Zoning Board of Appeals
Minutes
February 16, 2017

Present

Chairman Dole
Dale Kellerson
Mark Unvericht

Absent

Michael Flavin
Diana Powell Keery

Also Present

Zoning Board Attorney Eric Stowe
Zoning Board Secretary Pam Gilbert
Building Inspector Patrick Smith
Carol Nellis-Ewell
Joan Quigley

Chairman Dole led the Pledge of Allegiance.

Public Hearing

The application of John Boothe of Brindle Haus Brewing Company, for a Special Permit to operate a micro-brewery in a Commercial B-3 district located at 377 S. Union Street, Spencerport, New York 14559, whereas, this use may be permitted after a public hearing as provided in Article VI, Chapter 340-23 B (1).

John Boothe: Good evening I would like to introduce my wife Kristine and a partner Tom DiPietro. We provided these drawings in the packets so these are a larger copy. We have an architect working with us on this project and this is a frontal view of what we are doing. The location itself is the old doctor's office. So it's the two big bays and the side section next to the main door for the public entrance. What we are going to be doing is actually putting in overhead doors. Two reasons for it is one open air in the summer and also return the building to its originally element. There used to be an overhead door there when it was an ice cream factory. So we want to return a little of that look back to the facility. The floor plan also was provided. They were small and this is a much more detailed view of the layout. There is approximately 1,200 square foot tasting room. Two bathrooms, a semi flexible space has a banquet table and during normal hours it can be used to rent for private events. Most of the other space approximately 1,400 square feet will be the actual production room where the brew system and fermentation vessels are. Hours of operation are going to be Wednesday and Thursday from 5p.m. to 9 p.m., Friday and Saturday from noon to 10 p.m. and Sunday noon to 5 p.m. We are going to produce about 1,000 barrels a year from our brew system.

Joan Quigley: Will you be serving to or just making.

John Boothe: Yes, so our NYS license provides us to serve samples of not only our beer but also any other NYS labeled beer. We are also allowed to serve glasses/pints of beer. It is a micro-brewery license

John Boothe continues: per NYS code. We will also be providing off premises consumption, we can sell growlers, bombers, and cans for off premises consumption. We are not going to be a bar. We are a family venture and what we are trying to pose a more relaxed family type environment. Actually part of our floor plan we are going to have a section or kids' corner. We both have two little children so we are going to provide an area for kids to hang out and relax. For a person who wants to come in and have a beer or two and take a growler to go. That is ultimately what we are shooting for.

Chairman Dole: You are not going to serve food?

John Boothe: We are not going to prepare food on site. We are going to serve food if it is prepared off premise our license will allow that. We can allow any take out and we will have to be inspected by the health department for that. Per the state license we have to provide foods like pretzels or popcorn at all times.

At this time Chairman Dole closed the Public Hearing.

Chairman Dole then asked Attorney Stowe, Building Inspector Smith and the board if they have any comments.

Attorney Stowe: Do you already have your liquor license permit from the state or is it conditioned on this special permit.

John Boothe: This is probable the most highly regulated business you can get into. We have to get this permit here tonight which will allow us to petition the federal government. Once we get the permission from the federal government and then we have to petition NYS and we have to petition Monroe County. So we have to go through all of those levels in that order before we are allowed to operate. This will be reviewed the floor plan that I stated to you has to be reviewed by all of those agencies. So this is subject to change based on all of those reviews. That is one thing I should let you know.

Chairman Dole: Time frame for all of your regulations that you have to go through?

John Boothe: Shortest 6 months, longest a year. So we are hoping to open by the end of fall beginning of winter this year. In all honesty if we don't get our approvals by January we may push off till spring as it is a better time of open up the business.

Building Inspector Smith: He just needs to get a building permit to remodel.

Dale Kellerson: Some of the questions I had have been partially answered. One of the main glaring things is trying to figure out parking. I know that area doesn't really have special markings for parking as yet. But during the summer time the pool and garden store tends to use the parking spots for selling stuff. I don't know what that's going to do to his business or if there is going to be some arrangements or discussion with him on your part to talk about that. If you look at how many parking spots needed and you have all the other areas in there because there if a lot of tenant space in the back that could be rented out and their will need parking spaces for that. Would there be enough parking in that area if you mark it off and figure how much you need.

John Boothe: That is a concern that we looked at there should be enough space per what the architects did on the code review. The concern with that is the pool supply store taking up so many spaces as part of their business. Doug McDonald who owns the building has said the pool store his understanding with the lease agreement is that they only do that because those spaces are available. We will have further discussions. We are not going to make him take away all that stuff we will come to some sort of agreement on how to use all of those spaces across the front like he does today. He will have to limit those spaces and we are prepared to have those conversations.

Dale Kellerson: The process of making beer what type of things should we be concerned about with the manufacturing process of beer. I know that you have fermentation tanks, you have chemical storage area, you have a boiler, and you have grain storage and a milling machine. So what things are out there that we don't know about? Being honest with us that we don't know about that could be an issue.

