

Regular meeting of the Planning Board of the Village of Brockport was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Monday, September 14, 2009 at 7:00pm.

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

EXCUSED: Member R. Scott Winner

ALSO PRESENT: Mark Lewis, Joan Hamlin, Jim Hamlin

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

REVIEW OF MEETING MINUTES: After a brief discussion, approval of the minutes of June 8, 2009 was tabled. As only Members Appleby, Locke and Blair were in attendance at the June meeting and Member Blair is no longer part of the Board, and neither Chair Switzer nor Member Winner can vote on those minutes due to absence, inquiries must be made as to how to proceed. Village Clerk Morelli and/or Village Attorney Leone will be consulted.

SELECTION OF CHAIR AND VICE CHAIR FOR 2009-2010:

⇒ Member Locke moved, Member Daily seconded, unanimously carried to approve Charles Switzer and Arthur Appleby to remain Planning Board Chair and Vice Chair, respectively.

CORRESPONDENCE:

1. Chair Switzer noted receipt of Member Kent Blair's resignation from the Planning Board following his recent election as Village Trustee. Also noted Trustee Blair is the Village Board liaison to the Planning Board.
2. Chair Switzer noted receipt of correspondence from the State University of New York regarding field house project on the Brockport Campus and their designation as Lead Agency.
3. Chair Switzer mentioned the recent application of the Grace Bible Fellowship to the Zoning Board of Appeals for a special permit and questioned why the applicant had not been directed to come before this Board as well. Code Enforcement Officer Zarnstorff explained in this case the number of parking spaces is determined by the number of seats in the worship space and that had been adequately discussed during the Zoning Board of Appeals meeting. Board members concurred Grace Bible Fellowship should appear to at least discuss parking if not change of use as well, and asked CEO Zarnstorff to follow through. It was noted Code Review Committee is in the process of looking at Chapter 58 Zoning. CEO Zarnstorff noted he had some code research pertaining to this case and would forward it to Board members.

PUBLIC HEARINGS: None

OLD BUSINESS: None

NEW BUSINESS

- | | | |
|--------------------|-----------------|---|
| 1. Application of: | Name: | Mark Lewis |
| | Address: | 21-25 Main St. |
| | Tax Map #: | 069.45-2-7 |
| | Zoning: | Business |
| | Parcel Size: | 50.08' x 99' |
| | Property Class: | 481 |
| | Purpose: | change of use – convert vacant 3 rd floor into 2 large loft-style apartments (rec'd area variance from ZBA 8/25) |

Chair Switzer noted receipt of an e-mail from Member Scott Winner, who could not attend this evening's meeting, but did offer his opinion on tonight's application, and read it into the record as follows:

Team,

Unfortunately, unless there is a change of plans, my work will keep me in Fairport, presenting to their village board, the night of this meeting.

Please allow me to submit the following remarks for the record.

I recall reviewing 21-25 S. Main Street application some months ago. I understand that the applicant encountered considerable, and in my view unwarranted, resistance to his ZBA application. I was relieved to learn that the ZBA did the right thing, in my estimation, and granted the area variance in spite of that opposition.

I am squarely in favor of this project being approved. It is precisely this type of retail/residential mixed-use that forward-thinking communities across the nation are promoting, pursuing and approving. Encouraging developers to engage in well-planned and executed adaptive reuse of existing structures is a common and

accepted principle of, and practice in, Main Street revitalization efforts. It is a green, energy-efficient form of development as compared to new construction. It also represents our best hope for maintaining a lively,

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vital and viable central business district in the village that has served as the heart of the greater Brockport community for nearly two centuries.

As with all applications, the devil is in the details. Nonetheless should a vote be called, if permissible, let this e-mail serve as my vote, in absentia, in favor of approving this application. If not, I ask you to please consider these remarks as you weigh your decision.

Sincerely,
Scott

Applicant Presentation:

Mark Lewis handed the Board a written synopsis of his proposed project as well as showed photographs of the existing space and the transformation of a similar project at 57-59 Main Street, which is nearly complete. He explained the third floor of 21-25 Main is about 2200 sq. ft., contains 17 windows and he would like to convert it into two loft-style apartments, a single-bedroom and a two-bedroom unit. Supporting his opinion that there is a need for upscale apartment living in the Village, he informed that his two new apartments at 57-59 Main had been rented within six days of being advertised, even though they were not yet finished.

Mr. Lewis summarized the apartments would be 1100 and 1200 sq. ft., would have a storage room on the second floor, and would have a similar high-end but economical finish as the two units at 57-59 Main. He indicated that, after talking with CEO Zarnstorff, with his architect, and considering his own personal feelings on safety, he has decided to install a residential sprinkler system in the apartments even though it is not yet required by NYS code. Additional safety features will include interconnected fire/smoke alarms throughout the building as well as the installation of a wide, fire-rated stairwell from the third floor to within six (6) feet of the second floor exterior exit, allowing third floor tenants safe egress.

Speaking to parking and trash, Applicant Lewis indicated he thoroughly explains the parking limitations and regulations within the village, going so far as to include it as part of his lease. He indicated current and prospective tenants readily adapt. Concerning trash, he pointed out he has two totes to accommodate his current tenants, with room for two additional totes if necessary, and that the totes are properly screened per Village Code with stockade fencing.

Continued Board discussion on application:

Chair Switzer inquired as to the necessity of a fire escape and CEO Zarnstorff clarified none is necessary because of the type of building construction—brick, plaster, and large pieces of wood. He confirmed his conversation with the applicant advocating for a sprinkler system though it is not yet NYS Code to do so. Member Appleby inquired about tenants being able to safely escape in the event of a fire and M. Lewis reiterated the information about the sprinkler system, interconnected alarms, and the fire-rated stairwell and its close proximity to the second floor exit,

Member Appleby questioned the plumbing and electrical and M. Lewis replied it will all be brand new. Member Appleby also asked about the cellar and M. Lewis indicated that because the hallway is in the center of the building, they will be able to install a chase in which to run wires. When asked about the condition of the sewer system, the applicant explained it is not in good shape, it is his responsibility to replace as opposed to the Village's, and that when the rear exterior stairs are repaired/replaced, the plumbing will be put in at that time.

Chair Switzer noted SEQR for this project had been taken care of by the Zoning Board of Appeals when Mr. Lewis attended that meeting last month. The Board briefly questioned the applicant on his appearance before the Zoning Board of Appeals, which was for total square footage in excess of code allowances. A variance was granted.

⇒ Member Appleby moved, Member Daily seconded, unanimously carried to approve the change of use.

The Board wished Mr. Lewis good luck. CEO Zarnstorff mentioned there will be an Open House of the new apartments at 57-59 Main in the next few days should anyone like to see them.

NEXT REGULAR MEETING: Tuesday, October 13, 2009, 7:00pm; Application materials due by Noon Tuesday, October 6, 2009.

ADJOURNMENT:

→ Member Appleby moved, Member Locke seconded, unanimously carried that the meeting be adjourned at 7:38pm.

Pamela W. Krahe, Clerk