

**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, May 10, 2004 at 7:00pm.**

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

**EXCUSED:** Village Clerk Leslie Ann Morelli, Vice Chair John Brugger

**ALSO PRESENT:** Deputy Village Attorney Frank A. Aloï, Village Engineer Tom Carpenter of Chatfield Engineers, DPW Superintendent Bradley B. Upson, approximately 10 residents (get attendance sheet from S. Winner).

**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 Appleby seconded, Member Locke abstained, carried to approve the minutes of the meeting held April 12, 2004 as written.

**CORRESPONDENCE:** Update on upcoming regional planning workshop. Village of Brockport and Town of Sweden Boards approved the PILOT agreement with Belmont. J. Brugger has attended recent meetings regarding the comprehensive plan update.

**PUBLIC HEARINGS:** None

**OLD BUSINESS:**

1. Application of:      Name:            Christian Center Church  
                                 Address:        20 King Street  
                                 Purpose:       consideration of final approval of façade renovations

**Applicant presentation and continued Board discussion on application:**

Chair Winner asked the applicant to return so the Board could review their final exterior plans for the western portion of the building known as 20 King Street.

Mike said they would like to go with concrete, a harder surface on the bottom of the façade. This would be approximately 5 feet across and 3 ½ feet high. Chair Winner commented that the drivit is nice except where pedestrians and vehicles come in contact with it. Chair Winner said Dollar General found damage to the drivit down low on the building where customers or workers stand and smoke and rest their feet against it. Chair Winner said the concrete must be more affordable. Mike said yes and showed a sample with a finished face. Due to the structure of the building face and the proposed material it will come out a bit due to being sculpted. Chair Winner asked if they would use strap ties to the building. Mike said yes like Eastview Mall. Member Locke asked if it would come out to the sidewalk. Mike said 2 to 4 inches. He would recess it if he could, but he cannot due to the building design. It is a 7' wide sidewalk that accommodates 2 wheelchairs. B. Upson asked if the sidewalk is the property line. Mike said the building angles in. B. Upson said if there were any possibility of encroachment on public property, a survey would need to be done. Mike said they would like a curb cut for a wheelchair ramp and to regrade the slope of the sidewalk. Member Appleby asked if they plan to take the sidewalk out, regrade and reinstall the sidewalk. Mike said yes – the whole length of the façade. B. Upson clarified that the façade's lower portion will be finished face concrete block and the upper portion will be drivit. Mike said yes. Member Appleby asked for clarification on windows. Mike reviewed the plan and shared that 16 gauge 2 x 6 steel framing will be installed. Chair Winner said that will be S. Zarnstorff's area.

Chair Winner asked the Board if they were comfortable with the proposed materials and the look aesthetically. Member Locke asked the color. Mike said similar to what he showed, not too dark or too bright. He said it would be the same color as Michael's in Victor. Chair Winner said he saw that recently and liked it. Member Locke said it looks like a darker color around the doorway. Mike said yes. Chair Winner asked if there is a two-story atrium inside. Mike said no, it is actually a second floor. B. Upson asked their timeframe. Mike said work would progress over the summer. Chair Winner asked if they thought it would be complete by the Arts Festival August 14-15. Mike said he could not say. Being a church, they pay as they go. T. Carpenter said he is okay with it if B. Upson is satisfied with the sidewalk. Chair Winner asked that they work with S. Zarnstorff and B. Upson where necessary and keep them informed of their progress.

⇒ Member Appleby moved, Member Locke seconded, unanimously carried to approve the façade plans for 20 King Street.

