

**Meeting of the Village of Brockport Zoning Board of Appeals was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Thursday, May 3, 2018, 7:00pm.**

**PRESENT:** Chair Robert Duff, Member Sal Sciremammano, Member Laurence Vaughan, Member Eileen Ryerse, Clerk Katie Brown

**EXCUSED:** Code Enforcement Officer David J. Miller

**ALSO PRESENT:** Delanda DeLucia, Kristin Stiles, David Hale, Margaret Hale, Kathy Kristiansen, Anne Crane

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

**REVIEW OF MEETING MINUTES:** Chair Duff noticed the "Adjournment" heading was misplaced in the layout of the minutes. Clerk Brown stated she will move it to its proper location at the end of the document. Chair Duff called for a motion to approve minutes.

→ Member Sciremammano moved, Member Vaughan seconded, unanimously carried to approve the minutes of the meeting held January 25, 2018 as amended.

**NEW BUSINESS:**

1. Name: Delanda DeLucia  
Address: 23 Morgan Court  
Tax Map #: 068.11-7-40  
Property Code: 210 – Single family  
Zoning: Residential  
Lot Size: 0.68 acres  
Purpose: Special Permit - home occupation  
Zoning Code: Chapter 58-9A(5)(b)  
Any person desiring to carry on a home occupation must obtain a special conditional use permit. This permit may be granted by the Zoning Board of Appeals.

**Applicant Presentation:**

Chair Duff explained the premise of a special use permit and the conditions around its issuance. He went on to explain a home occupation is provided for in the village code pending a special use permit being issued.

Applicant Delanda DeLucia addressed the Board. She explained that she has been grooming dogs and cats for several years and would like to run her own business out of her home. She has a very small customer base as of now, not large enough to afford to rent a business space. She hopes to grow her business over time and open a grooming salon in a rented space once her customer volume warrants it.

**Public Comment:**

→ Member Sciremammano moved, Member Ryerse seconded, unanimously carried that the regular meeting be closed and the public hearing be opened at 7:06 pm.

Kristin Stiles of 22 Morgan Court addressed the Board. She is concerned about how business growth might affect the atmosphere and traffic of the neighborhood. Ms. Stiles said that she does not wish to limit Mrs. DeLucia's business success, however a highly active business with a large customer base is inappropriate for the neighborhood. Ms. Stiles asked Mrs. DeLucia if she plans to limit the number of customers she has on a given day/week and what the hours of operation will be.

Mrs. DeLucia is expecting to have 2-5 customers per week initially and is hoping to grow up to 10-15 customers per week. She believes if she establishes a consistent 10-15 customer per week pattern, she will then be able to afford a separate business space as well as hire staff.

David Hale of 26 Meadow View Dr asked if there will be a sign for the business on Mrs. DeLucia's property. Mrs. DeLucia has not planned on installing a sign. She has a business logo is considering replacing her existing 12" x 18" decorative garden flag with a customer flag displaying her logo to help customers locate the correct house. She is primarily relying on word of mouth advertising.

Mr. Hale asked the Board if the village has provisions or restrictions on signs, specifically sign sizes. Chair Duff replied that there is a sign code that the village code enforcement officer ensures is complied with. Mr. Hale asked if the business will be contained inside Mrs. DeLucia's house. Mrs. DeLucia affirmed that the dogs and cats will remain inside her house during their scheduled appointment. Each animal is there for a couple of hours.

Mr. Hale added that he believes Mrs. DeLucia's driveway will be sufficient for parking if her customer traffic is, in fact, as limited as she anticipates

**ZONING BOARD OF APPEALS MEETING OF MAY 3, 2018**

- ➔ Member Ryerse moved, Member Sciremammano seconded, unanimously carried that the public hearing be closed and the regular meeting be reopened.

**Continued Board discussion on application:**

The Board confirmed with Mrs. DeLucia that she would be the only employee of the business while it is located in her home. The Board reiterated that Mrs. DeLucia needs to consult with the Code Enforcement Department if she decides to utilize a sign to ensure it complies with the village code. The Board discussed the use of Mrs. DeLucia's driveway as customer parking, determining it is likely sufficient as it is a drop-off/pick-up business with customers only coming one at a time.

Member Sciremammano and Member Vaughan noted that Mrs. DeLucia's original business plan outlined running the business out of her basement, which has since been ruled out by CEO Miller due to the requirement of a second means of egress. Mrs. DeLucia is aware, after conversing with CEO Miller, that she cannot run the business out of the basement and instead will operate on the first floor.

Mrs. DeLucia provided more detail about her operating hours. She plans to work primarily Monday through Friday during the daytime, while her kids are at school and her husband is at work. She may have occasional evening or Saturday appointments, but prefers not to work on Sundays.

Member Sciremammano said he had lived near a dog groomer in the past and experienced no problems except for dog excrement near road/sidewalk from dogs being picked up or dropped off. He hopes this will be well-controlled at Mrs. DeLucia's home. Mrs. DeLucia always advises her customers to bring their pets on a leash or in a carrier. She will advise her customers to park at the front of her driveway, close to the house to avoid any excrement near communal areas. She will provide bags for customers to clean up after their pets and will regularly check her lawn herself.

Chair Duff summarized the discussion stating that the applicant is aware that, per CEO Miller's evaluation, the basement is not a useable space for the business. The applicant plans to limit the number of customers to 2-3 per weekday during daytime hours with occasional evening/weekend appointments. If her customer base grows to consistently exceed 3 dogs per day or 15 dogs per week, the applicant will work to relocate the business to a separate space outside the neighborhood. The applicant will refer to the Code Enforcement Department if she decides to utilize a sign for her business. Her business is not anticipated to generate any more traffic than would normally be acceptable in the neighborhood.

Member Sciremammano asked Mrs. DeLucia if she is required to be certified for grooming. Mrs. DeLucia said there is no legal requirement, however she attended the Rochester Institute of Dog Grooming in 2001. The school has since closed. Mrs. DeLucia has applied for a DBA. If her business grows enough to warrant a separate space and more employees she will file for an LLC.

Member Ryerse stated her concern for the neighborhood is noise from "yapping" dogs. Mrs. DeLucia explained that barking is not usually an issue and any dogs that are prone to barking she works on quickly and requests owners to pick them up as soon as their grooming is complete.

Chair Duff asked how the dogs are contained when they are not being groomed. Mrs. DeLucia plans to keep the dogs inside her house and only take them out if the need to relieve themselves. She plans to utilize a dog crate to contain a dog once their grooming is finished.

- ➔ Member Vaughan moved, Member Sciremammano seconded, that the applicant be granted a special use permit to operate a home occupation, specifically a dog/cat grooming service, at 23 Morgan Court.

Role call vote:  
Member Sciremammano     Aye  
Member Duff                 Aye  
Member Ryerse             Aye  
Member Vaughan          Aye

The motion carries unanimously with 4 votes in favor, 0 against.

**Adjournment:**

- ➔ Member Sciremammano moved, Member Ryerse seconded, unanimously carried that the meeting be adjourned at 7:27 pm.

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Katie Brown, Clerk