

Regular meeting of the Planning Board of the Village of Brockport was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Monday, May 8, 2006 at 7:00pm.

PRESENT: Vice Chair John Brugger, Member Charles Switzer, Member Annette Locke, Member Arthur Appleby, Building/Zoning Clerk Michelle D. Johnson.

EXCUSED: Chair R. Scott Winner, Building/Zoning Officer Scott C. Zarnstorff, Village Engineer Tom Carpenter of Chatfield Engineers, Village Attorney Thomas D. Calandra

ALSO PRESENT: Ed Fuierer, Cathy Cerame, Jim & Joan Hamlin, Hanny Heyen, A.J. Barea, Audrey Pratt.

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

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

- ➔ Member Switzer moved, Member Appleby seconded, unanimously carried to approve the minutes of the meeting held March 13, 2006 as written.
- ➔ Member Appleby moved, Member Switzer seconded, unanimously carried to approve the minutes of the meeting held April 10, 2006 as written.

CORRESPONDENCE: None

PUBLIC HEARINGS: None

NEW BUSINESS:

1. Application of: Name: Audrey A. Pratt
 Address: 36 – 38 North Main Street
 Zoning: Business
 Purpose: to open an independent insurance brokerage agency in an office space located at Carl's Plaza

Applicant Presentation: A. Pratt explained how she has been a resident of the Village of Brockport for 6 years with her husband, daughter and son and she would like to open up a business in the Village that she resides in. It will be an insurance company located in Carl's Plaza which is a 1 story building located on North Main Street at Liberty Street. Her operating hours will be Monday through Friday from 9:00am to 5:00pm and some Saturdays from 9:00am to Noon. There will be no renovations needed. They will advertise in the Tri County Advertiser and Suburban News papers. They will handle personal insurance for vehicles and motorcycles. The only change they will make inside will be to put up a partition where it will shield the break room area for the employees from the office area. She has 23 years experience in the insurance business between her jobs at Best Insurance and Eastern Insurance. She was licensed in 1987. She may add other types of insurance, but for now she will stick to the ones that she has worked with over the years.

Continued Board discussion on application: Member Locke asked where exactly it was located. It is located on the side of the building near the Chiropractor's office. The next property houses Goforth Electric and the Brockport Federal Credit Union. It used to be a pet-grooming store. Member Brugger asked if the holding company was the owner and do they lease from them. That is correct. Member Locke asked what the garbage situation would be. There will be very little generated. There is no dumpster there so it will be taken home and shot away in her personal garbage. Member Appleby asked if it was mostly offices and not stores. That is correct, the vitamin store moved out and the Chiropractor is still there. Member Switzer asked how the signage would be done. A. Pratt plans to talk to the owner about putting a sign on the pole so it is more visible to the people as they pass by. He also wanted to know where the parking would be. The parking will be on the Liberty Street side. Employees are to park in the back. It does appear to be a sufficient amount of parking. Member Locke asked about handicap parking. There is nothing lined out, but every parking spot is easily accessible to the door and it is ground level with no steps.

Member Locke moved, Member Appleby seconded, unanimously carried to approve the application to open an independent insurance brokerage agency in an office space located in Carl's Plaza.

OLD BUSINESS:

1. Application of: Name: Nativity BVM Church
 Address: 138 Main Street
 Zoning: Business
 Purpose: to merge "lot 1" parcel formerly part of 17 Holley Street to 138

Main
Street (received variances from ZBA 3/28 re 17 Holley Street lot
width, lot area & off street parking)

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Applicant Presentation: E. Fuierer spoke for the Church to merge the back parcel that they have purchased from 17 Holley Street to the Church property on 138 Main Street where the community center is located.

Continued Board discussion on application: Member Locke asked what the purpose was for this merge. It is to create more parking spots. They have received the ZBA approval that was needed to purchase the land from 17 Holley Street and allow 17 Holley Street to have a smaller than code parcel but to continue their rental operation as is. This new parking lot will not be connected to the 17 Holley Street driveway. There is a huge slope that is in between the two that would not allow it to happen. A retaining wall will be put up and a fence to stop walk through traffic. The garage that is there now will also be taken down. Member Locke asked if this will affect the neighbors and how will it affect the water flow. No neighbors will be affected and the storm sewers and catch basins that already exist will be extended to meet the needs of this expansion. There will be approximately 15 new parking spots

added with this expansion. Member Appleby asked what the dimensions of the existing parking spots are. They are regulation size of 10 feet by 20 feet. The new ones will be that same size. Member Brugger made a comment that when people pull in they will not be able to leave until the ones that park behind them do. That is correct. It is indicated on the application that it is \$0 value of construction.

The reason is that they do not have all the engineering plans and costs done yet to know the true value. Member Locke asked if it would be paved. They would like to pave, but it may be a little while because of costs. It was noted to the applicant that the Planning Board requires paving within a 2 year period of time. Member Brugger indicated that they couldn't give full approval for this until the engineering plans that include the details of the drainage and sewer are submitted. There is an obvious intent to do this expansion. Mr. Fuierer indicated that they couldn't close on the property they purchased unless there is

approval on this expansion. They said they could give the concept approval pending on getting the plans approved through the Village Engineer.