2. Application of:      Name:             Jon Mendez  
                                 Address:         48 Merchants Street  
                                 Purpose:         Merchants Street Smokehouse – modification to approval  
                                                             regarding some exterior materials to be used

**Applicant Presentation:**

Chair Winner said he invited David Strabel and Jon Mendez to explain their proposal to change the roof and exterior siding materials. He felt the changes were significant enough to have the Planning Board provide feedback. D. Strabel showed a sample of the proposed materials. Originally they planned to work with and expand upon the existing building. However, they found structural problems and had to tear it down and start from scratch. This added cost to the project, but loosened up the plans. The previous plan showed a metal roof and pressure treated wood siding. They now propose blue asphalt architectural shingles for the roof and vinyl shakes on the upper half and stone veneer on the lower half. He showed all tones of mauve, grey, and blue. The light fixtures are blue. The lift bridge tower is grey with sandstone to match. It will be maintenance free. The stone is more durable.

**Continued Board discussion on application:**

Chair Winner asked if they are individual stones. J. Mendez said yes, one at a time. Member Appleby asked the size. J. Mendez said hand size with 10" x 8" being the largest. Some are rectangular and some are square. Member Appleby asked what the siding plan was previously. D. Strabel said vertical textured plywood siding to look like board and batten. Chair Winner asked about the windows. D. Strabel said they are sliders facing the canal and fixed sheet glass with no panes on the opposite side. Member Switzer asked about the light fixtures. D. Strabel reviewed the lighting plan.

Chair Winner reminded them that a proposal for signage would need to be submitted for the Village Board's review. Member Locke questioned the proximity of the proposed tower to the Niagara Mohawk lines. D. Strabel said originally Ted D. from Niagara Mohawk approved it. However, his replacement has found issue with it and will be meeting on site tomorrow. S. Zarnstorff and B. Upson will meet with them tomorrow. Member Appleby asked if construction is on schedule. D. Strabel said no due to having to tear down the existing building.

Member Locke questioned the deck width and materials along the canal. J. Mendez said the width varies from 6 to 13 feet. It will be constructed of pressure treated wood. Member Locke questioned the lighting along the deck and canal. J. Mendez said the lighting directs down not out. It will be well lit. D. Strabel said the lights would be turned off at closing. D. Strabel said they could install a couple of motion detector lights for boaters. Chair Winner said this would be a good security measure. Chair Winner asked if capping the wall is part of the project right away. J. Mendez said yes. Chair Winner asked if they intend to dedicate anything to the Village. J. Mendez said no. It is all between he and NYS Canal Corporation.

Chair Winner asked the status of their offering fueling services. J. Mendez said they were interested, but will not pursue it at the prices they were quoted. D. Strabel said the only changes are materials for roof and siding.

⇒ Member Appleby moved, Member Switzer seconded, unanimously carried to approve the change in proposed roof and siding materials.

**NEW BUSINESS:**

1. Application of:      Name:             Joseph S. DeFazio  
                                 Address:         22 North Main Street  
                                 Purpose:         approval of accessory structure for office building – 6' x 10' free  
                                                             standing storage building – wood frame construction

**Applicant Presentation:**

Joseph DeFazio shared that he owns the professional office building and property at 22 North Main Street just north of the Canal Bridge. The tenants need a small shed for storage of snow shovels and the like. He showed a picture of one. He would place it on the east edge of the parking lot.

**Continued Board discussion on application:**

Member Locke asked if it would be painted and if it would be on a concrete slab. J. DeFazio said yes to both.

⇒ Member Switzer moved, Member Locke seconded, unanimously carried to approve the accessory structure, 6' x 10' shed to be placed on the east edge of the parking lot at 22 N. Main Street.

2. Application of:      Name:             Josephine C. Matela  
                                 Address:         88 Main Street  
                                                             Tea for Two Antiques & the Red Bird Tea Shoppe

**Applicant Presentation:**

J. Matela reviewed her application materials that included interior layout and Monroe County Health Department certification showing that she passed the food handlers course. Further she shared that she has complied with all codes including emergency lighting and fire extinguisher. J. Matela carries a one million dollar liability policy as does her landlord, Sharon Kehoe.

