

Meeting of the Zoning Board of Appeals of the Village of Brockport was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Monday, July 28, 2003 at 7:00pm.

PRESENT: Chair Jennifer Skoog-Harvey, Member John Bush, Member Carrie Maziarz, Building/Zoning Officer Scott C. Zarnstorff, and Clerk Leslie Ann Morelli.

EXCUSED: Vice Chair / Member Irene Manitsas, Member Charles Switzer

ALSO PRESENT: Mayor Josephine C. Matela, Deputy Village Attorney Frank A. Aloï, DPW Superintendent Bradley B. Upson, Economic Development Coordinator / Planning Board Chair R. Scott Winner, Tom Carpenter of Chatfield Engineers (Village Engineer), Ray & Ute Duncan, Jim & Joan Hamlin, Fred Webster, Terri Green (Brockport Post).

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

REVIEW OF MEETING MINUTES: Chair Skoog-Harvey called for a motion to approve the minutes of the June 24, 2003 meeting.

➔ Member Maziarz moved, Member Bush seconded, unanimously carried to approve the minutes of the meeting held June 24, 2003 as written.

CORRESPONDENCE: None

NEXT MEETING: September 22, 2003 (upon application)

Public Hearings:

7:00pm – Legal notice published in the Suburban News dated July 14, 2003 and as a courtesy mailed to property owners within 500 feet read as follows:

**VILLAGE OF BROCKPORT
LEGAL NOTICE**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village of Brockport will hold a PUBLIC HEARING on **Monday, July 28, 2003, 2003 beginning at 7:00pm** in the Conference Room of the Village Municipal Building at 49 State Street, Brockport, New York on the following:

1. Application of: Guglielmo Maniscalco
Address: 38 Merchants Street
Tax Map #: 068.52-2-4
Zoning: Business
Purpose: retail sale of alcohol for consumption on the premises (to open a tavern)

Provision of Zoning Ordinance Appealed: 58-11(A)(14)

"...taverns...shall not be located within 300 feet of another establishment selling alcohol for consumption on the premises..."

2. Application of: Village of Brockport
Address: 11 Water Street / Harvester Park
Tax Map #: 069.45-1-14 & 069.45-2-10
Zoning: Village Tax Parcels / Business Use District
Purpose: Authorization for public or municipal building construction of Canal Side Visitors Center

Provision of Zoning Ordinance: 58-7

"...the permit for such construction must be approved by the Board of Appeals after public hearing upon due notice."

All interested parties will be given the opportunity to be heard. Applications are available for review at the Village Clerk's Office.

Chair Skoog-Harvey shared that the 38 Merchants Street application will not be heard. A variance is not needed after all. The applicant's fee will be refunded.

Applicant Presentation:

Member Bush read the section of the Code 58-7 Public properties and public utilities as follows:

“Nothing in this ordinance shall restrict the construction, use or maintenance of public or municipal buildings, structures or facilities, parks or other publicly owned properties, except the sewage disposal plant, in any district nor the installation, maintenance and operation of such public utilities and facilities as may be essential to the servicing of any district or area in which it is located; however, the permit for such construction must be approved by the Board of Appeals after public hearing upon due notice.”

Chair Skoog Harvey asked the applicant to describe the application. Tom Carpenter introduced himself. He represents the Village Engineer, Chatfield Engineers. This past winter the Village contracted out the rehabilitation of the south side Canal Wall between Park Avenue and Main Street, paid by the New York State Canal Corporation. T. Carpenter reviewed detailed plans for two interconnected projects: Harvester Park Improvements and Harvester Park Community Center. These run along the south edge of the Canal between Park Avenue and Main Street. He outlined the colored and stamped concrete walkway, 11 utility pedestals for water and electric hook ups for boaters, retaining walls, landscaping, benches, picnic tables, grills, overlook area with new stairway to canal for small boat entry (canoes, kayaks), node area, grass areas, etc. The Community Center will be a bi-level building, handicapped accessible by ramp and have handicapped parking in front. The Canal level will have a porch with overhang, restroom, shower, and laundry. The street level will have a porch, an office for the harbormaster, a conference room, a restroom, shower, and mechanical room. He showed all elevations of the building. It will be very open and inviting with lots of glass and windows. It will have clapboard siding and stone veneer and lots of landscaping.

⇒Member Bush moved, Member Maziarz seconded, unanimously carried to close the regular meeting and open the public hearing.

Public Comment:

Chair Skoog Harvey asked any member of the public wishing to comment for or against the application to identify their name and address for the record.

Ray Duncan of Brook Terrace introduced himself and his wife Ute Duncan, Co-Chairs of the Canal Revitalization Committee and the Walkable Community Committee. These plans are a spectacular culmination of years of work and are consistent with the canal revitalization efforts going on statewide. The two committees applaud and wholeheartedly endorse the plans. R. Duncan commented that the only side of the building that does not have windows is the east side. He questioned whether a window could be placed on that side. T. Carpenter said the architect considered it, but there is really nowhere that windows would work on that side due to the placement of the restroom, shower and mechanical room. R. Duncan concurred and said he withdraws that suggestion.

Joan Hamlin of Park Avenue asked the proximity of the building to the Klafehn and Heise Law Offices. T. Carpenter pointed out the distance on the plans. S. Winner said there is a fair amount of green space between the buildings.

