

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, July 12, 2004 at 7:00pm.

PRESENT: Chair R. Scott Winner, Member Charles Switzer, Member Annette Locke, Member Arthur Appleby, Building/Zoning Officer Scott C. Zarnstorff, Village Clerk Leslie Ann Morelli.

EXCUSED: Vice Chair John Brugger, Deputy Village Attorney Frank A. Aloï

ALSO PRESENT: Village Engineer Tom Carpenter of Chatfield Engineers, DPW Superintendent Bradley B. Upson, Richard Andrews, Josh Gardner, Marv Duryea, Mike Lockwood, Bob & Debbie Ryan, Christine Hamlin, Inga Songbird, Fred Webster.

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 May 10, 2004 as amended.

CORRESPONDENCE:

Chair Winner mentioned that a front yard fence was erected on Centennial Avenue. S. Zarnstorff will follow up on this. S. Zarnstorff will also follow up on the Galley's temporary signage regarding its ice cream. Brockport Federal Credit Union is apparently working on a plan for permanent signage to replace the temporary banner and A-frame sign. Merchants Street Smokehouse had some changes in the pipe rail along the rear deck for safety purposes. It echoes the deck style of Canal Side Pub. S. Zarnstorff asked the Board if they wished the railing be stained to match the building. Board had no opinion.

PUBLIC HEARINGS: None

OLD BUSINESS:

1. Application of: Name: Heather Kirmse
 Address: 41 Park Avenue
 Purpose: driveway expansion

No show.

NEW BUSINESS:

1. Application of: Name: Richard Andrews for Birds Eye Foods
 Address: 180 State Street
 Purpose: addition of a 12' x 20' building for smoking shelter

Applicant Presentation:

Due to the recently enacted County smoking regulations, 1/3 of the Birds Eye Foods crew (120 out of 300) signed a petition to the Executive Board requesting a smoking shelter. It would be approximately 50 feet away from the main structure in front of the distribution / shipping dock. The company will build it themselves. It will be on 6 x 6 pressure treated skids. The front wall will be brick. The rest will be white metal to match the building. It will be handicapped accessible with a ramp. They propose a small pad outside with a picnic table. However, they will have to smoke in the building. Since it will be on skids, they will be able to remove it if the smoking ban ever lifts. R. Andrews showed a map and photos. It will be able to be seen from the corner of Spring Street and Oxford Street.

Continued Board discussion on application:

Member Locke asked what would be used for ashes and cigarette butts. R Andrews said they would provide 3 or 4 smoking receptacles. He said since he is the maintenance manager, this all falls under him. The employees will be required to upkeep the building. Member Switzer asked if having a picnic table outside would only encourage smoking there. R. Andrews said it would be made very clear that smoking is only to take place inside the smoking structure. Member Locke questioned ventilation. R. Andrews said there would be heat and air as well as two air cleaners to circulate clean air.

Chair Winner prefaced his question by saying there is a reason he is asking. He asked R. Andrews if he smokes. R. Andrews said no. Chair Winner questioned who would monitor use and upkeep of the building and area. R. Andrews said all managers would be instructed to keep their eyes open. He said right now smokers are forced into a lousy trailer or they are written up.

Member Locke asked about signage. R. Andrews said there would be clear signage. One will say something to the effect that "no company business is to be conducted while in the smoking structure".

Chair Winner said he contacted Monroe County Health Department late today and is awaiting word of how this proposed structure fits in with the smoking regulations. Neither S. Zarnstorff nor R. Andrews knew. Chair Winner said any approval the Planning Board grants would have to be contingent on meeting any County and State regulations.

S. Zarnstorff commented that he has reviewed the construction plans and they are fine. Member Switzer commented that it appears to be a nice building for smokers.

Chair Winner commented that all municipalities have to deal with the repercussions of the smoking regulations. Sidewalks and streets are being littered with cigarette butts and people are loitering in doorways and outdoors.

Member Locke asked if the building would be furnished. R. Andrews said there would be simple tables and chairs on a tiled floor. Chair Winner questioned lighting. R. Andrews said there would, of course, be interior lighting. They had not planned any additional exterior lighting. The building will be situated under an existing light pole. There is also an existing light on the building and at the flag. If after construction they find it requires additional lighting, they will be happy to do so.

