

Regular meeting of the Village of Brockport Planning Board was held at the Municipal Building, 49 State Street, Brockport, New York, Tuesday, October 12, 2010 at 7:00pm.

PRESENT: Chair Charles Switzer, Member R. Scott Winner, Member Annette Locke, Member Arthur Appleby, Member Bernard Daily, Building/Zoning Officer Scott C. Zarnstorff, Clerk Pamela W. Krahe.

EXCUSED:

ALSO PRESENT: Village Engineer Jason Foote, Dr. Carolyn Orr, Kris Schultz of Schultz Associates, AJ Barea, Pam Ketchum

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 the minutes of the previous meeting.

➔ Member Locke moved, Member Appleby seconded, carried 4-0 to approve the minutes of the meeting held September 27, 2010 as corrected with member Daily abstaining due to absence.

CORRESPONDENCE: Information received from Village Clerk Morelli regarding status of annual training requirements. All members are due for training for 2010.

PUBLIC HEARINGS: None

NEW BUSINESS:

1. Application of:	Name:	Dr. Carolyn Orr
	Address:	24 East Avenue
	Tax Map #:	069.37-1-2
	Zoning:	B-Business
	Parcel Size:	120.78' x 269.28'
	Property Class:	330
	Purpose:	Construction of a 3898 sq ft veterinary office along with parking for 12 additional vehicles

Applicant Presentation:

Kris Schultz of Schultz Associates referenced the submitted drawings. Previously there was a house on the parcel which has been razed. Dr. Orr will be putting in a new building and adding to the parking. The new building will be single-story. Architectural renderings were provided of the exterior, the lower portion is to be stone, it will have a hip roof for a residential look, they are trying to mimic the look of the library and dental office down the street. Main entrance will be in the NE corner; new sewer and water were put in accordingly. Mr. Schultz recently walked the property with DPW Superintendent Donahue and Village Engineer Foote. It was noted the storm sewer put in by DPW will easily tie in the new storm sewer; the area of disturbance is very small and it will discharge to the south then westerly. DPW fence positioning is right on property line. The doctor wanted to save several existing beautiful trees, so the storm sewer was positioned accordingly. Schultz pointed out the drainage on the contour line map. Landscaping will be done with animals in mind and there will be a bench as a memorial to previous owners.

Continued Board discussion on application:

The Board discussed the impervious surface of 61% as opposed to 50% as stated in the code. After discussing whether or not a variance would be needed, it was determined the 50% figure pertains to residential properties. Conversation followed about having more green areas instead of the typical commercial look of structure and parking lot. Dr. Orr explained all the mature trees on the property that would be staying as well as other green areas near doors and elsewhere; also the bench and perhaps a memorial garden area for the Grafts.

The Board inquired about the fate of 18 East Avenue. Dr. Orr said she was unsure at this point but has a real estate agent working on it. Perhaps Kwik Fill may want to purchase it, maybe a medical practice of some sort would lease it, but the economy is not good so it is still open-ended. Member Winner suggested a complimentary business such as dog daycare, boarding or grooming. Dr. Orr asked if they would be allowed and the Board said it is business district so the code would dictate what would be allowed. CEO Zarnstorff stated they may need an interpretation from the Zoning Board of Appeals for a dog daycare, not a use or area variance.

Mr. Schultz addressed the concerns of the Chatfield Engineers letter as follows:

1. (Driveway entrance permit from MCDOT) Entrance will be at existing driveway, will look into it.
2. (Additional landscaping to shield view to east) Looking into it.
3. (Show underground electric) Lighting may be revised slightly, will correct on plans as necessary.
4. (Lighted sign) Not internally illuminated, may have floodlights to offset darkness of trees.
5. (Existing building at 18 East Ave) Will remain; parcels will be maintained as two different pieces for now. If parcel is sold, Dr. Orr will use discretion as to who she sells it to and what the potential use

would be.

6. (Arrow head adjustment) Will take care of adjusting the arrow head.

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7. (6" pipe, not 4") Will change on plans.

8. (Sump pump discharge point) Will discharge to pond.

9. (Show stormwater outlet structure) Will do that.

10. (Provide sizing calculations) Have completed that but will put it together for Engineer Foote.

CEO Zarnstorff asked whether the building would have a basement or be on a slab. Mr. Schultz explained the southerly half of the new building will have a walkout basement, northerly half is on slab. CEO Zarnstorff suggested considering where old house was and where historic fill is located vs. where new building will be.

Mr. Schultz stated his hope for public hearing to be scheduled tonight.

Member Winner asked Dr. Orr to explain the floor plan. She has older dogs coming in so she wanted an east or northeast entrance to minimize icy/slippery conditions. The entry is covered, there is a vestibule, dogs and cats will be kept separate, there is a kids play area walled off to keep aggressive dogs out. The cat area (exam rooms, etc.) is smaller in scale because the animals are smaller; there is ventilation in place and sound deadening; there is a dog walk area with walls and roof. The building is a split level in back with the basement to be used for obedience or agility classes, storage, mechanicals, rest room. CEO Zarnstorff stated the need to look at the number of exits for a below-grade space based on number of occupants. Dr. Orr explained there are usually only 4-5 plus a teacher. Zarnstorff asked about gas storage and Dr. Orr indicated only oxygen would be on hand, and they will use oxygen piping and would only have 2-3 end tanks. When asked if there were any provisions for emergency power, the applicant indicated she would consider a small generator. CEO Zarnstorff noted it's easier to think about it now so fittings can be put in during construction.

