

VILLAGE OF BREWSTER
BOARD OF TRUSTEES
5 AUGUST 2015
7:30PM
REGULAR MEETING
MINUTES

The Board of Trustees of the Village of Brewster held a Regular Meeting August 5, 2015 at 7:30 PM at Village Hall, 50 Main Street, Brewster, NY 10509.

Attendees:

Mayor: James Schoenig
Deputy Mayor and Trustee: Christine Piccini
Trustees; Mary Bryde, Terri Stockburger
Village Engineer:
Village Counsel: Anthony Molé
Clerk & Treasurer: Peter Hansen

Absent:

Tom Boissonnault
John Folchetti

Pledge to flag.

Notation of Exits

Regular Meeting

Mayor Schoenig opens the regular meeting, Trustee Stockburger 2nd all in favor

1. B.O.S. Waiver of Moratorium
 - 1.1. Mayor Schoenig motions to approve the waiver of moratorium for B.O.S. Office Site and refer the application to the code enforcement department for further action, Trustee Stockburger 2nd all in favor 4 to 0.
2. Budget report Year to Date FY 2015
 - 2.1. Treasurer Hansen says it is still very early in the year but we are okay, except for excessive unbudgeted water supply expenses for major repairs to the Well field and pump house. We may have to adjust the budget lines later in the year as we see what other expenses are incurred.
3. Garden Street School Playset removal & reinstallation authorization
 - 3.1. Trustee Bryde motions to authorize the expenditure to dismantle and reassemble the playground equipment currently located at Garden Street School and relocate same to Wells Park. Cost of dismantling, relocation and reassembly is \$9,750 through Pettinelli Recreation, Inc. Trustee Stockburger 2nd all in favor 4 to 0.
4. Set Public Hearing revision to local law parking enforcement – Mayor Schoenig motions to set the public hearing for Local Law 2 of 2015 revisions on August 19, 2015 at 7:30 P.M. or as soon thereafter as time permits, at Village Hall, 50 Main Street Brewster, NY 10509, Trustee Stockburger 2nd all in favor 4 to 0.
5. Water bill due date consideration Mayor Schoenig motions to extend due date to August 3rd due to the office early closing on July 31, 2015 Deputy Mayor Piccini 2nd all in favor 4 to 0.
6. Set Public Hearing Water Rates; tabled until August 19, 2015
7. Deputy Mayor Piccini motions to amend the agenda and discuss the Founders Day Parade permit scheduled on September 13 from 7:00 A.M. to 5 P.M. Mayor Schoenig motions to approve the Founders Day parade permit for September 13, 2015, closing Main Street from 5:30 A.M. to 5:00 P.M., from Oak Street to Railroad Ave., waiving all fees, Deputy Mayor Piccini 2nd all in favor 4 to 0.
8. VHB change order for additional meetings – Deputy Mayor Piccini motions to authorize Mayor Schoenig to sign the contract amendment to extend the number of meetings VHB attends at \$1,200 per meeting up to 5 (five) additional meetings, Trustee Bryde 2nd all in favor 4 to 0.
9. Zoning Revisions/Urban Renewal
 - 9.1. Deputy Mayor Piccini motions to set a work session on August 26, 2015 at Village Hall 50 Main Street, Brewster, NY 10509 from 7 P.M. to 9 P.M.
 - 9.2. Deputy Mayor Piccini holds discussion on specific Zoning recommendations until later in the meeting.
10. Minutes for approval;
 - 10.1. July 15, 2015 Regular Meeting - Trustee Bryde motions to approve the July 15, 2015 minutes, Deputy Mayor Piccini 2nd all in favor 3 to 0. Trustee Stockburger abstains due to absence.

10.2. July 27, 2015 Special Meeting Trustee Bryde motions to approve the July 27, 2015 minutes, Deputy Mayor Piccini 2nd all in favor 4 to 0.

