

**Village of Brockport
Zoning Board of Appeals
Meeting Agenda
Thursday, December 4, 2014 7pm**

CALL TO ORDER / PLEDGE / ROLL CALL:

APPROVAL OF MINUTES:

CORRESPONDENCE:

NEW BUSINESS APPLICATIONS: (PUBLIC HEARING)

1. Name: David J. Enos
Address: 36 Erie Street
Tax Map ID #: 068.60-1-7
Zoning: B-Business
Parcel Size: 0.35 acres
Property Class: 485
Purpose: Use variance for micro-brewery
Provision of Zoning Code: Ch. 58-11 A: Permitted uses in the B-Business District

2. Name: Jonathan Nichols
Address: 85 Clinton Street
Tax Map ID #: 068.52-3-3
Zoning: B-Business
Parcel Size: 0.9 acres
Property Class: 449
Purpose: Use variance for micro-brewery
Provision of Zoning Code: Ch. 58-11 A: Permitted uses in the B-Business District

OTHER BUSINESS:

- Request for interpretation from Planning Board

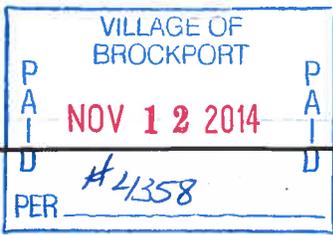
ADJOURNMENT:

UPCOMING REGULAR MEETINGS/DEADLINES (only upon application):

No meeting January 1, 2015 due to holiday

Thurs., February 5, 2015 7pm Deadline: Tues., January 13, 2015 12noon

✓AM



VILLAGE OF BROCKPORT

49 State Street, Brockport, New York 14420
Telephone: (585)-637-5300 Fax: (585)-637-1045
Website: www.brockportny.org

ZONING BOARD OF APPEALS APPLICATION

DEADLINE: By Tuesday Noon at least 3 weeks prior to meeting

Area Variance: _____ Use Variance: _____
Interpretation: _____ Special Permit: _____
Other: _____

Meeting Date: 12/4/14 at 7:00pm
Application Fee: \$ 300⁰⁰
Date Submitted: 11-12-14
Plans Submitted (10 copies): _____
Environmental Assessment Form Submitted: _____

Please note:

- Applicant must attend meeting(s).
- Failure to show, withdrawal of application, or denial will result in forfeiture of fee.
- Applicant may be billed for Village Engineer fees related to the review of application.

PROPERTY ADDRESS: 36 ERIE STREET

Tax Map Parcel #(s): 265201-068 600-1-7 Parcel size: 116' width 128' depth

Property Zoning District: BUSINESS COMMERCIAL Property Class: BAR RESTAURANT

Present Use of Property: VACANT Proposed Use of Property: MICRO BREWERY W/TASTING

Provision of Code Appealed (give section and subsection numbers): Ch. 58-11 A

Previous applications for this property: _____ Planning Board _____ Zoning Board of Appeals
If yes, provide results: _____

Description of Proposal / Detail of Request: REVERT TO FORMER USE W/MICRO-BREWERY

Value of Construction: \$ 50,000 +/- Building Permit required after ZBA approval: ___ yes ___ no

Certification of Statements:

The applicant(s) hereby affirms that the above information is accurate and complete, to the best of his/her knowledge and he/she/they is/are the title owner(s) of the property or has/have been authorized by the title owner(s) to make this application.

I/We hereby certify that I/We am/are title owner(s) of the property identified in the above application and that the applicant(s) named is/are authorized to make the application described herein.

