

Regular meeting of the Village of Brockport Planning Board was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Monday, November 10, 2014 at 7:00pm.

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

EXCUSED: Member Patricia Baker

ALSO PRESENT: Jason Maine, Kris Schultz and guest, Giovanna Tutobene

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 September 8, 2014 as written.

CORRESPONDENCE: A communication was received regarding a highway seminar.

NEW BUSINESS:

1. Name: Jason Maine
Address: 95-97 Erie Street
Tax Map #: 068.60-2-1
Zoning: O-Residential
Parcel Size: 91.9' wide x 128.04' deep
Prop. Class: 220
Purpose: driveway expansion

Presentation/discussion:

Jason Maine indicated he owns the property; it is 2 units, 3 bedrooms on each side. Tenants don't want to park on the lawn or street, so he would like to widen the existing driveways on both the east and west sides of the house to allow for one car per bedroom.

Chair Appleby asked if it is cut out on the east side. Applicant affirmed and said it widens next to the house. Chair asked about the fence; it was there when applicant bought the house. Chair asked if the west driveway could be lengthened instead of widened; applicant said he hadn't thought about it, but that could be done. Applicant assured the driveway on the east side will not be widened toward the neighbor. The group wondered if 17' or 18' wide would accommodate two cars side by side. It was suggested that 2 cars park on the east side and 4 on west side. Owner wants to keep existing trees.

CEO Miller pointed out that per code, the east driveway cannot be widened to be in front of the house. The line can remain the same as the existing driveway. The west drive could be lengthened to maybe 35', remove the fence, and widen it 9' to the west. CEO Miller cautioned the board this is a corner lot and therefore has two front yards. 50% of a side yard can be paved. A front yard can have the existing driveway. It was suggested to lengthen the east drive to allow parking in the rear.

Chair Appleby opined that as both addresses are on Erie Street that would be the front yard. The board calculated side yard and driveway square feet. Total paved square footage is well under allowable amount.

Chair Appleby spoke about a red house on Main Street and that gravel driveway. Board ended up suggesting removing the driveway off the back of the house and moving it to the side of the house.

CEO Miller recommended that seeing how it is not going to be paved right way, waiting on a decision and refer it to the ZBA for definition of a side yard on a corner lot. Mr. Maine explained he did not originally rent to 6 tenants with 6 cars. It's the same group of students, but cars have been added over time. The ZBA can render an interpretation in December, then this board can reconvene to decide. Chair Appleby will craft a letter to ZBA asking for a ruling on front and side yard on corner lot.

➔ Member Switzer moved, Member McCarthy seconded, unanimously carried to request an interpretation from the ZBA on the definition of side yard and front yard on a corner lot, and table this application for final decision until interpretation is received.

2. Name: Kris Schultz for Canalside Developers
Address: Sunflower Landing, Lots 2, 3, & 4
Tax Map #: 069.10-5-47, -48, & -52
Zoning: Q – Planned Development
Parcel Size: 250' wide (+ or -) by 130' deep (+ or -)
Prop. Class: vacant

MINUTES OF PLANNING BOARD MEETING OF November 10, 2014

Purpose: Resubmission of previously approved resubdivision plans

Presentation/discussion:

Kris Schultz explained Canalside had been before this board in February 2011 for approval of the resubdivision of Lots 2, 3 and 4, which was granted in April 2011, including SEQR.

Chair Appleby asked for clarification on why this application is here – is it because of this board's arbitrary "two-year rule"; or is it for environmental reasons? Schultz assured there are no environmental concerns at all, it is more to be considerate to the village. Everything was all set with the previous approvals, then the housing market dropped out, now it is coming back. Senior-oriented dwellings are going well. This totals 5 units, there are two doubles and one single. Originally there were 3 different lots, but now lot lines have been removed.

Appleby also asked about another public hearing; Schultz opined if there is new information or any substantial changes to the plan, a new public hearing would be necessary. He is changing nothing, there is no new information, and SEQR was done so it doesn't have to be redone. Schultz thought that because this board has different members, he would come in as a courtesy. Canalside has interest now so they hope to start those dwellings within a year. These lots have all utilities, roads, etc. Schultz projected he might be coming back in the spring for the next section. The rear lots are all single-family. These units are not rentals. Price range is from \$150,000 - \$350,000.

CEO Miller asked if the SPDES permit still valid. Schultz affirmed. He explained they can maintain their current SPDES permit and adopt new regulations as they come along, or they can ask the DEC for a waiver, which they do grant if you have difficulty implementing new regulations. Chair Appleby asked if we are behind the 8 ball environmentally for this project. Mr. Schultz said no, the ponds were originally sized much larger than they needed to be. Schultz mentioned he recently received a letter from Chatfield Engineers with no concerns on this application.

- ➔ Member Switzer moved, Member McCarthy seconded, unanimously carried to reapprove and extend the previous approval of the project as it was submitted in 2011. The board confirmed there are no substantial changes to these plans since first submitted in 2011, and the SEQR process was completed in 2011 when the application was originally submitted.

OTHER BUSINESS:

- Discussed letter to ZBA regarding request for interpretation

UPCOMING MEETINGS/DEADLINES:

- Monday, December 8, 2014, 7pm; application materials due by Noon, Monday, November 24.
- Monday, January 12, 2015, 7pm; applications due by Noon, Monday, December 29.

ADJOURNMENT:

- ➔ Member Appleby moved, Member Switzer seconded, unanimously carried that the meeting be adjourned at 7:58pm.

Pamela W. Krahe, Clerk