

Meeting of the Village of Brockport Zoning Board of Appeals was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Thursday, October 1, 2015, 7:00pm.

PRESENT: Chair Robert Duff, Vice Chair Sal Sciremammano, Member Douglas Wolcott, Member Eileen Ryerse, Building/Zoning Officer David J. Miller, Clerk Pamela Krahe

EXCUSED: Member Laurence Vaughan

ALSO PRESENT: Thomas Mayer, Joan Hamlin, Christine Hamlin

CALL TO ORDER: Chair Duff called the meeting to order and led the Pledge of Allegiance.

REVIEW OF MEETING MINUTES: Chair Duff called for a motion to approve minutes.

➔ Member Sciremammano moved, Member Ryerse seconded, unanimously carried to approve the minutes of the meeting held September 3, 2015 as written.

NEXT MEETING: Thursday, November 5, 2015 at 7:00pm upon application

Public Hearings:

OLD BUSINESS:

1. Name: Thomas Mayer
Address: 93/95 State Street
Tax Map #: 069.13-1-12
Property Code: 220
Zoning: O-Residential
Lot size: 0.13 acres
Purpose: Special residential dumpster permit for existing dumpster
Zoning Code: Chapter 21-5 B

Chair Duff reminded the public hearing remains open. No additional public comments were made.

➔ Member Sciremammano moved, Member Wolcott seconded, unanimously carried that the public hearing be closed and the regular meeting be reopened.

Continued discussion on application:

Mr. Mayer recapped that he has had a dumpster, bordered on 3 sides by trees and the garage, about 100' out back. He has used it in this manner for over 10 years without complaint. It is used for 93/95 and 97/99 State. He found a copy of an invoice from 2008 that shows service from that time. The invoice states "6-yard" which signifies the size dumpster. He gave a copy of the screen shot to board members. He started with a 4-yard dumpster, then went to a 6-yard. He has remodeled the porch at 99 and replaced numerous windows; all the debris went in the dumpster. He uses it for furniture and other large items left behind in apartments that cannot be left at the curb until pickup comes, which also would necessitate a special trip for Waste Management. His other property at 23 Monroe Avenue has its own service. For him to do recycling, he would have to have a separate dumpster. When he had totes, they would fill up quickly. Former CEO Zarnstorff suggested a dumpster so as to eliminate the overflow and such with the totes. Mr. Zarnstorff did tell the applicant he would have to enclose the dumpster with a fence, per code.

Member Ryerse asked how often the dumpster is cleaned, as she has to clean her tote every couple of weeks in the summer to keep it from smelling. Mayer said that is a good question. Mayer asked if he is approved, will he have to go through this process again. CEO Miller said no. Because the code was revised in 2009, that is what necessitated coming in for the special permit. Mayer reiterated he has had the dumpster for ten years without complaint. He knows there are folks in the village who do not like landlords who rent to students, and some of them live in the State Street neighborhood and have made comments to him. He tries hard to keep his property up and keep his tenants in line. Mayer further clarified the word "Commercial" on the screen shot means dumpster. His new invoice also says dumpster.

Member Wolcott asked CEO Miller if 2009 is when the special use permit became a requirement, then wouldn't Mr. Mayer be grandfathered. CEO Miller affirmed and said there are only a few dumpsters approved at this point. The Codes Department has a list of dumpsters in the village in the same situation that will also need special permits issued. Getting back to the fence, Mr. Mayer indicated Waste Management says it must be 11' wide. He says other people have used his dumpster without permission, so a fence may help. He has no other properties with dumpsters in the village.

Chair Duff asked if Codes has received any complaints of about the trash, odors, etc. CEO Miller denied. Miller indicated the special permit can remain in place indefinitely but can be revoked by the Zoning Board if valid complaints or concerns are raised. As previously mentioned, Mr. Mayer does not have to return for permit renewal.

ZONING BOARD OF APPEALS MEETING OF October 1, 2015

- ➔ Member Wolcott moved, Member Sciremammano seconded, unanimously carried that the application for the special residential dumpster permit be approved.

ROLL CALL VOTE:

Member Ryerse: Aye
Member Wolcott: Aye
Member Sciremammano: Aye
Chair Duff: Aye

Applicant Mayer asked about the timeframe for installing the fence. CEO Miller replied he will discuss a reasonable timeframe with Mayer. Mr. Mayer thanked the board and apologized that they had to conduct a meeting just for him. He appreciates members' work on the board.

Adjournment:

- ➔ Member Wolcott moved, Member Ryerse seconded, unanimously carried that the meeting be adjourned at 7:30pm.

Pamela W. Krahe, Clerk