Village of Brockport Planning Board 6 pm Monday, April 10, 2023

MEETING AGENDA

CALL TO ORDER / PLEDGE / ROLL CALL

APPROVAL OF MINUTES: December 12, 2022 and February 13, 2023

CORRESPONDENCE:

OLD BUSINESS APPLICATIONS:

NEW BUSINESS APPLICATIONS:

1. Name: Carolyn Orr
Address: 24 East Ave
Tax Map#: 069.37-1-2
Zoning: Business

Parcel Size: 120.78f x 269.28d x 0.75ac

Prop. Class: 472 – Kennel/Vet Purpose: Driveway Expansion

ADJOURNMENT:

UPCOMING REGULAR MEETINGS/DEADLINES (only upon application):

Meeting: Monday, May 8, 2023 – 6 pm Deadline: April 25, 2023 - Noon Meeting: Monday, June 12, 2023 – 6 pm Deadline: May 30, 2023 - Noon

--UnApproved--

Regular meeting of the Village of Brockport Planning Board Held in the Conference Room, Municipal Building, 49 State Street, Brockport, NY Monday, December 12, 2022, at 6:00pm

PRESENT: Chair Charles Switzer, Member Brandon St. John, Member Kevin McCarthy, Clerk Theresa Weed

EXCUSED: Vice Chair Lyle Stirk, CEO Chad Fabry

ABSENT:

ALSO PRESENT: Dave Moore

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 minutes of meeting of September 12, 2022.

Member St John moved, Member McCarthy seconded, unanimously carried to approve the minutes as written.

CORRESPONDENCE:

OLD BUSINESS: Member McCarthy stated he drove by 100 Fair Street to check on their progress. He noticed the applicant working outside. The applicant has since cleaned up a lot of the junk, fixed the fence and painted the buildings. Member McCarthy stated that it's looking nice.

NEW BUSINESS:

1. Name:

Karen Overmyer

Address:

3 Keable Court

Tax Map#:

069.09-2-8

Zoning:

Residential

Parcel Size: 75f x 160d x 0.28ac

Prop. Class: 210 – 1 Family Residential

Purpose:

Install a 3ft x 57 ft chain link fence

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Presentation/discussion:

Chair Switzer invited Mr. Moore, who is representing the applicant, Mrs. Overmyer, to address the Board. Mr. Moore indicated he would like to extend the fence from the side of her house out to within the legal limits of the front variance. The fence will be a 3ft high by 57ft long chain link and will end 4ft from the curb.

A brief discussion took place regarding the Village of Brockport code § 6-3 A-D. Chair Switzer read the provisions applicable to residential districts. Member St. John inquired why they wanted to add the fence. Mr. Moore replied, "Good fences make good neighbors". Mr. Moore also noted that Steve Speed will be putting in the fence.

MOTION: Chair Switzer called for a motion:

Member McCarthy moved, Member St. John seconded, unanimously carried to approve the application of Karen Overmyer for 3 Keable Court for a 3ft chain link fence.

Chair Switzer congratulated Mr. Moore.

OTHER BUSINESS - DISCUSSION: A brief discussion took place regarding the vacant Planning Board member position and if we have received any interest.

UPCOMING REGULAR MEETINGS/DEADLINES (only upon application):

Meeting: Monday, January 9, 2023 – 6 pm Deadline: December 27, 2022 - Noon Meeting: Monday, February 13, 2023 - 6 pm Deadline: January 31, 2023 - Noon

ADJOURNMENT:

→ Member McCarthy moved, Member St. John seconded, unanimously carried that the meeting be adjourned at 6:15 pm.

Theresa Weed, Clerk

--UnApproved--

Regular meeting of the Village of Brockport Planning Board
Held in the Conference Room, Municipal Building, 49 State Street, Brockport, NY
Monday, February 13, 2023, at 6:00pm

PRESENT: Chair Charles Switzer, Vice Chair Lyle Stirk, Member Brandon St. John, Member Robert LeSuer (appointed at the VB meeting held on January 20, 2023), Clerk Theresa Weed.

EXCUSED: Member Kevin McCarthy, CEO Chad Fabry.

ABSENT:

ALSO PRESENT: Assistant CEO Carol McNees, Trustee/Deputy Mayor Annette Crane, Trustee Kathy Kristansen, Christopher Wilcox, Aaron Bower, Ryan Diehl, Nate Crofoot, Christopher Johnson.

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

Chair Switzer thanked Zoning Board Member LeSuer for filling in for this evening's Planning Board meeting.

