

Meeting of the Zoning Board of Appeals of the Village of Brockport was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Monday, November 25, 2002 at 7:00pm.

PRESENT: Chair Jennifer Skoog-Harvey, Vice Chair / Member Irene Manitsas, Member John Bush, Member Carrie Maziarz, Building/Zoning Officer Scott C. Zarnstorff.

EXCUSED: Clerk Leslie Ann Morelli

ALSO PRESENT: Frank A. Alois; Deputy Village Attorney, Peter Maxson, Joan Hamlin.

CALL TO ORDER: Chair Skoog-Harvey called the meeting to order and led the Pledge to the Flag.

REVIEW OF MEETING MINUTES: Chair Skoog-Harvey called for a motion to approve the minutes of the October 23, 2002 meeting.

➔ Member Manitsas moved, Member Bush seconded, unanimously carried to approve the minutes of the meetings held October 23, 2002 as written.

CORRESPONDENCE: None

NEXT MEETING: Monday, January 27, 2003

⇒ Chair Skoog-Harvey moved, Member Manitsas seconded, unanimously carried to close the regular meeting and go to public hearing.

Public Hearings:

7:00pm – Legal notice published in the Suburban News read as follows:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village of Brockport will hold a PUBLIC HEARING on **Monday, November 25, 2002 beginning at 7:00pm** in the Conference Room of the Village Municipal Building at 49 State Street, Brockport, New York.

1. Application of: Lakeside Memorial Hospital
Address: 156 West Avenue
Tax Map #: 068.08-1-1
Zoning: Business Use District
Purpose: Area Variance to allow a building height of 61'6" instead of the 35 foot maximum for the construction of a fourth floor onto Lakeside Memorial Hospital.

Provision of Zoning Ordinance Appealed: 58-11C

2. Application of: Lakeside Memorial Hospital
Address: 156 West Avenue
Tax Map #: 068.08-1-1
Zoning: Business Use District
Purpose: Area Variance to allow 437 current parking spaces instead of the 509 total spaces required.

Provision of Zoning Ordinance Appealed: 58-21B(2)[d]&58-21B(3)[1]

All interested parties will be given the opportunity to be heard. Applications are available for review at the Village Clerk's Office.

Chair Skoog-Harvey asked the applicant to describe the application for the public and that any member of the public wishing to comment either for or against the application identify their name and address for the record.

Applicant Presentation:

Chair Skoog-Harvey read the tests for the granting of area variances into the record, and also read the legal notice for the meeting, and stated that the notice should become part of the record for the meeting. Chair Skoog-Harvey then asked whether there was anyone present from Lakeside to speak on behalf of the applicant.

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Mr. Peter Maxson stated he was the chairman of Lakeside Foundation, and was awaiting the arrival of Lakeside's attorney and financial officer, who would make the application. Mr. Maxson made brief comments. Lakeside is the last independent hospital in the area. In order to better serve the community, Lakeside needs to update its OB GYN facilities, and add the out patient surgical facility. The larger area wide hospitals, Park Ridge and Rochester General, were attracting physicians, and in order to remain competitive and offer physicians an alternative to the area hospitals, Lakeside needed to move forward with the birthing center and out patient (same day) surgical facility. Mr. Maxson indicated that the funding for the facilities was entirely private, and that the 4th floor surgical facility was in the plans submitted several years previous when other renovations were in progress at Lakeside. Mr. Maxson stated that Lakeside had considered dedicating the courtyard to the surgical facility, and some preliminary planning work was done on digging a basement, but that since the existing structure had been constructed with upward expansion in mind, i.e., in terms of footers, steel, and elevators, the 4th floor addition was chosen as the way to go.

Robert Burgdorf from Nixon Peabody, and Kevin Nancy, the Lakeside Financial Officer, took up the presentation from Mr. Maxson.

Mr. Burgdorf stated that the application did not constitute a detriment to the community; in fact, there was a benefit to the community. The proposed construction would not increase the number of beds, nor would there be any increase in traffic. Since the present Beikirch extended care facility was 64' in height, the proposed 4th floor addition to 61'6" would blend in architecturally, and would be a minor aesthetic detriment, if at all. The footprint of the building would not be changed. The facility would be upgraded with modern equipment, and the improved surgical care would increase capacity and better serve the community.

Mr. Burgdorf was asked whether he would address the parking issue, and he responded that Lakeside had not instructed him to include that issue in his presentation. Mr. Burgdorf referred to correspondence from Mr. Mark Edwards, the Lakeside VP Plant Services, to Mayor Matela concerning the parking issue. That letter, however, was an informational communication, and not the in depth information required to support the parking application.

Counsel advised Mr. Burgdorf that the Building and Zoning officer had made clear (as had counsel in prior communications with Mr. Burgdorf) that the parking variance application was an integral part of the construction and height variance application, and would be considered as one application.

