

Regular meeting of the Village of Brockport Planning Board was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Monday, December 10, 2012 at 7:00pm.

PRESENT: Chair Charles Switzer, Member Arthur Appleby, Member Annette Locke, Member Bernard Daily, Building/Zoning Officer Scott C. Zarnstorff, Clerk Pamela W. Krahe.

ALSO PRESENT: Village Attorney David Mayer (Harris Chesworth), Village Engineer Jason Foote (Chatfield Engineers), Al Plumb, Jr., Greg Petereit, Margay Blackman, Darlene Baker, Joan Hamlin

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

REVIEW OF MEETING MINUTES: Chair Switzer called for a motion to approve the minutes of the previous meetings.

- ➔ Member Daily moved, Member Appleby seconded, carried 3-0 to approve the minutes of September 17, 2012 as written, with Member Locke abstaining due to absence.
- ➔ Member Appleby moved, Member Locke seconded, carried 3-0 to approve the minutes of October 15, 2012 as written, with Member Daily abstaining due to absence.

CORRESPONDENCE: None

PUBLIC HEARINGS: None

NEW BUSINESS APPLICATIONS:

1. Name: Alton L. Plumb, Jr. for 100 Fair St, LLC
Address: 100 Fair Street
Tax Map #: 069.17-1-15
Zoning: Industrial Use District
Parcel Size: 11.23 acres
Prop. Class: 710-Manufacture
Purpose: Phase I – Change of use from vacant to mixed best use

Presentation/discussion:

Mr. Plumb indicated he was looking for Board action and whether or not the Board has decided he can have an operation on Fair Street. He wants permit approval for Phase 1 which includes the recycle/resale operation, the office area, and the farm market. He noted he has separated out the transfer station to another application due to the complexity of the project. His hope is to start generating income on the office space. He expressed his desire to move forward.

Chair Switzer asked about blueprints. Mr. Plumb said he is waiting to see if he can operate there or not. If so, he will get blueprints. Chair Switzer asked CEO Zarnstorff to clarify if activities proposed in Phase 1 fit into the zoning requirements; CEO Zarnstorff stated there are no zoning objections as the plan is now.

Member Appleby asked if this project can be split in two for SEQR purposes. Village Attorney Mayer stated that given the environmental concerns, he doesn't know how it can be split. He explained the project is greater than 10 acres, so it would be a Type 1 activity under SEQR. Mr. Petereit asked that if the uses are allowed per village zoning, then how would that make it a Type 1. Both Mr. Plumb and Mr. Petereit asked about withdrawing the second application that is for the transfer station, hoping they could then go forward. Mr. Plumb queried if they applied just for Phase 1, they wouldn't need a full SEQR. He asked what law requires them to do a full SEQR just for Phase 1. VA Mayer replied that any action, including a simple building permit, requires some sort of SEQR review. Mr. Plumb answered that he does not intend to add anything, just repair roofs, paint the interior, etc. He also wondered why the Board hadn't taken any action from when he first appeared 90 days ago. The applicant voiced he would withdraw the transfer station application and limit his project to warehousing.

Village Attorney Mayer pointed out that the Board must look at the whole property as a Type 1 action, but that doesn't necessarily mean a full environmental impact statement (EIS) would have to be done. Mayer commented that before CEO Zarnstorff could issue any permit, there would have to be a SEQR. The more complex the project, the more complex the review would be. He opined this would probably be a mid-level project which would include a long EAF. Mr. Plumb asked if he adds nothing on, i.e. a porch, why then would he have to do an EAF. There was some discussion about whether any permits would be needed.

Abruptly, Mr. Plumb concluded his presentation, thanked the Board, and left the building, as did Mr. Petereit and Ms. Baker.

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The Board continued discussion. Village Engineer Foote remarked this should certainly be considered a change of use. VA Mayer reiterated this requires a site plan review, and therefore SEQR. Discussion ensued about Type I (larger) and Type II (smaller) actions, and allowed uses in an Industrial Use district. CEO Zarnstorff suggested the reuse of office space has merit with no real roadblocks, but the transfer station and the dismantling of automobiles may be of concern. There was concern that all of the autos in the process of being dismantled may not fit inside the building, but rather would have to be stored outside.

- The Board noted that Mr. Plumb's applications, as they stand right now, are not considered complete as each is lacking a detailed set of plans and a long Environmental Assessment Form. Mr. Mayer indicated the first step would be for Mr. Plumb to decide exactly what his application would be for, then to complete a long EAF. It was also his opinion that this is clearly a Type I action and thus requires the long EAF. In subdividing for the purpose of a second use, the Board must consider what the second use is and what impact it will have.

Member Daily suggested looking at other transfer stations and reviewing what process they went through to gain approval. The suggestion arose to contact the Planning Board in Macedon, where Mr. Plumb's other facility is. CEO Zarnstorff mentioned a similar project recently proposed by Suburban Disposal in Ogden; there was a lot of public comment, traffic was studied, etc., and the project was denied. This transfer station proposal indicates approximately 100 trucks per day would come through the facility.

Member Daily expressed his desire that village buildings are occupied. If they are not, they deteriorate. But he has great concern about trucks driving inside buildings to deposit their loads, and the fumes they will exhaust. There was also concern about the contents of the garbage bags being opened. VE Foote emphasized that OSHA would play a big part.

CEO Zarnstorff reiterated the project is complex, and each use should be reviewed. He also recalled that perhaps Mr. Plumb may be or may have been pursuing similar projects in LeRoy or East Rochester.

2. Name: Alton L. Plumb, Jr. for 100 Fair St, LLC
Address: 100 Fair Street
Tax Map #: 069.17-1-15
Zoning: Industrial Use District
Parcel Size: 11.23 acres
Prop. Class: 710-Manufacture
Purpose: Phase II – Change of use from vacant to transfer station

Presentation/discussion:

There was no presentation as the applicant previously left the meeting.

NEXT REGULAR MEETING: Monday, January 14, 2013 7:00pm, upon application.
Application materials due by Noon Wednesday, January 2.

ADJOURNMENT:

- ➔ Member Appleby moved, Member Daily seconded, unanimously carried that the meeting be adjourned at 7:40pm.

Pamela W. Krahe, Clerk