

Regular meeting of the Village of Brockport Planning Board was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Monday, August 11, 2014 at 7:00pm.

PRESENT: Chair Arthur Appleby, Vice Chair Charles Switzer, Member Kevin McCarthy, Member Laurie LoMonaco, CEO David Miller, Clerk Pamela W. Krahe

ABSENT: Member Patricia Baker

ALSO PRESENT: David Strabel, Mohammed Hady, Hayder-Mazyed, Steven Zisovski, James Zisovski, Hollie and Scott Geitner, Kirk Wright, Joan Hamlin, Fred Webster

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 Switzer moved, Member McCarthy seconded, unanimously carried to approve the minutes of July 14, 2014 as written.

CORRESPONDENCE: Letter from Brockport Fire District dated July 20, 2014 requesting the Village look into the maintenance and care the “unnamed alley” between the municipal parking lot and the property at 24 Market Street. Chair Appleby also noted some upcoming workshops.

OLD BUSINESS:

1. Name: Mohammed Hady and Hayder-Mazyed
Address: 73 Main Street
Tax Map #: 069.53-1-23
Zoning: B-Business
Parcel Size: 24' wide x 143' deep
Prop. Class: 481
Purpose: Final approval for convenience store pending submission of compliant floor plan

Presentation/discussion:

David Strabel reviewed details of the convenience store with a storage area in the back. Deli will be for sub sandwiches and the like. The furthest area is the garage, to be used for storage. Applicants are only leasing the first floor, not the second.

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 McCarthy 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 LoMonaco moved, Member McCarthy seconded, unanimously carried to approve the application as submitted.

NEW BUSINESS:

1. Name: David Strabel
Address: 24 Market Street
Tax Map #: 069.53-1-3
Zoning: B-Business
Parcel Size: 22' wide x 77' deep
Prop. Class: 484
Purpose: Site plan approval to build 2nd floor over entire footprint

Presentation/discussion:

Mr. Strabel explained his client, Mr. James Zisovski, would like to build a second story which will contain 2 apartments. The property is just outside of Historic Preservation bounds and is currently a single story building. Proposed façade will have classic windows. First floor may become a storefront though there is no tenant yet. It will remain commercial per code.

They are not required to have onsite parking. The two apartments are less than 800 sq. ft. per code. They have already received a variance from ZBA to allow proposed setbacks. The building footprint is the property boundary. The unnamed alley allows him to put windows on the second floor on the east wall. 18-20 Market is also owned by the Zisovskis. All utilities pre-exist in the building. Mr. Strabel concluded by stating he would like to request final approval tonight.

MINUTES OF PLANNING BOARD MEETING OF August 11, 2014

Vice Chair Switzer mentioned the letter (referenced in CORRESPONDENCE above) from the Brockport Fire District dated July 20 regarding the condition of the unnamed alley, i.e. trash, weeds, debris, and noted it would be village responsibility. Papa Zisovski interjected that he called DPW Supt. Donahue a while back, who said he would look at it. It has been cleaned up since the date of the letter and looks much better. The board complimented the new façade.

The building is concrete block wrapped with aluminum siding. It's a 20' span inside the building. Upper story will be wood. The west and south walls will be fire-rated.

CEO Miller expressed a concern if the village should want to sell the alleyway. Strabel pointed out the village can decide to sell any of its streets. In the SEQR process it would be determined if others fall into noncompliance because of the sale. Roof material may be rolled roof as the pitch is so shallow.

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

- ➔ Member LoMonaco moved, Member McCarthy seconded unanimously carried determining this an Unlisted Action on SEQR per NYCRR 617.7.
- ➔ Member Switzer moved, Member LoMonaco 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 McCarthy moved, Member LoMonaco seconded, unanimously carried to approve the application as submitted.

2. Name: Kirk Wright for Sign & Lighting Services
Address: 73 N. Main Street
Tax Map #: 068.44-2-12.1
Zoning: B-Business
Parcel Size: ~2.3 acres
Prop. Class: 454
Purpose: Remove existing signs and install new signs per plan

Presentation/discussion:

Mr. Wright explained he will fabricate some signage for Rite Aid. They have taken additional sq. footage of the former Big M to add GNC Live Well and a food mart. They are also adding a drive thru on the north side of the building and want the store to look traditional. The old signs were put up in the late 1980s. New signs will be LED-lit. ZBA has approved additional signs to be placed on the façade of the building.