Member Daily asked about exhaust, its dispersal, indoor air quality guidelines, and whether Mr. Schultz had any figures he could provide. Schultz replied that was not his expertise but he could get that information to the Board. Member Daily recommended a minimum of 15 cfm (cubic feet per minute) per person, but added 20 cfm is a better number.

Chair Switzer asked if the doctor is going through COMIDA. She affirmed, adding she has been approved by Canandaigua National Bank. Chair Switzer also asked if the public hearing could be held at the next meeting. Mr. Schultz answered they should have the county input by then. The Board briefly discussed SEQRA, lead agency, etc.

➔ Member Winner moved, Member Appleby seconded, unanimously carried to declare the Planning Board as lead agency.

The Board briefly discussed changing its regular meeting night to the second Tuesday of the month, which would set the date of the Public Hearing as Tuesday, November 9.

The applicant shared the projected timeline: construction would begin mid to end of November. With good weather for 10-14 days, the foundation and shell could be put up, then interior work could progress. An appraisal and the environmentalists have been ordered. Shell may be done by approximately Christmas, and open for business by Mar-Apr. If approvals don't come in as quickly, they would start construction in March. Member Winner asked if architectural, lighting and drainage details would be available by the next meeting. He also suggested hardy board and noted salt is not good on cultured stone. CEO Zarnstorff noted Spencerport Insurance on Main Street in Spencerport (across from Taste of Texas) has similar exterior as this building would have.

The Board discussed the slope behind the property, the parking lot, about a small berm for the slope and about using the swale to catch the water and get it into the pond.

2. Application of:	Name:	A.J. Barea
	Address:	56 and 66 Lyman Street
	Tax Map #:	069.09-5-8.1 and 069.09-5-9, respectively
	Zoning:	O-Residential
	Parcel Size:	8' x 237'
	Property Class:	210 (both properties)
	Purpose:	to combine an 8' x 237' strip of land from 66 Lyman Street with existing property at 56 Lyman Street

Applicant Presentation:

A.J. Barea stated he had a subdivision plan to combine a strip of land from 66 Lyman to 56 Lyman Street and he pointed out the same on the submitted site map, adding this is just an adjustment to the lot lines. Land has already been sold, deed has been acquired. There are no setback issues. Pins have already been reset. The 8' strip belonged to Cahoon (66 Lyman) and has been sold to Lessord (56

Lyman).

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Continued Board discussion on application:

Chair Switzer asked what the Board has to do legally for this application and CEO Zarnstorff replied this is a change of lot line. Mr. Barea added that the buyers of the Cahoon property are waiting for this approval to finalize their transaction. The buyer is William J. Peters and his intent with the property is unknown. CEO Zarnstorff reminded the Board they have done a couple of these before and that no public hearing is necessary. Mr. Barea clarified there is no grading or construction to be done on the property.

- ➔ Member Daily moved, Member Appleby seconded, unanimously carried to approve the application to combine an 8' x 237' strip of land from 66 Lyman Street with existing property at 56 Lyman Street.

Other business:

- Kris Schultz, engineer for Sunflower Landing, talked about changing out single-family residential lots and turning them over to senior homes or rental senior housing. He noted there is a similar project in Ogden with rental units. Sunflower is in a Q district with mixed use. He showed a sketch of the possibility of 3-, 4- and 5-unit rentals. Board inquired as to target audience; Shultz answered those who want to be in a community but don't want to buy. When asked if owners and tenants would have to abide by the same bylaws, Schultz affirmed stating perhaps Mr. Ferrauilo would own the lot and would rent out the units. Owners and tenants would most likely be subject to same bylaws as those who have purchased. Member Winner wondered if there would be objection to rentals across from owned properties. Shultz said there may be, but the location of rentals is proposed for now, and he just placed them on the sketch for ease in drawing. He added he just wanted to know if the Planning Board would consider the concept as people have come in to Sunflower asking for it. Sunflower currently has 17 homes. Chair Switzer noted the units should be taxed as apartments. Member Winner commented they may want to integrate the rentals with the owned ones, so there is not a "rental area" vs. an "owned area". The units will be architecturally similar. Schultz said they may put in one 4- or 5-unit building in the next section and see how it goes. Member Locke confirmed the purchaser of the property would be subject to belonging to the Home Owners' Association and its bylaws. Member Daily suggested a hydronic system for the units to allow for future alternative energy sources. Board indicated they would consider this project.
- Board discussed changing meeting dates to 2nd Tuesday of the month beginning November 9, 2010. *(Note: It was later discovered there is a scheduling conflict with the second Tuesday. Meeting schedule will be resolved pending Board agreement.)*
- Election of officers:
 - ➔ Member Locke moved, Member Daily seconded, unanimously carried that Charles Switzer remain as Chair and Arthur Appleby remain as Vice Chair.
- Member Daily asked about "green" code changes and how they are adopted into our code. CEO Zarnstorff explained any and all changes to NYS codes are passed down to him for enforcement. The Board further discussed air ventilation systems.

NEXT SPECIAL MEETING: Monday, October 18, 2010, 7:00pm to continue application of 52 State Street.

NEXT REGULAR MEETING: *(Note: Meeting originally scheduled for Tuesday, November 9, but there is a scheduling conflict. Next meeting date to be resolved pending Board agreement.)*
Application materials due by Noon Tuesday, November 2, 2010. *(Note: this date will change pending Board agreement on new schedule.)*

ADJOURNMENT:

- ➔ Member Locke moved, Member Daily seconded, unanimously carried that the meeting be adjourned at 8:43pm.

Pamela W. Krahe, Clerk