lawn by driving on it.
2. Necessity of a ZBA variance. CEO Zarnstorff informed that parking requirements are determined by the Planning Board.
3. If this application is approved it might result in multiple similar requests. It was pointed out that applications are approved on a case-by-case basis and this case has a genuine hardship.
4. Paving, curb cut. Sweeting is doing the work. The board suggested putting in crushed stone first, drive on it for a year, then pave. Current curb has crumbled; CEO Zarnstorff talked with Superintendent Donahue, who has no issue removing the crumbled asphalt curb.

➔ Member Appleby moved, Member Locke seconded, unanimously carried to approve the application subject to the completion of paving within 1 year.

2. Application of:	Name:	Michael Morich for Christian Center Church
	Address:	10 King Street
	Tax Map #:	068.52-4-24
	Zoning:	B-Business
	Parcel Size:	61' wide x 98' deep
	Prop. Class:	421
	Purpose:	Install decorative fence across front of property between 20 King Street and gate in alley along King Street. Install wood fence along alley.

Applicant Presentation:

Michael Morich stated the church would like to put in a fence similar to the one surrounding Sagawa Park (corner of Main and Erie) but it will be 6 feet high. They want a solid fence along the alley so trash cans are not in view.

Continued Board discussion on several points:

1. Setback. Everyone agreed a setback is preferable on the King Street side to protect the fence and to make sidewalk maintenance easier for DPW. The existing foundation is about one foot off the sidewalk so placement of the fence in line with that would accommodate those two points and also allow it to line up with the gate at the eastern end. All agreed a setback of one foot is acceptable. Fences will limit foot traffic in alley. CEO Zarnstorff stated having a privacy fence there is a good measure of safety and security. There was discussion about excavating the existing foundation and pouring concrete. It was suggested to also make a small curb with the concrete near the fence line, so as to protect the fence from the snowplow blade. The standard waiver will be required to hold the village harmless against damage of the fence.
2. 1 Clinton Street. CEO Zarnstorff explained Superintendent Donahue plans to proceed with weatherization and other necessary maintenance of the Police Department in June, and will require access to the rear of the building. It was agreed there would be a couple of removable sections in the King Street fence to allow access and accommodate the village work, as well as to allow the church to bring in topsoil, cut the grass, etc.
3. Other building details. Where the Tyvek is located on the east side, the masonry on the front façade will eventually continue around to that side. Lighting – some may be provided on the back side of the Lester building. Dumpster enclosure for the hair salon – Mr. Morich stated the owner received insurance money to repair it. Snow in the alley is maintained by private owners who shovel by hand. Egress is present from the building and will be from the fence through a gate.

➔ Member Locke moved, Member Appleby seconded, unanimously carried to approve the application to allow the installation of a 6-foot decorative fence along King Street with a 1-foot setback and a “curb” to protect the fence from the snowplow, and to install a 6-foot solid fence along the alleyway. Also required will be for the applicant to sign a standard waiver to hold the village harmless against any damage to the fence from snow or snow removal.

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| 3. Application of: | Name: | Jose Mendez |
| | Address: | 22 North Main Street |
| | Tax Map #: | 069.45-1-1 |
| | Zoning: | B-Business |
| | Parcel Size: | 1.66 acres |
| | Prop. Class: | 465 |
| | Purpose: | Concept review to add a second structure to the property.
Proposed structure to be approximately 7500 SF, single story, not attached to current structure. |

Applicant Presentation:

Dave Strabel, the applicant’s architect, stated Mr. Mendez has just purchased the property. Existing building will remain. New building will sit east of the existing paving buffered by a row of parking spaces, the sizes of which will be dictated by code. Applicant has potential tenants for 2 of the 3 of new spaces. Mr. Mendez is here just to have the board look at the concept first and see if the board, the Code Enforcement Officer, Chatfield Engineers, or DPW Supt. Donahue have any issues.