11. Vouchers Payable – Trustee Bryde reviewed the vouchers and found everything in order.

11.1.	A - GENERAL FUND	\$19,424.05
11.2.	C - REFUSE & GARBAGE	162.26
11.3.	EN - ENGINEERING FEES ESCROW	405.00
11.4.	F - WATER FUND	32,434.88
11.5.	G - SEWER FUND	53,419.23
11.6.	H10 - WASTE WATER TREATMENT CAPITAL	1,350.00
11.7.	T - TRUST & AGENCY	2,136.08

Total Vouchers Payable \$109,331.50

Mayor Schoenig motions to approve vouchers payable as written, Deputy Mayor Piccini 2nd all in favor 4 to 0.

12. Other Business

12.1. Deputy Mayor Piccini will discuss zoning revisions later in the meeting.

12.2. Trustee Bryde asks Trustee Stockburger if the trash complaints have been resolved. Trustee Stockburger will check with Suburban on holding a meeting at Village Hall with Mayor Schoenig to discuss the noise in the middle of the night.

12.3. Trustee Bryde notes that two people were hired for Wells Park maintenance.

12.4. Mayor Schoenig says the heavy construction equipment is being removed in the next few days. We will restore the water, electric, and reseed a few eroded spots and are hoping to start movie nights in September.

13. New Business

13.1. Trustee Bryde notes the Southeast Museum “Documenting Past Oral History Project” discussion was thorough and interesting. This project is a worthwhile endeavor that will help the Village, Town, and County now and into the future.

13.2. Mayor Schoenig – received a call from Donna Schneider regarding the International Special Olympics Basketball Gold Medal which was won by the Hudson Valley Special Olympics Basketball Team. The team includes students from Brewster and Sleepy Hollow. Mayor Schoenig suggested Founders Day as an appropriate venue to honor their achievement. The Village will hold a ceremony on Main Street and confer proclamations.

13.3. Mayor Schoenig wants to move forward with replacing water meters in the Village.

13.4. Deputy Mayor Piccini asks about the bench rehabilitation project. Jack Gress will provide a report on the condition and potential rehabilitation of the benches.

14. Deputy Mayor Piccini says the Board of Trustees must provide guidance regarding zoning districts and the defined uses therein. Deputy Mayor Piccini continues:

14.1. Before we discuss that part of the agenda we should look at changing the code to remove sections of Chapter 263 and move them into more appropriate sections of the code. For example, site plans, subdivisions, and stormwater sections (articles 6, 7 & 8) could be reviewed by the Planning Board and, where necessary, recommend changes in the law to the Board of Trustees. Village Counsel Molé will review other sections of the Chapter 263 to determine any additional changes that may be needed.

14.2. B2 – Listed as special exception uses are; auto dealerships and gas stations. The consensus of the Board is to change these uses to “as of right” uses with distance limitations to be determined – 1,000’ is suggested.

14.3. As discussed at our work session previously; Bed and Breakfast will remain a special exception use in PB and B3 and will be added to the R district also.

14.4. The parcel behind the Garden Street School parcel is currently zoned as R20 as is the land on the west side of the railroad tracks. The parcel behind the Garden Street School parcel was shown erroneously as MU on the draft zoning code provided by VHB. Deputy Mayor Piccini proposes that both parcels be continued as R20 with further definition to include restrictions such as clear-cutting, clustering, open space requirements, etc.

14.5. Home Occupations – There are many different interpretations and concerns regarding our current home occupation definition. Counsel Molé will provide copies of various ordinances in our locale to further our own code definition.