→ Member Switzer moved, Member Appleby seconded, unanimously carried to grant site plan approval on the condition that the smoking structure meets all County and State regulations and that additional exterior lighting is added later if it is necessary.

- 2. Application of: Name: Josh Gardner, Eagle Scout Candidate for First Baptist Church
 Address: 124 Main Street
 Purpose: remove terrace and replace with parking

Applicant Presentation:

Josh Gardner, Eagle Scout Candidate presented his plan to use Boy Scout labor to remove the lower terrace, tree and steps and replace with handicapped accessible parking at First Baptist Church.

Continued Board discussion on application:

Member Locke questioned the ramp. J. Gardner said the ramp is there now. Member Switzer ask if the area is currently used for parking. J. Gardner said no, people tend to use it to drop off older parishioners. Member Appleby questioned the drain locations. J. Gardner showed them on the plans. Member Appleby asked about the stone wall. J. Gardner said they would relocate it to extend the upper terrace wall.

J. Gardner said they would like to install two parking spaces that would park north/south. Chair Winner shared that the minimum parking space size by Village Code is 10' x 20'. The math isn't working on the plans. Member Appleby agreed. Getting into and out of the spaces does not work. Member Appleby suggested using it for 1 handicapped space only. Chair Winner agreed and said they could possibly avoid removing the tree. J. Gardner said it is a 6-inch diameter maple planted not too long ago. Mrs. Gardner commented that her concern was that the digging would likely kill the tree. It would be easier to take the tree down now then have to die and fall down later.

Member Locke asked if there was a need for the proposed handicapped parking. J. Gardner said there are no current members who are officially handicapped. However, that could change. Member Locke agreed and commented that anyone could need it temporarily due to foot surgery or the like.

Chair Winner said the Planning Board sounds receptive to the general idea of the project and is okay with the lower terrace and tree being removed. They would like J. Gardner to work with S. Zarnstorff and B. Upton rather than return to another Board meeting.

→ Member Locke moved, Member Appleby seconded, unanimously carried to grant site plan approval to remove the lower terrace and tree and change the area to accommodate one or two handicapped parking spaces under the direction of S. Zarnstorff and B. Upton.

- 3. Application of: Name: Marv Duryea of Brockport Enterprises, Inc.
 Mike Lockwood of Lockwood Precision Manufacturing, Inc.
 Address: 85 Clinton Street
 Purpose: possible new occupant

Applicant Presentation:

Marv Duryea distributed a map that shows the buildings at 85 Clinton Street near the Smith Street high bridge. He shared that it formerly housed Brockport Enterprises, Inc. which did a variety of things such as commercial packaging, assembly, distribution, parts, animal commodities, RT French packaging and shrink wrapping, cleaning towels, repackaging for Xerox, and printing. They even made one product for Bausch and Lomb that his dad invented. It was a good work environment with great people offering flex hours for many years.

M. Duryea introduced Mike Lockwood. He has owned Lockwood Precision Manufacturing for 7 years (currently located in Gates) and been in his field for 28 years. He is interested in using part of the building for his business. They would need to attract another tenant for the remainder of the space. He would eventually like to purchase the property. M. Lockwood said his business has done work for Kodak and AB Dick with machines for printing and binding for teaching binders and training packages.

Chair Winner shared that he, S. Zarnstorff and Jennifer Skoog-Harvey of the ZBA did a site visit of his Gates facility in June. Chair Winner distributed copies of photographs they took. M. Lockwood walked the Board through the photographs. He said there are no hazardous chemicals. There would be fewer hazards than what Brockport Enterprises had when it was a full printing service. Everything is enclosed. M. Lockwood said his business is growing. He and his wife work there and have 2 part time employees.

That is how it would start here, eventually growing to 4 full time. They run 12 to 18 million pieces per year on average with a maximum of 23 million pieces.

M. Lockwood shared his work history and said he has created his own clientele. He is willing to teach new technology and do "application engineering". That means a company sends them a machine to test (beta site tester), which helps them sell the machine.

M. Lockwood said they have chosen Brockport for their business location because they hope to move to Brockport and have their children go to Brockport schools. They currently live in Hilton and have the business in Gates. There is no chance to purchase the location in Gates. His lease is up and he is on contingency now.