Continued Board discussion on application:

The board asked what had come from Chatfield Engineers. CEO Zarnstorff replied that stormwater is a major issue. It currently drains toward Villager Apartments and the back yards of those on Berry Street. Water needs to be diverted somewhere. Mr. Strabel showed the low spot on the drawing; he said in talking with Supt. Donahue that maybe it can be routed under Liberty Street and into the creek. It was brought up it would cross private properties, and future use needs to be considered, too. Drainage from Villager goes toward Berry Street and is causing problems. Mr. Strabel asked if it would be possible to clean the water first, cross the Brockport Federal Credit Union property, then tie into Villager? CEO Zarnstorff indicated discussion is not at that level of detail yet and rather should center around the elevation and the current drainage into the grassy area, which will now have a building on it. Chair Switzer asked about bringing the proposed building closer to the street and shift parking to the rear. He pointed out other neighboring buildings and their setbacks – the chiropractor’s office and the exercise studio. It was noted the dumpster and employee parking are in back. Current curb cut was discussed.

The board inquired about adding more green space. Mr. Strabel answered that with current stormwater regulations, they will have to add plant growth, maybe a pond, too. Member Locke asked about the stockade fence. Mr. Strabel said it is right on the line and they are not sure yet who it belongs to. Fencing around the pond depends on whether it is a detention pond or a retention pond. Zarstorff

stated Villager Apartments has maintained some of the fence in the past, so it's probably theirs. Mr. Mendez offered that he could put in a new fence so people won't walk through. He also wants it to be updated.

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There was additional discussion about bringing the new building forward, adjacent to the existing pavement. Mr. Strabel said the extra parking spaces would give him room to accommodate the contour and grading of the lot. Another point to consider is how much time it will take the village to build the drainage. Mr. Strabel expressed a desire to set up a meeting with Chatfield Engineers, Supt. Donahue, the applicant's engineer, and himself. CEO Zarnstorff replied that could be done within the next week. Discussed location of fire hydrants and noted there is one right in front of the existing building.

CEO Zarnstorff asked what the property was previously used for. Mr. Strabel said there have been numerous factories – portions of which may still be underground. He asked about the board's wishes as to placement of the building and if the preference is where it is proposed on the drawing or brought forward to the existing pavement. Chair Switzer questioned whether the Clinton Street revitalization project would have any impact on this proposal. None present could think of any impact except in the area of 60 Clinton Street. The applicant speculated if he removes the third office from the proposal, then he could move the building northerly and westerly to be up to the pavement, and move parking spaces on the north side to the south side. That plan would allow for more green space. Mr. and Mrs. Mendez will talk with the assessor about the different scenarios. CEO Zarnstorff asked about underground drainage; Mr. Strabel said it's very expensive. He went through it in the Town of Sweden with Verizon, the Hampton Inn, and CVS. Runoff has to be manually cleaned because there is no green to filter it.

Mr. Strabel summarized, stating the applicant needs to decide on whether to have an L-shaped building that accommodates three offices or whether there will be two office spaces side-by-side, which would allow more development in a larger area on the eastern section of the property. CEO Zarnstorff may look to have the applicant return in July for approval of the final concept and SEQR.

Mr. Strabel will send CEO Zarnstorff an email to arrange a meeting.

OTHER BUSINESS:

- Discussion of alternate date for June Planning Board meeting due to unavailability of the Conference Room on June 19 because of village elections. Decided to meet Monday, June 18, 7pm with the deadline of June 11, 2012 at 12noon. Clerk to publish a legal notice.
- Progress of Mexican restaurant on Market Street – CEO Zarnstorff reported he has not heard much at all from the owner, nor has he seen any progress lately.

NEXT MEETING: Monday, June 18, 2012 7:00pm. Application materials due by Noon the Monday before.

ADJOURNMENT:

- ➔ Member Appleby moved, Member Locke seconded, unanimously carried that the meeting be adjourned at 8:35 pm.

Pamela W. Krahe, Clerk