Kevin Nancy continued the presentation on behalf of Lakeside. Mr. Nancy stated that there were 344 full time employees at the hospital working in 3 shifts, with more than ½ of the employees working days. Also, there were 90 employees at Beikirch, and 20 volunteers. Mr. Nancy indicated that there were 48-50 parking spaces at the old nursing home facility that would be dedicated to hospital use. It was contemplated that hospital staff would be encouraged to park at the nursing home facility so as to relieve pressure on general parking at the hospital during the peak 9:30 am to 3:00 pm outpatient usage, and at shift changes. Mr. Nancy advised that the total number of spaces required would run to around 485 spaces, and that the use of the nursing facility spaces by staff would open parking spaces closer to the hospital.

Mr. Nancy responded to a question concerning the plans of Lakeside for the old nursing facility, and indicated that there was presently no occupant, but that it was contemplated that the nursing facility might by sale or lease be converted to a Doctor's Office building. The time line for the conversion of the nursing facility was estimated to be 2 to 5 years.

There was discussion whether the new out patient surgical facility and renovated birthing center would increase the number of beds, increase the number of patients likely to be seen and treated, and increase the number of physicians and staff required to service the facility, with resultant strains on the existing parking. Mr. Nancy indicated in answer to a question that it could be possible for the hospital to reconfigure the existing lot, and add parking spaces in present open space on the campus, but that the cost of preparing and black topping new spaces was economically prohibitive for the hospital.

Mr. Nancy advised that the 3 beds downstairs in the old 360 square foot facility would be replaced by 6 beds in the new 4th floor surgical facility of 525 square feet. Lakeside physicians also had admitting privileges at other hospitals in the area, and it was likely that there would not be an over all increase in the volume of use at the facility. Mr. Nancy did concede that it was possible there would be a 20-25% increase in patient demand for use of the out patient surgical facility. The number of beds and the modernization of equipment, all were targeted at providing service to more patients. The hospital would thus be more responsive to community needs and the increased capacity and quality of services would generate more income to fund the operation and assist the hospital in retaining physicians and staff. Mr. Nancy concluded by indicating that NYS approvals were in process.

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Counsel asked that Lakeside update parking studies that were more than 2 years old, and rework the parking numbers concerning expected patient volumes, visitors, and staff parking, so that there would be a clearer picture concerning the adequacy of the existing parking with the nursing facility spaces, and the actual space count for which a variance would be required.

Mr. Burgdorf and Mr. Nancy advised that the parking studies would be updated and provided shortly.

Public Comment:

Chair Skoog-Harvey then opened the meeting to public comment. Mrs. Joan Hamlin, 50 Park Ave., Brockport, NY 14420, addressed the Board and the applicant, stating that she frequented the hospital the prior summer and that it was very difficult to find parking close the hospital. The parking problems seemed more aggravated after Wednesday, through the weekend, and parking did not improve after 3:00 pm. Mrs. Hamlin commented that while the beds might not be increased, the new expanded services were likely to attract more patients, with consequent strains on the available parking. Further, she observed that the south lot could not be used when the doors were closed at the doctor's office building. There was also discussion concerning when and if the parking lot would be re-lined. Also, when and if the 9' spaces would be reconfigured to 10' spaces. Such configuration could result in the loss of some 44 spaces.

→ Chair Skoog-Harvey then asked the Board to close the public hearing, and on a motion by Member Manitsas, seconded by Member Maziarz, the Board voted unanimously to close the public hearing.

Continued Board discussion on application:

Chair Skoog-Harvey advised the applicant that the Board would expect the additional information on the parking application on or before 12/10/02. Chair Skoog-Harvey asked that the Board hold the application pending review of the additional parking information to be submitted by the applicant, and that the Board reconvene after 12/10/02 in a public hearing and render its decision, on or before 12/20/02. A motion was made by member Maziarz, and seconded by Member Switzer, and the Board unanimously approved the tabling of the application pending receipt and review of the applicant's additional parking information on or before 12/10/02, with decision expected at a reconvened public hearing on or before 12/20/02.

Chair Skoog-Harvey stated that the Planning Board would conduct the SEQR review, and that the ZBA would not do the SEQR review. Mr. Burgdorf requested that the ZBA amend its SEQR referral to provide for single agency SEQR review, and counsel indicated he would look into the matter and advise the ZBA before the reconvened meeting.

It was stated that the next regularly scheduled ZBA meeting was expected to be held on 1/27/03.

Adjournment:

→ On motion made and duly seconded, the Board unanimously approved a motion to adjourn at approximately 8:15 pm.

Leslie Ann Morelli, Village Clerk
(from notes of Frank A. Aloï)