REVIEW OF MEETING MINUTES: Minutes of December 12, 2022, will be reviewed at the next meeting.

CORRESPONDENCE:

OLD BUSINESS:

NEW BUSINESS:

1. Name: Christopher Wilcox

Address: 6-8 Utica St Tax Map#: 068.52-3-5 Zoning: Residential

Parcel Size: 88.5f x 80.4d x 0.14ac

Prop. Class: 230 – 3 Family Residential

Purpose: Driveway expansion

Presentation/discussion:

Chair Switzer invited the Applicant to address the Board. The Applicant indicated he would like to put a concrete pad on the southwest side of the house coming off Utica Street so the tenants at 6 upper didn't have to walk all the way around the house. It would entail a curb

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cut. He would then remove part of the driveway on the northwest side of the house and pave the remaining area for 4 cars. It's a 3-family residence with 2 bedrooms per apartment with 2 cars each. The Applicant indicated parking is very tight and rather sloppy.

Chair Switzer indicated the Village code states that off-street parking shall not occupy any part of any required front yard and no more than 50% of any side yard, or 25% of any rear yard other than the required driveway.

Member Stirk agreed with Chair Switzer that parking in front of the home is against the Village code. He suggested if the applicant wanted to proceed, he would need to go in front of the Zoning Board to get a variance. Once approved, the applicant will then be able to come back to the Planning Board.

The Applicant asked for clarification on what is considered the front of the house. Chair Switzer responded that Utica Street is considered the front of the house.

Chair Switzer recalled a prior Planning Board meeting several years ago where the applicant applied for a driveway expansion for 6/8 Utica and was approved to pave the entire back of the home as the 25% requirement had been waived. He also stated that if it creates a hardship, the applicant can go in front of the Zoning Board.

The Applicant replied he paid \$100 for the Planning Board to tell him it's against code and that they don't have the power to approve. Requiring me to go in front of the Zoning Board of Appeals to ask for a variance would be another application fee. The Applicant then asked if he could get his \$100 back and what he needed to do to apply for a refund. Chair Switzer stated that the applicant will need to contact Building/Code Enforcement at the Village Hall.

2. Name: Aaron Bower – Earthborn Materials, LLC

Address: 180 South Ave Tax Map#: 069.17-2-9.1

Zoning: Limited Industrial Use District

Parcel Size: 0.0f x 0.0d x 49.73ac Prop. Class: 447 – Truck Terminal Purpose: Site Plan Review

Presentation/discussion:

Chair Switzer invited the Applicants, Aaron Bower, Ryan Diehl, and Nate Crofoot, to address the Board. The Applicants indicated they would like to have a mulch and topsoil processing yard at 180 South Ave where they currently reside as a construction company and would be happy to answer any questions the board may have.

Vice Chair Stirk stated that the Comprehensive Plan for the Village calls for that area to be rezoned to mixed use residential. He suggests a public hearing, as it will affect many residential homes within a 500-foot radius of the parcel, and some of the neighbors will

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want to have their say. Along with a SEQRA (State Environmental Quality Review Act) to see the environmental affects. There are federal wetlands and a creek that runs through that property.

The Applicants stated they are focused on the North end of the property. The dyes that are used are environmentally friendly, basically iron oxide, and are absorbed into the wood and should not have run off. This is not an operation that is going to run daily. The dyeing process and topsoil screening is pretty quiet. The grinder is the noisiest piece which does about 2,000 yards a day. Even at their 30,000-yard processing goal over the next 3 years they are only talking about running at the very most 30 days a year to play it safe.

Chair Switzer explained to the applicant that the board would like to table the decision and give the residents a chance to voice their concerns. The board would like to see a presentation on exactly what is planned, hours of operation, how many deliveries/trucks they anticipate on a daily basis, the odor from the mulch and the noise aspect.

Member St. John asked about the dumping of yard waste from the Village residents and DPW. The Applicants replied that they plan on accepting green waste, brush, trees, and leaves, from the Village for free. Vice Chair Stirk responded that these are things the residents would want to know. The best way to stop complaints is to have a public hearing and let them see what the process is and what's going on.

A discussion took place regarding the process/formality of the ZBA meeting/public hearing, security surveillance, the rezoning of the vacant acreage on South Avenue and reviewing of the applicants site plan.