Member Appleby moved, Member Locke seconded, unanimously carried to approve the concept of the driveway expansion of merging lot 1 parcel formerly part of 17 Holley Street to 138 Main street so that the Church can go forward with closing on the purchase, pending the engineering report and approval from the Village Engineer for final approval with all the details of the drainage and sewer.

2. Application of: Name: A.J. Barea for Eduardo Galan
 Address: 60 – 70 Clinton Street
 Zoning: Business
 Purpose: site plan for fencing and house

Applicant Presentation: Member Switzer commented that the drawing of this fence is very attractive.

A.J. Barea was present to represent E. Galan on the site plans. Lot 2 and Lot 3 are part of an approved subdivision called the Galan Canal Subdivision. E. Galan is aware of the fact that he needs to go through processes to obtain permits and make sure he is doing the right things for the community as he continues to improve his property. He would like to make the fence wall and the house on Lot 3 to be a twin of Lot 2. It will be newer looking because the one on Lot 2 has been there awhile, but it will be the same. The wall structure fence will have lighting and gates for the driveway and the 2 entrances. The spot elevations were shown on the plans but the contours were not shown because they are 90 – 100% flat. They do not want water to go into the house, so it will be elevated to prevent that. There will be no erosion problem due to the fact that it is a flat area.

Continued Board discussion on application: Member Brugger commented that he feels there will be no erosion problem because as he has gone by it he has noticed that there is no dirt in the road from anything being done there. The water goes to the canal wall. A.J. Barea wanted to state a disclaimer. He is not a civil engineer so he is not an expert, but he does not personally see any drainage issues. Member Locke asked if the water pooled at the canal wall. The wall is 2 – 3 feet higher so the water drains into the canal lands. Member Brugger suggested that the Board look at the lots separately as lot 2 and lot 3 so the approvals could be done easier and cleaner. There is no feedback from the engineers yet on the drainage, wall and home yet to give approvals. They would like to go forward with the fence because of the safety issues. Member Locke asked if it would be one wide driveway for both homes. Yes. There are no plans for garages so the driveways would end at the houses. The opening for the driveway is 18 feet at this time, that may cause problems if E. Galan were to sell his house and then the 2 neighbors want separate driveways. Right now there is not enough room for that. It is suggested that they make more room there so it would be a possibility of the future.

A.J. Barea indicated that there are no definite dimensions. They could make it wider for that possible future issue. There are two issues that need to be addressed. The set back from the lot line must be 3 feet.

After looking at the drawings it was determined that it is believed to be 3 feet from the lot line. A.J. Barea indicated that they would make sure that it is 3 feet from the lot line so that it will meet the code. The code for the height of a front fence is only 3 feet high. This fence and wall is 6 feet tall. The fence is 3 feet tall and the wall below it is 3 feet tall. Member Switzer asked if the Historic Preservation Board reviewed the fence. They have and they appreciate the look of the fence. Member Locke commented that it looks like the fence is open and has visibility. Member Switzer indicated that variances might need to be received if the set back and the height are not to code. The fence will extend on the west

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side and then stop due to the slope in the road going up. The West side is more of a façade rather than an enclosure. On the East side it will turn and connect to the house causing for an enclosure on that side.

Eduardo Galan joined the meeting at 7:50pm.

It was indicated that the house and fence would have the same type of stone to show continuity. All the suggestions of the Board for driveway and the accessibility to build the home once the fence has been put up was noted by A.J. Barea. Member Switzer asked if there would be some landscape plans. E. Galan plans to do landscaping with trees and grass. He wants to put pine trees up in the area on the end that is not livable or useable land. They have received canal approvals. They are very excited to have this happen at no cost to them and help make the land look better and be more preserved. Member Appleby said it was good to hear that they responded so quickly with approvals. This Board can give approval for the fence area as long as they consult the Village Attorney that this Board is authorized to give such approval for a 6-foot high fence. The approvals for the home on lot 3 cannot be done without the comments of the Village Engineer.

Member Switzer moved, Member Appleby seconded, unanimously carried to approve the fence to be built conditional on the Village attorney's approval that the Planning Board has the authority to allow the fence to be 6 feet tall in the front of the property and that the fence will be built with the correct setback of 3 feet from the lot line as the code indicates. No construction is to take place on the fence until this is verified. If there are any problems once the Village Attorney gets his verification back to this Board it will be addressed at that time.

The house needs architectural drawings with all the details specified to be approved by the Village Engineer before the final approvals can be made for that construction. Member Brugger asked E. Galan when the debris would be removed. E. Galan indicated that would be taken care of within the next couple of weeks.

Miscellaneous:

48 Merchant Street – POD application status: The last word was that the POD was to be removed and that the applicant does not plan to put up any other kind of construction in its place. This will be verified with the Code Enforcement Officer. (Note: the POD has been removed. Application closed.)

NEXT REGULAR MEETING: Monday, June 12, 2006

ADJOURNMENT:

→ Member Locke moved, Member Switzer seconded, unanimously carried that the meeting be adjourned at 8:30 pm.

Michelle D. Johnson
Building/Zoning Clerk