Continued Board discussion on application:

Chair Winner said the site visit showed that nothing could be heard from outside the building. The noise in the main space was such that they could carry on a conversation. Chair Winner said the machines were set up on a grid. M. Lockwood said they are lubricated with cutting oils. The machines will splash and drip go the grates and pan catch it. The oils are reclaimed as waste oil. This eliminates fire hazards. They try to recycle as much as they can. There would be 4 to 6 drums of lubricating and waste oils on site at any one time.

Member Switzer asked what plans they have for improving the exterior of the property. M. Duryea said the biggest upgrade would be electric. Then they will paint the entire exterior and re do a section of roof. They are willing to do whatever else they need to do to comply. M. Duryea said only one section of the building has air conditioning.

Member Appleby questioned where receiving takes place. M. Duryea pointed it out on the plan.

Member Locke asked the proposed hours of operation. M. Lockwood said 6am to 6pm. He foresees a maximum of 10 employees per shift, possibly adding shifts later on. Member Locke asked about the gravel and weed lot across the street. M. Duryea said that property belongs to the New York State Canal Corporation and some to the owner of 60 Clinton Street. Brockport Enterprises used it for overflow parking, but it will not be needed for this use.

M. Duryea commented that he has spent a lot of time with Mike and his wife. They are good people – family-oriented. They intend to buy the building and he hopes they can work out the details. He would need 10,000 square feet for manufacturing and 1,500 square feet for office space. There is a total of 22,000 square feet available. They would use good judgment and return to the Planning Board on utilizing the rest of the space.

Member Locke asked if they anticipate noise to be a problem. M. Lockwood said he does not, but if it is, he will do whatever he can to remediate the problem. He said it all depends how many machines are running. It will be a dull hum if anything. They do not do stamping, forging or hammering. Member Locke questioned odors. M. Lockwood said the oils are odorless and no sulfur is used. Member Appleby commented that there are houses close by. M. Duryea said there is only one door and no windows on that side. Member Locke asked M. Duryea if he ran 3 shifts there. M. Duryea said yes. M. Duryea said he has spoken with some of the neighbors that are close by. He was there 25 years and had no problems. M. Duryea said the property has been vacant for one year and it is expensive to have them sit empty.

Member Locke asked if there would be truck activity during the daytime. M. Lockwood said yes. They use Fed Ex and UPS. Member Appleby asked if there is a fire suppression system. M. Duryea said there is not a sprinkler system. This has been avoided so as not to ruin everything. They just have fire extinguishers. M. Duryea said whatever is required will be done.

M. Lockwood said there is federal money associated with training programs in manufacturing. He may work with SUNY Brockport to become a part of it.

Chair Winner questioned garbage. M. Duryea said it is kept inside in a ground level push out. If it is moved outside, they will enclose it.

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Chair Winner said the facility appears to be fully lit and there are some sections of privacy fencing. He asked if they would consider full fencing. M. Duryea said historically he has done what the individual neighbors wanted regarding fencing.

Member Appleby asked if this is a site plan review and change of use. Chair Winner said yes. It is zoned commercial. S. Zarnstorff said the trigger for him to send it to the ZBA would be if there were a higher level of hazardous materials involvement than its former use. The most involved former use was printing which is considered much more volatile than the proposed use. Therefore, he determined this to be a Planning Board minor change of use application.

Member Switzer said he would like to see more done with the exterior. This should be looked upon as an opportunity to improve the aesthetics, particularly since the Village wants to focus on improving Clinton Street. He asked what plans they have besides painting. M. Duryea said the estimate for painting is \$7,000 and the estimate to seal and stripe is \$12,000. Due to cost, they would like to do these improvements next year. They will also add new signage. Member Switzer asked about landscaping, resealing, restriping, and lighting. Member Switzer said he would like to see a face-lift done to this building similar to what M. Duryea did with his Dollar General building on N. Main Street. M. Duryea said he would be happy to make it look better. Chair Winner agreed and shared that there are grant applications in for water, sewer, curbing, streets, and sidewalks on Clinton Street. M. Lockwood said he would like to secure some funding to make changes such as electrical, venting, lighting and bathrooms.

→ Member Appleby moved, Member Locke seconded, unanimously carried to grant change of use.

Board agreed to hold a special meeting to further review the site plan for this application on Monday, July 26th at 6:15pm.