Member LeSuer noted there are two concerns in the code, as written, that cause some problems. The code says that manufacturing, processing, and assembly of previously refined materials is permitted use, but it's unclear whether mulch is considered previously refined material. The other concern is that the code states that any sort of handling processes must be conducted in a completely enclosed building. It's a green process and not necessarily possible to process mulch in a closed building. It opens up a ZBA variance type process.

Trustee Kristansen was asked to approach the board as a committee member who helped work on the Comprehensive Plan. That stretch of property has some viable use for mixed use residential. Existing businesses in that area are okay as they are already in business. There are a lot of reasons for the rezoning. Hollybrook residents do not want a huge business in their backyard. Trustee Kristansen suggested the applicants pull up the codes and read what member LeSuer was referring to.

The Applicant brought up their rights of being "grandfathered" in. Chair Switzer responded that they will have to look into that.

A brief discussion took place regarding reaching out to the Building/Code Enforcement for help with any questions they may have and scheduling an appointment to go over everything they will need for the ZBA meeting/public hearing.

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MOTION: Chair Switzer called for a motion:

Member Stirk moved, Member St. John seconded, unanimously carried to table the decision.

3. Name: Christopher Johnson

Address: 60 Holley St Tax Map#: 068.60-3-14 Zoning: Residential

Parcel Size: 92f x 162d x 0.35ac

Prop. Class: 612 – School

Purpose: Driveway Expansion

Presentation/discussion:

Chair Switzer invited the Applicant to address the Board. The Applicant indicated that he has been in contact with the DPW Superintendent, Dan Verace, regarding the material that is needed to put in a catch basin. That the Village contracts with Rob Sweeting and they will be doing that part of the work. The applicant acknowledged that he will need to pay for costs associated with putting in the catch basin as well as the man hole.

The Assistant CEO McNees commented that there will also be costs associated with a curb cut and replacing the sidewalk, in the section where the curb cut will be, as the current sidewalk is not rated to be driven on. The applicant acknowledged these costs.

Chair Switzer mentioned there is currently no drainage that goes to the grassy area and the land slopes. He questioned where all the water will drain to. The Applicant indicated there will be a swale and a catch basin on the West side in the grassy area which will line up with the manhole on Erie Street.

The Assistant CEO McNees mentioned that once the parking lot is in, he will need a dumpster enclosure. The Applicant asked if it needs to be enclosed on all 4 sides as it would be more convenient for his waste collector, Casella, if it was open on one side. Assistant CEO McNees replied she will look into it and get back to him.

Member LeSuer noted that there is playground equipment on the grassy area and that the area is fenced off. The Applicant replied that they already had moved & reset the playground equipment and that it's in a better place from where it was and doesn't intrude on the neighbors.

Chair Switzer noted that as long as the property remains a church/school the lot across the street can stay a parking lot. If it gets sold, it gets sold as residential.

Member St. John noted again that he will be recusing himself from the vote as both of his children attend school at Cornerstone Christian Academy.

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MOTION: Chair Switzer called for a motion:

→ Member LeSuer moved, Member Stirk seconded, unanimously carried to approve the application.

Chair Switzer congratulated Christopher Johnson.

OTHER BUSINESS - DISCUSSION:

UPCOMING REGULAR MEETINGS/DEADLINES (only upon application):

Meeting: Monday, March 13, 2023 – 6 pm Deadline: February 28, 2023 - Noon Meeting: Monday, April 10, 2023 – 6 pm Deadline: March 28, 2023 - Noon

ADJOURNMENT:

1. Member Stirk moved, Member LeSuer seconded, unanimously carried that the meeting be adjourned at 6:42 pm.

Theresa Weed, Clerk



VILLAGE OF BROCKPORT

PLANNING BOARD APPLICATION

127 Main St, Brockport, New York 14420 Phone: (585)637-5300 ext.114 Fax: (585)637-1045 Website: www.brockportny.org

Character Fance	Meeting Date: <u>4-10-23 6 p.m.</u>
Change of Use: Fence:	Date Submitted: 3-23-23
Subdivision: Site Plan:	Application Fee: \$ \(\subseteq \text{Previous} \)
Other:	Plans/Supporting Documents(IU sets):
Please note:	Environmental Assessment Form:
Applicant (or representative) must attend meeting(s). Failure to show, withdrawal of application, or denial will result in for Applicant may be billed for Village Engineer fees related to the revious Planning Board will determine the need for a public hearing.	iew of application.
PROPERTY ADDRESS: 24 East Avenue	
Гах Мар Parcel #: <u>069.370-0001-002</u>	Parcel Size: 120'± width 240'± depth
Property Zoning District: Business Use District	Property Class: 330
Present Use of Property: Veterinary Office	Proposed Use of Property: Veterinary Office
	s? □ Yes ■ No Building permit required? □Yes ■ No
N/A	