Joan Hamlin asked who would maintain the building and the restrooms. She said she has been in many parks where the bathrooms get vandalized. B. Upson said they plan on having a cadre of volunteers staff the building. The restrooms and showers and such would ordinarily be locked but would likely be open when there is a big community event such as the Arts Festival. Boaters, bikers, and such would be issued an access pass by the person on duty. Hopefully, said volunteers will do the light maintenance and cleaning. If not, it will be the DPW’s responsibility. J. Hamlin said she is glad to hear it will be kept locked. B. Upson further shared that the Navy Club has indicated a desire to become involved as volunteer Harbor Masters.

S. Winner said if the Greater Brockport Development Corporation gets solidly funded, it could serve a dual purpose as their office. The conference room would be open to community and civic groups as well as local history and art displays. It will not be used strictly as a Visitors Center, but more as a Community Center. S. Winner said they are also receiving estimates on video surveillance and such for security. S. Winner said he is wearing his Economic Development hat. This will put Brockport on an even footing with other communities such as Fairport. Having done many interviews and site visits all along the Canal in various municipalities he has found only 20 percent of Canal users are boaters. The rest are hikers, walkers and bikers. He has asked canal travelers their thoughts on Brockport. People love the downtown district of stores, restaurants and theater, but openly criticize Brockport’s lack of infrastructure for boaters. These plans will change all that. This will become the centerpiece of Economic Development. Tourism must pick up since industry has slacked off. S. Winner summarized that these plans are strongly supported from an Economic Development point of view.

Continued Board discussion on application:

Member Bush asked about the walkway. T. Carpenter said the plan is colored stamped concrete.

They have built alternatives into the bid specifications for unstamped or plain if too costly.

Chair Skoog-Harvey asked the hours of the harbormaster. B. Upson said they would be in conjunction with the hours the bridge tender is on duty. B. Upson further shared that they will collect minimal docking fees. S. Winner said they are looking at models up and down the canal. Currently docking fees range from free to a graduated scale depending on the size of the boat. S. Winner said it is not unreasonable to charge something for boaters to use water and electric, etc. He said Bill Andrews did a rough revenue stream that charged \$6 per night could provide the Village with \$10,000 to \$12,000 per year. They will need to work to standardize fees from community to community so that boaters know what to expect.

Member Bush asked if the building would close when the canal drains for winter. B. Upson said the lower level would. S. Winner said if the Village can rationalize keeping the upper level open for use of the conference room, it may do so. If not, there is no need to heat the building all winter.

Chair Skoog-Harvey asked the size of the conference room. S. Winner said 12 feet by 24 feet. Chair Skoog-Harvey asked about the timetable. T. Carpenter said bids are due on the two projects August 28th. They could start construction by September 30th and should take 120 days to complete. B. Upson said the Village is currently doing some in-king grant matching work for the Harvester Park Improvements and hope to have the utility pedestals in in time for the Arts Festival August 9th and 10th.

Mayor Matela read the following prepared statement.

Madam Chair and members of the Zoning Board of Appeals:

Thank you very much for giving me the opportunity to address you this evening. Over eight years ago the Board of Trustees saw fit to create a master plan for our canal waterfront. This plan would enhance the quality of life for our residents and also create a destination for others to visit our historic village. I see this administration as the implementers of this plan and the good people of the Village deserve to see it come to fruition. This plan and implementation has sound data to back up its use and justification. This plan also has the backing of the State of New York and the Governor, as we were fortunate to receive a grant for part of this project. The canal wall site and adjoining project site have been visited by Sara Anderson, aid to Senator Clinton, Senator George Maziarz and also by Assemblyman Bill Reilich. Since their visits I have spoken personally with Senator Clinton about the need for canal development and she has assured me that this is a priority with her. I recently attended a conference in Utica where I presented our plan to the Mayors, Supervisors, other state and federal officials as well. We are on the right path with our plans and the time is now. Our Canal Revitalization Committee chaired by Ray and Ute Duncan and others such as Historian Emeritus Bill Andrews and Historian Jackie Morris have demonstrated in many ways their commitment to this project. Ray and

Ute have traveled many miles, spoken with many boaters, bikers and hikers and the message is clear.

They love our Village and want to stay longer. We need amenities to accommodate not only those groups, but also our own residents.

Our center will have handicapped accessible restrooms as well as a meeting room for small groups. This means that during our festivals, those individuals who need special assistance restrooms will be accommodated, as the center will be open. I hope that you will all join with me to see this project to completion as the future of Brockport, one of the pearls along the Erie Canal, depends upon it.

Thank you very much.

⇒ Member Maziarz moved, Member Bush seconded, unanimously carried that the public hearing be closed and the regular meeting be reopened.

Chair Skoog-Harvey said it is her understanding that the Village Board has dealt with SEQR. T. Carpenter said yes.

⇒ Member Bush moved, Member Maziarz seconded, unanimously carried that having held a public hearing upon due notice, the permit for construction of the Village of Brockport's Harvester Park Community Center be approved.

Adjournment:

➔ Member Bush moved, Member Maziarz seconded, unanimously carried that the meeting be

adjourned at 7:35pm.

Leslie Ann Morelli, Village Clerk