

**Regular meeting of the Village of Brockport Planning Board was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Monday, June 8, 2015 at 7:00pm.**

**PRESENT:** Chair Arthur Appleby, Vice Chair Charles Switzer, Member Kevin McCarthy, Member Patricia Baker, Member Peter Selig, CEO David Miller, Clerk Pamela Krahe

**ALSO PRESENT:** Thania and Michael Veilleux, Lisa Colaprete, Robert Ortiz, Ryan Diehl, Kathy Kristansen, Joan Hamlin, Linda Kruger

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

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

➔ Member Selig moved, Member Switzer seconded, unanimously carried to approve the minutes of March 9, 2015 as written.

**CORRESPONDENCE:** Newsletter from Cornell Local Roads Program.

**NEW BUSINESS:**

1. Name: Thania Veilleux  
Address: 24 Market Street  
Tax Map #: 069.53-1-3  
Zoning: B-Business  
Parcel Size: 0.04 acres  
Prop. Class: 484  
Purpose: Change of use – from vacant to sell clothing and Mary Kay products, offer tailoring, craft costume jewelry

**Presentation/discussion:**

Thania Veilleux stated she is a seamstress and will offer custom made dresses for all ages, and will do alterations and tailoring on all clothing. She designs clothing, veils, curtains, etc. Linda Kruger crafts beaded jewelry and welded designs. All welding is done off premises. Together they will occupy the Victorian-themed first floor store; apartments are on the second floor.

The Board indicated the floor plan drawings are confusing. Ms. Kruger explained the drawings. Page 1 is the first 9.5' of the store starting at the front, page 2 shows the knee wall, page 3 is the next 13' or so where the pinning takes place, and page 4 (approximately 14') is the big room with a bathroom, seamstress work area, a jewelry workstation, and where racks of clothing will be. The storage area is behind the bathroom underneath the stairway that goes to the apartments. Page 5 shows the lighting, fans, etc.

The building belongs to Jimmy Zisovski. They will use his dumpster behind the building for trash. When asked by the Board, CEO Miller said he had no questions or concerns as he has been working with the applicants.

SEQR was discussed with Board agreeing all Part 2 questions should be answered with "No, or small impact may occur."

- ➔ Member Switzer moved, Member McCarthy seconded unanimously carried determining this an Unlisted Action on SEQR per NYCRR 617.7.
- ➔ Member Switzer moved, Member Selig seconded, unanimously carried determining the project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment; therefore a negative declaration is granted.
- ➔ Member Selig moved, Member Baker seconded, unanimously carried to approve the application as submitted.

2. Name: Elisabeth Colaprete  
Address: 281 West Avenue  
Tax Map #: 068.11-1-8  
Zoning: O-Residential  
Parcel Size: 83.6' wide x 139' deep  
Prop. Class: 210  
Purpose: Driveway expansion

**Presentation/discussion:**

Chair Appleby indicated he is a neighbor to the applicant and recused himself; Vice Chair Switzer took over. Switzer noted stone has already been placed next to the driveway and explained there has to be a

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4' setback from the lot line to the edge of the stone. He continued, stating the applicant could place her camper in the back yard. Ms. Colaprete indicated that according to her research, she can't have a vehicle registered with the DMV in her backyard. CEO Miller clarified that Village Code Chapter 51-5 B states travel trailers can be in the rear yard. He added that it wouldn't have to be paved, but the applicant may want to put down some stone for it. Colaprete said she would relocate the stone down the hill from alongside the driveway. CEO Miller asked if she intended to extend the pad off the existing driveway because if so, it would have to be paved. She wondered if she leaves a strip of grass between the driveway and the camper area, could she then put in crusher run. She does not want to pave as that is toxic and she does organic gardening. Ms. Colaprete stated she was misinformed on the code. Member McCarthy added that all driveways approved by this board have had 2 years in which to pave. Member Baker suggested using concrete pavers; the applicant thought of that as well. CEO Miller also explained she could ask the ZBA for a variance from the required 4' setback which might allow her to leave the gravel and camper where it is. Ms. Colaprete accepted the suggestion; CEO Miller retrieved a ZBA application for her.

→ Member McCarthy moved, Member Selig seconded, carried 4-0 to table the application pending the ZBA application and decision, with Chair Appleby abstaining.