Certification	
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. Applicant Signature	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 Owner Signature
Dr. Carolyn Orr	Dr. Carolyn Orr for Orr Clan Properties, LLC
Applicant Name Printed/Typed	Owner Name Printed/Typed
24 East Avenue Brockport NY 14420	24 East Avenue Brockport NY 14420
Street City State Zip	Street City State Zip
Phone # E-mail	Phone # E-mail

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

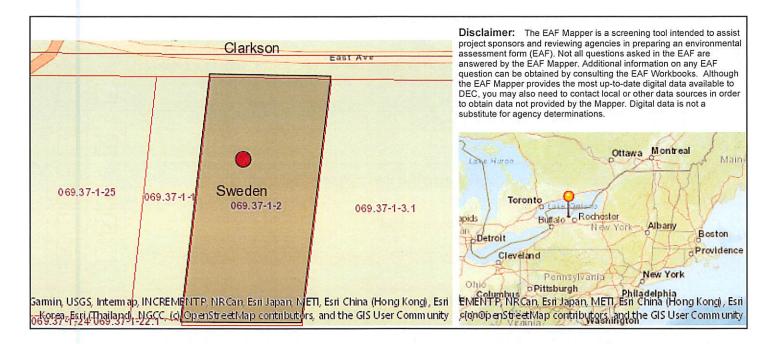
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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:		 			•	
Animal Clinic of East Avenue Parking Lot Expansion						
Project Location (describe, and attach a location	map):	<u> </u>				·
24 East Avenue, Brockport, NY 14420						
Brief Description of Proposed Action:						
Expansion of the existing parking lot from 23 spaces to	27 spaces.					
Name of Applicant or Sponsor:		Т	elephone: (585) 637-87	00		
Orr Clan Properties, LLC E-Mail: brockportvet.orr@gmail.com						
Address:			·			
24 East Avenue						
City/PO:		-	tate:	Zip C	ode:	
Brockport		N)		14420		
Does the proposed action only involve the lead ministrative rule, or regulation?	egislative adoption of a	plan, local la	iw, ordinance,]	NO	YES
If Yes, attach a narrative description of the intenmay be affected in the municipality and proceed				nat	•	
2. Does the proposed action require a permit, a		m any other g	overnment Agency?		NO	YES
If Yes, list agency(s) name and permit or approv	al:				\	
a. Total acreage of the site of the proposed a b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous controlled by the applicant or project.)	uous properties) owned		0.67 acres 0.04 acres 0.67 acres	•		
4. Check all land uses that occur on, are adjoini	ing or near the proposed	d action:				
5. Urban Rural (non-agriculture)	☐ Industrial 🗹 🤇	Commercial [Residential (subu	rban)		
☐ Forest ☐ Agriculture	Aquatic 🗸 (Other(Specify): Brockport DPW			
☐ Parkland			•			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?		V	
b. Consistent with the adopted comprehensive plan?		V	
	L	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?			V
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Yes, identify:		V	
			نا
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
b. Are public transportation services available at or near the site of the proposed action?			
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?			<u>V</u>
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies:			
			V
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water: The existing water service will not be altered as part of this project.			V
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No. describe method for magniding prostoprotor treatments			
If No, describe method for providing wastewater treatment: The existing sanitary sewer lateral will not be altered as part of this project.			V
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district	ot .	NO	YES
which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the	;	V	
State Register of Historic Places?			
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		V	
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?		NO	YES
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		F	后
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:			
	_ _		
		1	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional		
☐ Wetland ☐ Urban 🗹 Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or	NO	YES
Federal government as threatened or endangered?	~	
16. Is the project site located in the 100-year flood plan?	NO	YES
	~	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	~	
a. Will storm water discharges flow to adjacent properties?	V	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:		V
Runoff will be directed to the existing storm water management pond.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water	NO	YES
or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:		
The second in the purpose and size of the impoundment.	V	
		- 11
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:		
	V	
20.Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES
completed) for hazardous waste? If Yes, describe:	17711	
ii Tes, describe.	~	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BI MY KNOWLEDGE	EST OF	
Applicant/sponsor/name: Patrick Laber, P.E. for Schultz Associates, P.C. Date: 3/23/23		
Signature:Title: Project Engineer		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