David J. Enos (CV)
Applicant Signature

[Signature]
Owner Signature

DAVID J. ENOS
Applicant Name Printed/Typed

PITA ENTERPRISES, INC.
Owner Name Printed/Typed

6388 SHORE ACRES, HILTON, 14468
Mailing Address

125 HOLLYBROOK ROAD, 14420
Mailing Address



617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

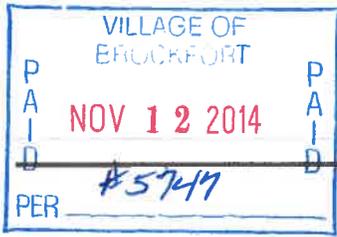
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information		
DAVID J. ENOS -		
Name of Action or Project: MICRO - BREWERY & TASTING ROOM		
Project Location (describe, and attach a location map): 36 ERIE STREET		
Brief Description of Proposed Action: ZONING BOARD APPROVAL FOR OPERATION OF A MICRO-BREWERY WITH TASTING ROOM IN THE FORMER "FLASH 5 TAVERN"		
Name of Applicant or Sponsor: DAVID J. ENOS	Telephone:	[REDACTED]
	E-Mail:	
Address: 6338 SHORE ACRES, HILTON, N.Y. 14469		
City/PO:		St
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	NO	YES
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: N.Y.S. DEPT. OF AGRICULTURE, COUNTY HEALTH DEPT.	NO	YES
3.a. Total acreage of the site of the proposed action?	7.50	acres
b. Total acreage to be physically disturbed?	- 0 -	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	7.50	acres
4. Check all land uses that occur on, adjoining and near the proposed action.		
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)		
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____		
<input type="checkbox"/> Parkland		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>DAVID J. ENOS</u>		Date: <u>11.12.14</u>
Signature: <u>David J. Enos</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		



VILLAGE OF BROCKPORT

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ZONING BOARD OF APPEALS APPLICATION

DEADLINE: By Tuesday Noon at least 3 weeks prior to meeting

Area Variance: _____ Use Variance: X
Interpretation: _____ Special Permit: _____
Other: _____

Meeting Date: Thurs. Dec 4 at 7:00pm
Application Fee: \$ 300.00
Date Submitted: 11-12-14
Plans Submitted (10 copies): _____
Environmental Assessment Form Submitted:

Please note:

- Applicant must attend meeting(s).
- Failure to show, withdrawal of application, or denial will result in forfeiture of fee.
- Applicant may be billed for Village Engineer fees related to the review of application.

PROPERTY ADDRESS: 85 Clinton St. Brockport, NY 14420

Tax Map Parcel #(s): 068.52-3-3 Parcel size: _____ width _____ depth _____

Property Zoning District: B-Bus Property Class: 449

Present Use of Property: vacant warehouse Proposed Use of Property: brewery

Provision of Code Appealed (give section and subsection numbers): Ch 58-11 A

Previous applications for this property: _____ Planning Board _____ Zoning Board of Appeals
If yes, provide results: _____

Description of Proposal / Detail of Request: Building a Production Brewery

Value of Construction: \$ 1,266,000.00 Building Permit required after ZBA approval: X yes _____ no

Certification of Statements:

The applicant(s) hereby affirms that the above information is accurate and complete, to the best of his/her knowledge and he/she/they is/are the title owner(s) of the property or has/have been authorized by the title owner(s) to make this application.

I/We hereby certify that I/We am/are title owner(s) of the property identified in the above application and that the applicant(s) named is/are authorized to make the application described herein.

[Signature]
Applicant Signature

[Signature]
Owner Signature

Jonathan Nichols
Applicant Name Printed/Typed

Jonathan Nichols
Owner Name Printed/Typed

1 Main St.
Mailing Address

1 Main St.
Mailing Address

Fax # /

Village Engineer _____

617.20
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Short Environmental Assessment Form

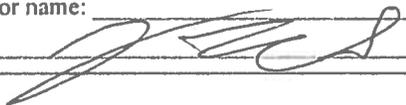
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information		
Name of Action or Project: Stoneyard Brewing Company		
Project Location (describe, and attach a location map): 85 Clinton ST. Brockport		
Brief Description of Proposed Action: To build a production Brewery at 85 Clinton ST.		
Name of Applicant or Sponsor: [Signature]	Telephone:	
	E-Mail:	
Address: 1 Main ST.		
City/PO: Brockport, NY 14420	St:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	NO	YES
TTB and NYS SLA	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres		
b. Total acreage to be physically disturbed? _____ acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres		
4. Check all land uses that occur on, adjoining and near the proposed action.		
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)		
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____		
<input type="checkbox"/> Parkland		

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	X		
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
		X	
	X		
	X		
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
		X	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
		X	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	X		
	X		
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
		X	
	X		
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	X		
16. Is the project site located in the 100 year flood plain?	NO	YES	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	X		
	X		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: _____ Signature: 	Date: <u>11/12/21</u>	

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	X	
2. Will the proposed action result in a change in the use or intensity of use of land?	X	
3. Will the proposed action impair the character or quality of the existing community?	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	X	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	X	
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	X X	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	X	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	X	
11. Will the proposed action create a hazard to environmental resources or human health?	X	

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)