J. Matela wishes to serve light lunches and desserts. Her hours of operation are 10:30am to 6pm. She may stay open until 10pm on some summer evenings to serve dessert. She may apply for a sidewalk use permit from the Village Board. There is a small refrigerator. There will be no open flame cooking. If heating is required, it will be done by microwave or toaster oven. There are 3 sinks as required by Monroe County Health Department. One for washing. One for rinsing. One for disinfecting. There is one restroom. MCHD will allow her to accommodate a maximum of 15. J. Matela said it would be the Cracker Barrel of Brockport. The antiques and items for sale will be in the cases, windows and on the walls. She will no longer have room for furniture items. J. Matela said she inquired of her landlord if there was more space in back to rent or if she would consider selling the building. The answer was no. If the business grew or she wanted to expand the menu, she would need to look for a larger location.

**Continued Board discussion on application:**

Member Locke asked what light lunches means. J. Matela said soup and sandwich or quiche. Member

Switzer asked Chair Winner if this is a change of use. Chair Winner said it would be a mixed use of retail and food service similar to Seaward Candies and El Palenque. F. Alois clarified that it is a permitted use in the zoning.

Member Locke asked about garbage. J. Matela said she currently takes any garbage home with her and will continue to do so. If it ever got to the point where a dumpster was needed, that means a larger location would be needed. Member Locke asked if she serves tea now. J. Matela said she does on occasion to friends, but that has been it. Member Locke asks if a change of use goes with the property – to the next tenant. F. Alois said yes, but it would depend on the extent of food service a new tenant wanted. Per the Village code, a full-blown restaurant is different than food service as an accessory use. Member Appleby said he is glad the kitchen set up meet MCHD standards.

⇒ Member Appleby moved, Member Switzer seconded, unanimously carried to approve the change of use to a mixed use of retail and food service and to approve the kitchen plan per MCHD at Tea for Two Antiques / The Red Bird Tea Shoppe at 88 Main Street.

**UPDATES:**

Champion Moving and Storage – 100 Owens Road – Member Switzer expressed concern of little action on the remaining unfinished conditions of site plan approval. He further questioned what is happening at the front office portion of the building. Chair Winner said the roof collapsed on the front office section due to heavy snow and ice this past winter. S. Zarnstorff said they are working with their insurers now and hope to rebuild it. As for the unfinished landscaping, the Village secured \$2,000 to guarantee the work. S. Winner and S. Zarnstorff will follow up with them.

East Avenue property next to Hibs development – S. Zarnstorff shared that Schultz Associates is representing someone interested in purchasing this property and developing it. K. Schultz has been appraised of the road fill placed on the site illegally and is looking into the environmental condition. K. Schultz has spoken with the property owners on the private drive. A concept will be forthcoming.

The Galley – 51 Market Street – Chair Winner said the deck is in. S. Zarnstorff said he has paperwork from the state.

7-11 N. Main Street – Chair Winner said the new owner is on the fence as to whether it is worth rehabilitating the existing building or tearing down and building new. He is working with an engineer and an architect.

12-16 Liberty Street – Chair Winner said the block and stucco are in for the relocation of the Brockport Federal Credit Union.

Remington Woods – Chair Winner said the pump station is in and the model is built and open.

McCormick Place – Chair Winner said the model is in and 3 or more lots have been sold.

A resident brought a safety concern to the Village Board of the pond at the front of the development. B. Upson said it should be a Homeowners Association issue. Chair Winner said for now it is a developer issue. It is supposed to be a detention pond, not a retention pond. B. Upson said he agrees with the complainant, but the same could be said for other ponds and the canal.

**NEXT REGULAR MEETING:** Monday, June 14, 2004 at 7pm

**MINUTES OF MEETING HELD May 10, 2004 continued.....page 4**

**ADJOURNMENT:**

- ➔ Member Appleby moved, Member Locke seconded, unanimously carried that the meeting be adjourned at 8:00pm.

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Leslie Ann Morelli, Village Clerk