

PLANNING BOARD
PUBLIC HEARING & MEETING

JULY 19, 2018
6:00PM Town of Portland Office
87 West Main St.
Brocton, NY 14716

Planning Board Members Present: William Westin, Chairman
Bill Maher
Terry Presto
Steve Mawhir

Also Present:

Alan Gustafson, Code Enforcement Officer
Scott Jagoda, Village Clerk/Treasurer
Richard Frost, Mayor
Phil Gerace, Fire Chief
Byran Woleben, Trustee
Art Miller, Trustee
Several Residents
Jennifer Sweet, Sweet Boutique 716
Tammy Thompson, Breathe Life of WNY, Inc.
Joshua Thompson, Breathe Life of WNY, Inc.
David Nelson, Breathe Life of WNY, Inc.

Chairman William Westin opened the public hearing at 6:00 pm for review of a Special Use Permits for Jennifer Sweet of Sweet Boutique 716 and Tammy Thompson of Breathe Life of WNY, Inc. for a coffee shop.

Jennifer Sweet was asked to describe the type of business she will be running which is a small boutique store selling mostly clothing and clothing accessories. She will be open mostly Thursday and Saturday between the hours of 9am and 9pm but varies. Most purchases take's place online. Minimal signage will be used. Location has two addresses, one for her dwelling (25 E. Main St) and the other for the business (27 E. Main St.). Jennifer will be the sole employee. A motion was made by Bill Maher with a second by Terry Presto to consider permit and move on to the next item on the agenda, voting was unanimous, motion carried.

Tammy Thompson was asked to explain the type of business requested on her special use permit under the company Breathe Life of WNY, Inc. Tammy explained they want to open a coffee shop at 2 West Main Street (St. Stephen Hotel) with roughly 3 employees operating Monday-Saturday with hours estimated from 7am-7pm. They would like to adjust the parking lot to allow for a drive-thru service, with a parking lot on the interior of the drive-thru. The business will focus on coffee and what they call "grab and go" food. At this time, no signage is proposed. The proposed name of the café would be St. Stephen's Café. Ideally would like to be open around Labor Day but realistically do not expect that to happen. Projected sales are 60% drive-thru and 40% in shop. Several comments from the public were addressed.

A motion was made by Bill Maher with a second by Steve Mawhir to approve the special use permit for Jennifer Sweet, Sweet Boutique 716 located at 27 E. Main St. Brocton, NY 14716 as applied for the conditions as itemized below:

1. That the Village Board of Brocton does not respond with comment and/or recommendations within 15 days after having received notice of the application
2. That the County of Chautauqua planning board has responded favorably to the special use permit request (if applicable)
3. That a favorable report is received from a SEQRA report (if applicable)
4. Should any of the Conditions 1,2 and/or 3 not be met the planning board reserves the right to meet again to consider the application and the condition that was not met and/or the comment(s) received.

Additional Conditions:

5. Any exterior sign shall be in compliance with all applicable zoning laws – design and installation shall be coordinated with the Village of Brocton Code Enforcement Officer.
6. Any sign (if lighted) shall be an impairment to the vision of drivers on Main St.
7. Any sign shall not have lighting that is a nuisance to nearby property owners and residents.

Voting was unanimous, motion carried.

A motion was made by Bill Maher with a second by Terry Presto to approve the special use permit for Tammy Thompson, Breathe Life of WNY, Inc. located at 2 West Main Street, Brocton, NY 14716 as applied for the conditions as itemized below:

1. That the Village Board of Brocton does not respond with comment and/or recommendations within 15 days after having received notice of the application
2. That the County of Chautauqua planning board has responded favorably to the special use permit request (if applicable)
3. Should any of the Conditions 1 or 2 not be met the planning board reserves the right to meet again to consider the application and the condition that was not met and/or the comment(s) received.

Additional Conditions:

4. Any exterior sign shall be in compliance with all applicable zoning laws – design and installation shall be coordinated with the Village of Brocton Code Enforcement Officer.

5. Any sign (if lighted) shall be an impairment to the vision of drivers on Main St. or Highland Ave.
6. Any sign shall not have lighting that is a nuisance to nearby property owners and residents.
7. A dome style mirror at the sidewalk side of the building/drive thru shall be installed to aid in the vision of both drivers exiting drive-thru and pedestrians passing in front of drive-thru.
8. Concrete bumpers at the edge of pavement near property lines shall be installed to deter vehicles from crossing onto neighboring properties.
9. Diagonal parking on the inside of the proposed drive-thru shall be painted with the approval of the zoning officer.
10. Reflective signing on building facing the sidewalk "caution exiting traffic" and a sign facing the exiting drive-thru traffic saying "watch for pedestrians" shall be installed in agreement with the zoning officer.
11. Parking lot lighting to be coordinated with the zoning officer.
12. Proposed drive-thru window will need to be moved in accordance with the zoning officer.

Voting was unanimous, motion carried.

With no further questions, the public hearing was closed at 6:25 pm on a motion by Steve Mawhir second by Terry Presto. Vote was unanimous, motion carried.

Chairman Westin called the meeting of the Planning Board to order at 6:32 pm with the purpose of voting on both special use permits brought before the board. Vote was unanimous, motion carried.

With no further business brought before the Board, a motion was made to adjourn by Steve Mawhir and second by Bill Maher, vote was unanimous, motion carried. Meeting was adjourned at 6:40 pm.

Respectfully submitted by,

Scott Jagoda
Village Clerk/Treasurer