4. Application of: Name: Bob Ryan of Ryan's Big M
 Address: 73 N. Main Street
 Purpose: expansion plans

Applicant Presentation:

Bob and Debbie Ryan were in attendance with the plaza owner's architect Robert Spahn. B. Ryan said they have been in business at 73 N. Main Street since 1988. Over the years business has grown. The meat, produce, deli, bakery, frozen foods and dairy departments are maxed out. Wal Mart or its proposed expansion to a Super Store does not scare them. Ryan's wants to improve on what it does best. He reviewed the plans that show the building being squared off on the south end where the truck driveway and receiving area currently is. They would relocate the deli to the front, doubling its size, add a customer restroom, hot food cases and cooler and work space. Frozen foods will be 40% larger and dairy will increase by 28 linear feet.

B. Ryan shared that the plaza owner was looking to deal with the owner of Brockport Discount Beverage regarding placement of Ryan's dumpsters behind their building. He also looked at acquiring some of Dr. Bowdler's property. Neither has come to fruition.

Continued Board discussion on application:

Member Locke questioned where receiving would take place. B. Ryan showed that there would be 3 swing gates. The bottle dumpster, garbage dumpster and receiving area would be located behind each. Receiving takes place 6am to 5pm. Dumpsters are emptied each morning. Chair Winner said he looks the look of the gates. Member Locke agreed, adding that the arched theme of windows is nice. B. Ryan said the light fixtures and windows would be the same as the rest. Member Appleby questioned the dumpsters being located inside the building. B. Ryan said they would be outside. The gates create a courtyard effect. The plans do not show it 3 dimensionally.

B. Ryan said this would require rearranging the parking lot. The row of parking along the lot line near Pizza Hut will have to go. Trucks will back right in to the receiving area. Member Switzer said the parking is even closer to the building. B. Ryan said yes. Chair Winner said if they wish to have 9' x 18' parking spaces instead of the 10' x 20' required by Village Code, they will have to apply to the ZBA for an area variance. B. Ryan said he would lose 12 parking spaces if they are 10' x 20' as opposed to losing 2 spaces if they are 9' x 18'.

Besides resurfacing and re-striping the parking lot, the light poles will be removed and replaced as shown on the plan. Member Locke inquired about the light pole in the middle of the parking lot that seems to serve no purpose. S. Zarnstorff has questioned Niagara Mohawk about this and is waiting for a reply. Chair Winner asked the number of light fixtures in the lot now. B. Ryan said 3 and he plans on adding one more. Chair Winner agreed that at least one more would be helpful. It tends to be a bit

dark now. Chair Winner said it is important that the lighting be kept on the parcel and that there be no spill over. He suggested good-looking colonial fixtures to blend in and be unobtrusive. He suggested B. Ryan look at the ones at the new Orthodontics office on East Avenue next to the Seymour Library.

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Member Appleby said it's a shame that there is not room on site to expand the way B. Ryan would like to, but these plans look like the space is being used the best it can.

Chair Winner asked if like materials would be used and if they planned to repair or remove the cupola. B. Ryan said yes to like materials. They are taking a look at the cupola and would like to repair it if possible. Chair Winner also asked that the old unused signpost at the West Avenue entrance/exit be removed.

Member Switzer suggested putting a walkway in to the Brockport Discount Beverage plaza since people have made a goat (mud) path between the two plazas. B. Ryan said he would like to better accommodate foot traffic between the two plazas, but is concerned of encouraging it in front of the main delivery area. Board agreed.

Tom Carpenter commented that parking space size is important to consider. He commented that the proposed traffic flow would work better than existing. The site drains fine currently. B. Ryan said there are times like Saturday evenings and Sundays after church lets out and when a majority of the parking lot is full. He is concerned about losing 12 spaces since in the winter some spaces are lost for snow removal. Since the business is growing, he anticipates need for more not less parking. Chair Winner said the Village is glad that business is booming.

→ Member Switzer moved, Member Appleby seconded, unanimously carried to grant concept approval on the proposed site plan of the Ryan's Big M expansion.

Board agreed to hold a special meeting to further review the site plan for this application on Monday, July 26th at 6:15pm.

NEXT SPECIAL MEETING: Monday, July 26, 2004 at 6:15pm

NEXT REGULAR MEETING: Monday, August 9, 2004 at 7pm

ADJOURNMENT:

→ Member Appleby moved, Member Locke seconded, unanimously carried that the meeting be adjourned at 9:15pm.

Leslie Ann Morelli, Village Clerk