John Boothe: The process is really similar to baking bread is the best way to put it. We take the grain in and it will come in pallets once or twice a week of 2,500 pound pallets of grain. That then gets put in to the mill that crushes it which allows us to then use it in our process to convert the glucose and sugars and we can then make the beer. There are no concerns on that what so ever. Once we put it in mash kettle the chemical process to convert that is heavily based on the chemical structures of the water. The chemical storage that you see is to balance our mash so that we create the pH that we want in our water to create the product. There are not a lot of caustic chemicals that are used. Once we are finished with that it goes into the fermentation tank. It creates a bunch of bubbles and it smells good to me. That is really the end of the process. When we clean the tanks there is an acid solution that gets recycled through a sit cart. That is the only chemical that has a pH we can't dump down the drain. So we have what's called a balance tank. We are going to dump used version of that chemical into a tank and neutralize it before we do anything else with it. That is the piece of the process that could potentially harm something. It smells like bread when you are brewing and when you are fermenting depending on the type of beer it is it gives off a smell which I think smells like flowers to me. We are going to be using an all steam system with an electric boiler which will produces steam that will feed our boiler and all the exhaust will go straight through the roof.

Dale Kellerson: How noise is this process going to be?

John Boothe: Minimal noise. The boiler running is probably going to be the loudest noise and the pump.

Dale Kellerson: The big thing I think is the parking or future parking spaces.

John Boothe: Yes, Doug is currently looking to lease the back to a Doctor's offices who want to use it part time, two days a week for office time. So that is what the space is currently being pitched as. Otherwise we have annual options to lease the rest of the space. Our plans are to expand in the next year or two and take the rest of the building. We would prefer to take the entire space but due to lead times we are putting all this money into and we could not make a dime for a year so it wasn't a smart business move to take that space at this time.

Mark Unvericht: To clarify on the food, so it would be stuff catered in for party or if some came in with a pizza and a bunch of guys you are not going to turn them away.

John Boothe: We are actually going to work with businesses in the area for delivery agreements.

RESOLUTION
328/2017

WHEREAS, the Village of Spencerport Zoning Board of Appeals has before it an application from John Boothe, of Bullies Entertainment Group, with offices at of 499 Peck Road, Spencerport, New York 14559 for a special permit to operate a micro-brewery on property at 377 South Union Street, Spencerport, New York 14559; and

WHEREAS, an application for a special use permit is an unlisted action, requiring review under SEQRA;

NOW THEREFORE BE IT RESOLVED, that the Village of Spencerport Zoning Board of Appeals declares that the application of John Boothe, of Bullies Entertainment Group, with offices at of 499 Peck Road, Spencerport, New York 14559 for a special permit to operate a micro-brewery on property at 377 South Union Street, Spencerport, New York 14559, is an Unlisted Action, further, that the Zoning Board of Appeals declares their status as lead agency, and based upon the information contained in the Short Form Environmental Assessment Form and evidenced supplied by the applicant, and having considered the comments from the public hearing, the Zoning Board of Appeals makes a finding that the application will have no significant environmental impact and issues a Negative Declaration.

Motion: Chairman Dole
Second: Dale Kellerson

Vote of the Board:

Ayes: Dole, Kellerson, Unvericht
Nays: None

RESOLUTION
329/2017

WHEREAS, the Village of Spencerport Zoning Board of Appeals has before it an application from John Boothe, of Bullies Entertainment Group, with offices at of 499 Peck Road, Spencerport, New York 14559 for a special permit to operate a micro-brewery on property at 377 South Union Street, Spencerport, New York 14559, and

WHEREAS, the Village of Spencerport Zoning Board of Appeals has conducted a public hearing this 16th day of February, 2017, and

WHEREAS, the Village of Spencerport Zoning Board of Appeals has previously issued a negative declaration pursuant to the New York State Environmental Quality Review Act,

NOW THEREFORE BE IT RESOLVED, that the Village of Spencerport Zoning Board of Appeals does hereby grant a special permit to John Boothe, of Bullies Entertainment Group, with offices at of 499 Peck Road, Spencerport, New York 14559 for a special permit to operate a micro-brewery on property at 377 South Union Street, Spencerport, New York 14559.

BE IT FURTHER RESOLVED that the following conditions are imposed on this special permit:

- ☐ _____;
- ☐ _____;
- ☐ _____;

Motion: Chairman Dole
Second: Mark Unvericht

Vote of the Board:

Ayes: Dole, Kellerson, Unvericht
Nays: None

Unfinished Business

Nothing requiring Board action

New Business

Nothing requiring Board action

Approval of Minutes

Motion made by Dale Kellerson Seconded by Mark Unvericht carried unanimously to approve the January 19, 2017 minutes.

Adjournment

Motion made by Mark Unvericht seconded by Dale Kellerson and carried unanimously to adjourn the meeting at 7:20 pm.