14.6. Parking Overlay should be replaced by the new zoning regulations as the overlay won’t be needed anymore.

- 14.7. Definitions regarding building height; remove “average” from the height definition.
- 14.8. Institutional uses – Do we want every institutional use listed? Or do we want to encompass any and all “institutional” uses without defining each possible use?
- 14.9. Personal Services stores are listed as a use, personal services are listed in definition, they should both match.
- 14.10. Automotive dealerships, gas stations, service stations, need to be consistent throughout the code.
- 14.11. B1 – “Cabaret” definition does not include theaters. There are three definitions of theaters; dinner-theater, live performance theater, and movie theater.
- 14.12. B1 – home office and professional offices are not going to be allowed in B1. However live/work space such as artist lofts with gallery will be listed as special exception uses on the first floor only if part of TOD, but not on Main Street or Railroad Avenue (interior plaza okay).
- 14.13. B2 – research facilities; does this belong in B2 as this may include noxious or undesired uses. Mayor Schoenig suggests this use would better belong in the OP district which by definition includes research uses. Counsel Molé advises that LMW district also allows this use. To be removed from B2.
- 14.14. Movie theaters in B2 – is this an allowed use? Suggestion is to allow this use in B2.
- 14.15. Mayor Schoenig asks if there will be a clause in the code regarding existing violations precluding the advancement of an application or permitting process through the Building Department, to the Board of Trustees, Zoning Board of Appeals or Planning Board.
- 14.16. Deputy Mayor Piccini will provide the direction as described above to County Planner Barbara Barosa who will make the suggested revisions for further review by the Board of Trustees.

15. Public Comment

- 15.1. Rick Stockburger says the draft zoning code says in the B1 district the maximum setback is 0’ and suggests the maximum not be 0’.
 - 15.2. Jack Gress says he has no problem completely removing special exception home occupational/professional offices in B1 and B2. But, B3 and R home occupations should be a permitted use and is not in favor of them being listed as a special exception use. Mr. Gress believes B3 already has many home occupation uses. The overlay parking district removal might be reconsidered as there are some aspects that are more favorable to businesses on Main Street. Regarding the definition of school in a particular area, the school can still teach religion. Regarding the parcel behind Garden Street School keeping it zoned MU encourages multiple uses in the existing R20 zone and better reflects the revised Comprehensive Plan. The back parcel could encourage further development of the Garden Street School area. The Comprehensive Plan recommended the R20 be reworked. Is not against leaving it a residential area. The land has steep slopes and would probably preclude maximum developable land. Prefers to keep it residential. Agrees that permitted uses in B2 should be auto dealership and gas stations, service stations should be an accessory use as they are integral to auto dealerships.
 - 15.3. Erin Meagher says the Metro North lights were out on some nights last week and when the lights are out, the area is pitch-black. Last Thursday night in particular the lights were off. MTA cherry picker has been out making noise too in the middle of the night. Ms. Meagher says we also need to step up garbage collection on Main Street. Trustee Stockburger says it is Suburban Carting’s responsibility to empty the cans. Clerk Hansen said we have asked Suburban Carting for recommendations on addressing the issue by increasing the number of cans on Main Street.
 - 15.4. Jack Gress says the setbacks on B2 maximum 0’ setback had reasons and the Board should consult with the professionals such as VHB and Goman & York, to discuss these setbacks further before making a final decision.
16. Mayor Schoenig motions to go into Executive Session to discuss personnel, Deputy Mayor Piccini 2nd all in favor 4 to 0.
 17. Mayor Schoenig motions to come out of executive session and resume the regular meeting, Deputy Mayor Piccini 2nd all in favor 4 to 0.
 18. Mayor Schoenig motions to terminate the employee pending confirmation from Civil Service, Deputy Mayor Piccini 2nd all in favor 4 to 0.
 19. Mayor Schoenig motions to set a Public Hearing 3 month extension to Interim Development Local Law Public Hearing on September 2, 2015 at 7:30 PM, at Village Hall, 50 Main Street, Brewster, NY 10509. Text of the local law will be available at least 10 days prior to the public hearing, Deputy Mayor Piccini 2nd all in favor 4 to 0.
 20. Trustee Bryde motions to adjourn, Trustee Stockburger 2nd all in favor 4 to 0.