

Regular meeting of the Village of Brockport Planning Board was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Monday, September 10, 2018 at 7:00pm.

PRESENT: Chair Charles Switzer, Vice Chair Kevin McCarthy, Member Patricia Baker, Member Kris Bonzyck, Member Lyle Stirk, CEO Chad Fabry, Clerk Katie Brown

EXCUSED:

ABSENT:

ALSO PRESENT: Christine Hamlin, Dirk Lammes, Marv Duryea, Dan Chianfoni, Annie Crane

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

REVIEW OF MEETING MINUTES: Chair Switzer called for a motion to approve minutes of June 11, 2018.

→ Member Baker moved, Member Stirk seconded, unanimously carried to approve the minutes as written.

CORRESPONDENCE: Letter from John Paul Schepp, Village Engineer, regarding application for 48-50 N Main St.

SELECTION OF CHAIR, VICE CHAIR FOR 2018-2019:

→ Member Stirk moved, Member Baker seconded, unanimously carried that Charles Switzer continue to serve as Planning Board Chair and Kevin McCarthy continue to serve as Planning Board Vice Chair.

NEW BUSINESS:

1. Name: Marv Duryea
Address: 48-50 N Main St
Tax Map #: 069.37-1-21.1
Zoning: Business
Parcel Size: 207' x 279' (1.2 acres)
Prop. Class: 482 – shopping plaza
Purpose: Parking expansion

Presentation/discussion:

Chair Switzer explained that the Board has no objection to the concept of the applicant's plan, but feel the concerns of the Village Engineer should be addressed:

- There should be an engineered site plan, drawn to scale.
- Hydraulic and runoff analysis should be provided for pipe selection to verify adequacy.
- The stream in question is a Class C stream that may require permits from NYSDEC & USACE.

Dirk Lammes is Mr. Duryea's contractor. Mr. Lammes spoke to the Village Engineer's letter by explaining there is no new runoff except on top of pipe. He went on to say that they project has been submitted to the Army Corp of Engineers for review, and it is the Corp who provided the calculations for runoff and tow of slope.

Chair Switzer added that from a planning perspective, the Board will need to know how many new parking spots the expansion will create, will they be striped and what type of lighting will be present.

CEO Fabry added he'd like to see specifics on guardrails as well. There needs to be guardrail on the south and north end to keep pedestrians off. He also requested photometrics for lights and recommended the applicant consult with an engineer.

Mr. Duryea noted that safety is his top concern, as the layout is unsafe now. People are currently parking on the East side of the creek on the gravel, which is dangerous in the dark. People have to walk around culvert or down sidewalk along the road to the front door.

Mr. Lammes plans to discuss runoff concerns directly with Village Engineer. He is open to reducing the length of pipe to a single 20ft piece.

→ Member Bonzyck moved, Member McCarthy seconded, unanimously carried to table the application until the applicant can address concerns of the Village Engineer and update the plan to include specifics on parking layout, guardrails, and lighting.

2. Name: Daniel Chianfoni for The Kratom Shop

MINUTES OF PLANNING BOARD MEETING OF SEPTEMBER 10, 2018

Address: 52 Main St
Tax Map #: 068.52-4-19
Zoning: Business – historic district
Parcel Size: 17' x 116'
Prop. Class: 481 – store & apartment
Purpose: Change of use: Former tattoo parlor to mercantile shop

Presentation/discussion:

Mr. Chianfoni advised the Board that his business opened on August 27, 2018, as he was unaware change of use approval was needed. He went on to detail the nature of his business, which is a mercantile shop that sells herbal solutions and natural alternatives to prescription medication. The shop offers a variety of soaps, salves, jewelry, oils, and powders. His products utilize either CBD, which is a component of the cannabis plant, or Kratom. Unlike THC (another cannabis component), CBD does not cause a "high", it is purely medicinal use. Kratom is a plant from southeast Asia that is used to manage pain, stress, mental health, and energy levels. It is growing in popularity as a natural alternative to opioids or street drugs. He reinforced that the nature of his business is natural healing, not getting people "high" or "stoned".

Chair Switzer mentioned his knowledge of pending legislation in New York State that has the potential to impose age restrictions on the sale of Kratom or make the product illegal altogether.

Mr. Chianfoni responded that he would, of course, discontinue sale of any product that became illegal and would abide by any restrictions the State requires. His store currently has an 18 years of age minimum to purchase any product. Mr. Chianfoni went on discuss his business partner's former addiction to opioids and how Kratom use has allowed him to stay clean for 7 years and turned his life around.

The Kratom Shop will be open Monday through Friday from 11am – 5:30pm and Saturday 10am – 2pm. The shop produces minimal waste and the standard tote in the back of the building will be sufficient. There are no major remodeling plans, as it is an open-concept layout with a few freestanding counters. He has no employees with the exception of his wife who occasionally helps out. The store has 12-24 customers daily, mostly walk in traffic, with the average customer visit lasting 5-10 minutes. There are two emergency exits, which are marked. All deliveries are via USPS. The business' new sign complies with the village code and the historic district colors.

The Board acknowledged the store is a permitted use in the Business district, however they had concerns about the community's perception of the business. Mr. Chianfoni's believes the stigma placed on his products by the FDA is largely due to it being an unregulated industry. Once there are more regulations around it...checks to ensure the product being sold is unaltered/untampered and limitations to who can access it, it will lose its stigma. The Kratom Shop strives to ensure their product is pure by having it tested by 3rd parties. They do not participate in the sale of "extracts" which is concentrated, more potent form of Kratom. They do not sell any drug paraphernalia and they have no intent to market their business like it was a head shop.

Mr. Chianfoni advised the Board that he chose Brockport for his business because he graduated from SUNY Brockport with an accounting degree. He enjoys the community and it is a good central location from his clients.

UPCOMING MEETINGS/DEADLINES:

- Monday, December 10, 2018 7pm; application materials due by November 26.

ADJOURNMENT:

➔ Member Stirk moved, Member Bonzyck seconded, unanimously carried that the meeting be adjourned at 7:43pm.

Katie Brown, Clerk