

**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, January 12, 2009 at 7:00pm.**

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

**EXCUSED:** Member Annette Locke, Member R. Scott Winner, Village Engineer Jason Foote of Chatfield Engineers, Village Attorney David F. Mayer

**ALSO PRESENT:** Elizabeth Hernandez and a guest, Bob Bond, Jim & Joan 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 Blair seconded, unanimously carried to approve the minutes of the meeting held December 8, 2008 as written.

**CORRESPONDENCE:**

-Memo from Village Clerk Morelli regarding revision of Code books.

**PUBLIC HEARINGS:** None

**OLD BUSINESS:**

1. Application of:	Name:	Elizabeth Hernandez
	Address:	59 N. Main St. (in plaza of 43 N. Main St.)
	Tax Map #:	068.44-2-14
	Zoning:	Business
	Parcel Size:	1.40 acre
	Property Class:	485
	Purpose:	change of use – indoor playground (“The Jungle Gym”)

**Applicant Presentation:**

E. Hernandez submitted new detailed drawings, more to scale that showed a baby-gate style barrier with doorway near the entry, two handicap-accessible bathrooms, an alarmed rear exit, and bistro-style tables in the birthday party area. The wall separating the party area will remain but the door to the room will be removed to improve line of sight through the building.

**Continued Board discussion on application:**

Member Appleby asked whether the rear door has a crash bar and E. Hernandez replied it has a knob. He questioned the clearance required for the climber and E. Hernandez answered 3 feet. Member Appleby cautioned about the amount of clearance directed by the manufacturer and suggested moving the climber to the corner so there are walls on two sides of it to minimize falling. Member Appleby also inquired about the width of the gate and E. Hernandez replied it is as wide as a doorway and will accommodate wheelchairs. Member Appleby offered an alternate layout for the entryway, which would eliminate the need for the baby gate doorway but would require additional length of baby gate. E. Hernandez commented that her husband had come up with the same idea.

Member Blair asked about a potential opening date and E. Hernandez responded her hope is next week. She explained she still needs the heat/smoke detectors and information from the insurance company, as well as clearance from Code Enforcement.

Code Enforcement Officer Zarnstorff asked about the baby gate and E. Hernandez explained it is nylon mesh with plastic frame at the top and bottom that it is 36” tall, 12’ long and is forced against the wall as opposed to being permanently attached to it. CEO Zarnstorff asked about the gate latch, which is a pull-up handle. He further asked about the baby gate doorway and whether or not it is reversible, which would let it open toward the front door allowing for quicker egress in an emergency. He also noted he had spoken with an alarm company last week, to which E. Hernandez mentioned she is still waiting on quotes and hopes to wrap that up this week.

E. Hernandez wondered if they were to get the sprinkler system up and running, even though their occupancy needs would not dictate it, would that substitute for the strobes and other fire safety needs. CEO Zarnstorff explained that you cannot substitute and that both are necessary.

⇒ Member Blair moved, Member Appleby seconded, unanimously carried to approve the change of use to an indoor playground pending standard code review.

The Board wished E. Hernandez good luck.

**OTHER BUSINESS:**

Code Review:

Member Appleby informed the Board that the Code Review Committee had finished with Chapter 21 – Garbage, Refuse and Open Burning, and sent it for legal review. CEO Zarnstorff noted it had come back from legal with a few minor changes and it will be packaged up this week for the Board of Trustees. He will ask for one of them to take the lead and once the Trustees have approved the proposed changes, a public hearing would be in order.

Member Appleby also noted that Chapter 51 – Trailers, is in the draft process.

NYS DOT Main Street Rehabilitation:

Chair Switzer reminded those present that the NYS DOT presentation regarding Main Street rehabilitation will be Thursday evening at 6:30pm at the Hill Elementary School.

24/7 Fit Club:

Chair Switzer questioned whether the lighting issues behind the 24/7 Fit Club had been resolved. CEO Zarnstorff stated that inspection shows three large lights on the back of the building that are all operable and that flood the back parking lot with light. He noted that the operators of the Fit Club have had no complaints from patrons about lack of lighting and for the most part, patrons park along either side of the building. Member Appleby concurred, stating lighting is very good but wondered about light pollution on neighboring properties. Member Blair added that when driving eastbound on Clark St, the lights are very bright through your windshield. Putting lights on the rear building and lower-wattage lighting was discussed, but many times lights require a particular wattage that cannot be altered. The Board decided to be proactive rather than wait for citizen complaints and requested the lights be hooded, as discussed at previous Planning Board meetings and asked CEO Zarnstorff to relay that to property owner David Enos.

**NEXT REGULAR MEETING:** Monday, February 9, 2009  
(Application materials due by Noon Tuesday, 2/3)

**ADJOURNMENT:**

- ➔ Member Appleby moved, Member Blair seconded, unanimously carried that the meeting be adjourned at 7:25pm.

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Pamela W. Krahe, Clerk