3. Name: Robert Ortiz  
Address: 50 Clinton Street  
Tax Map #: 068.52-2-2  
Zoning: B-Business  
Parcel Size: 0.10 acres  
Prop. Class: single-use small building  
Purpose: Change of use – vacant to fitness center

### **Presentation/discussion:**

Robert Ortiz informed the board he has owned his fitness business for 9 months now, he has a number of members, and is ready to take it to the next level. He sets up a class schedule that members can sign up for. Classes are 1 hour with a maximum of 12 people. He envisions 50-100 people per day coming through his doors. He instructs every class unlike other fitness centers where you go in and wonder what you should do. He chose 50 Clinton Street because of the large, open space. Most of his workouts utilize body weight, so there is not much machinery. Right now there are no shower accommodations, just a bathroom. He emphasized he is starting small. Ceiling height is 9'. He works out of his garage now. The floor will be covered with mats that are 3/4" thick. His background is in gymnastics and he is looking forward to moving into this area of the village. He concluded by saying his program is similar to cross-fit.

CEO Miller wondered how many people would be there at one time as that will dictate what codes he will have to follow. Mr. Ortiz reiterated he will cap his class size at 12. He expects to have classes at 6am, 9am, noon, and 4:30, 5:30, and 6:30pm. There may be some people coming and going at the same time, but the bulk of the time will just be 12 occupants. CEO Miller noted he has no other concerns. The Board asked about the flooring, which is a concrete slab covered by linoleum, and the mats will be on top of that. Ortiz added there is only one exit. CEO Miller mentioned when the occupant load exceeds 49, there will be a need showers, additional egress, etc.

SEQR was discussed with Board agreeing all Part 2 questions should be answered with "No, or small impact may occur."

→ Member Selig moved, Member Baker seconded unanimously carried determining this a Type II Action on SEQR per NYCRR 617.5 requiring no further action.

→ Member Switzer moved, Member Selig seconded, unanimously carried to approve the application as submitted.

4. Name: Ryan Diehl  
Address: 85 Fayette Street  
Tax Map #: 069.37-1-11  
Zoning: O-Residential  
Parcel Size: 0.27 acres  
Prop. Class: 210  
Purpose: Build fence and retaining wall

### **Presentation/discussion:**

Mr. Diehl pointed out the existing fence is falling down so he would like to take it down and replace it for his dog. As for the retaining wall, he will use pavers or cobbles. The Board and CEO Miller discussed the particulars of the fence code with the applicant, including where the fence should be a maximum of 3', a maximum of 6', and the setback from the sidewalk. The fence near Liberty Street can only be 3' high. Applicant Diehl answered board questions about the property map.

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CEO Miller indicated there needs to be a discussion with DPW Supt. Donahue about the setback from the sidewalk for the retaining wall. The Board asked the applicant his timeline. He would like to get the fence put up sooner rather than later as it is for his dog. He said the retaining wall will be done at a later time, he just thought as long as he was submitting the application for the fence, he would add the wall to it. The Board suggested taking the retaining wall out of this application so they can give approval for the fence, and for the applicant to hold off on the retaining wall until the discussion with Supt. Donahue. CEO Miller showed Diehl and board members exactly where the 3' fence should be and where the 6' fence can begin.

Chair Appleby mentioned that in Chapter 6, Fences, an applicant is supposed to talk with the neighbors. Mr. Diehl said the neighbor behind him is fine with the proposed fence, and the house beside him is vacant so there is no one to ask.

SEQR was discussed with Board agreeing all Part 2 questions should be answered with "No, or small impact may occur."

- ➔ Member Baker moved, Member Switzer seconded unanimously carried determining this an Unlisted Action on SEQR per NYCRR 617.7.
- ➔ Member McCarthy moved, Member Selig seconded, unanimously carried determining the project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment; therefore a negative declaration is granted.
- ➔ Member Switzer moved, Member McCarthy seconded, unanimously carried to table the application for the retaining wall, and to approve the application for the fence for 3' maximum height where allowed and 6' maximum height where allowed per code.

### UPCOMING MEETINGS/DEADLINES:

- Monday, July 13, 2015, 7pm; application materials due by Noon, Monday, June 29.
- Monday, August 10, 2015, 7pm; applications due by Noon, Monday, July 27.

### ADJOURNMENT:

- ➔ Member Selig moved, Member McCarthy seconded, unanimously carried that the meeting be adjourned at 7:48pm.

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Pamela W. Krahe, Clerk