The board wondered about the pylon sign. Mr. Wright clarified that is Ellicott Development's property and is not part of his work. When asked if the signs would be lit 24 hours, Wright said they go off about an hour after closing along with the parking lot lights. Rite Aid doesn't want the signs lit up when the store is closed. This property is not in the Historic Preservation District.

The board asked CEO Miller why this application is here. He explained it is to approve the concept and to be sure the Planning Board is okay with the plan. The board wondered if there were enter and exit signs designed for the drive thru. Applicant Wright said yes, but they wouldn't be lit and they wouldn't be Rite Aid signs, they would be way-finding signs. They are not his to create.

CEO Miller mentioned the sign ordinance allows only one lit sign, so the board has to approve multiple lit signs.

- ➔ Member Switzer moved, Member LoMonaco seconded, unanimously carried to approve the application for multiple illuminated signs, whereas only one sign is permitted by code, as submitted.

3. Name: Hollie Geitner
Address: 192 Clark Street
Tax Map #: 068.11-3-3
Zoning: O-Residential
Parcel Size: ~1.1 acres
Prop. Class: 210
Purpose: Driveway expansion

Presentation/discussion:

Ms. Geitner explained she is purchasing 192 Clark and expects to close at the end of this month. She

MINUTES OF PLANNING BOARD MEETING OF August 11, 2014

has obtained approval from the Zoning Board of Appeals to open a hair salon and now she would like to expand the driveway. By the time they got the property survey, they only had two days to put this application together. They have since had a contractor come over and now they want to expand by 4-5' at the throat of driveway. Chair Appleby questioned the percentage of side yard paved. Allowed is only 50%, the applicant has close to 60%. A 15' wide patch might be okay. There will be stone put down first; the owners will park their car beside the garage. Only the binder will go down this year; the contractor will come back in the spring to put the final coat on.

Aesthetically, it would look better to have the pavement line straight. The owner will probably put stripes on the pavement at a 45-degree angle for parking and they would like to have DPW trim the branches of the maple. CEO Miller countered that striping doesn't fit with a residential zone; this shouldn't look like a parking lot. Board suggested the applicant park her car at an angle to show customers how to park. The applicant doesn't want to upset the neighbors by having customers park on Clark St. The board suggested the use of timbers as markers for parking spaces or pulling in at a 90-degree angle.

Rules about signage were previously explained by the ZBA. Chair Appleby reminded that a home occupation cannot change the character of the neighborhood at all. CEO Miller recommended the board include in the motion an exact width of the pavement beside the garage.

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

- Member LoMonaco moved, Member McCarthy seconded unanimously carried determining this an Unlisted Action on SEQR per NYCRR 617.7.
- Member McCarthy moved, Member LoMonaco 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 LoMonaco moved, Member McCarthy seconded, unanimously carried to approve the application to widen the driveway an additional 4' at the curb leaving a grassy arched area around the maple tree, which will widen to 20'; and allow 14'9" x 24'7" of pavement alongside the garage to remain under the 50% allowed by code. The binder coat will be put on this year with the top coat to be put on within two years. The Geitners are to contact DPW for a curb cut and to trim the tree branches. The pavement is not to be striped.

OTHER BUSINESS:

- Selection of Chair and Vice Chair.
 - Member Switzer moved, Member LoMonaco seconded, unanimously carried to have Art Appleby and Chuck Switzer remain as Chair and Vice Chair, respectively.
- If a driveway is currently stoned and the owner restones it, do they have to come before PB? CEO Miller explained that any new or expanding use shall be in compliance. He has spoken with the attorney about his determination on a legal preexisting use and he has to be able to prove it. The driveway expansion at 57 State Street was brought up. Miller reports that owner Webster will be fixing it back to the way it was before the original excavation. No rental CO will be issued without it. September 15 is the deadline to have valid rental certificate of occupancy.

UPCOMING MEETINGS/DEADLINES:

- Monday, September 8, 2014, 7pm; application materials due by Noon, Monday, August 25.
- No meeting is scheduled for Monday, October 13 due to the holiday.

ADJOURNMENT:

- Member McCarthy moved, Member LoMonaco seconded, unanimously carried that the meeting be adjourned at 8:25pm.

Pamela W. Krahe, Clerk