

***** DRAFT MEETING MINUTES *****

Wednesday, September 26

Village of Brewster
Planning Board Meeting

In attendance:

Christine Piccini
Rick Stockberger
Mark Anderson
Jim Bruen
Dave Kulo

1. Pledge to the flag
2. Call to Order
3. Accept Minutes Moved to bottom of agenda. Rick Stockberger moved, Mark Anderson seconded. Affirmative: 5, Negative 0

a. July 24, 2007 – Regular Meeting

Affirmative: 3 Negative: 0

Rick Stockberger moved to accept the minutes with Christine's correction, Mark Anderson seconds. (In attendance at this meeting were Rick Stockberger, Mark Anderson, and Christine Piccini)

b. August 22, 2007 – Regular Meeting

Affirmative: 3 Negative: 0

David Kulo moved to accept the minutes, Rick Stockberger seconds. (In attendance at this meeting were David Kulo, Rick Stockberger, and Christine Piccini)

4. Old Business

114 Main / 41 Oak (67.34-2-24)

Appearing: James Nixon, Architect. The enforcement officer requested Rental Registration

(RR) completed. The owners thought they were following the instructions given, and are not unwilling to do as the board have instructed. The paperwork has now been turned in. There had been an inspection (this prompted the enforcement office's request). James indicated enforcement officer had been inside. The outstanding issues are: railing and locks on interior bedroom doors. He has not been back to confirm these issues have been addressed. Additionally he had no information regarding an updated and corrected list of tenants in the 114 Main Street house.

Separation of Water Service. Requiring the owner to invest in physical changes to property is above and beyond what is normal. He's not unwilling to separate the water, but was questioning the cost if he's not going to subdivide the property.

Christine Piccini: the subdivision stumbling blocks are not a whim, but are the concrete issues that the owner has the ability to address; i.e., meeting the requirements from the building inspector, complying with Rental Registration law, complying with requirements of health department which are part of the application, this is what they need to do in order for us to approve it. Approving it conditionally is no different. James Nixon is looking for conditional approval. David Kulo – recollection of some of the discussions had as a board, with regard to parking spaces available in a subdivided lot, in addition to the normal kinds of steps you have to take to comply with the health & building inspector.

Mark Anderson questions how long it took to get rental registration filled out, that the applicant is not getting his stuff done to help himself. Mark & Rick in agreement that there aren't any outstanding design issues. Rick Stockberger states: "Madame Chairperson, I recommend giving a conditional approval once all the other stuff is done." Christine Piccini responded that this would slow it down, but if it makes you (JAMES) feel more secure, that it's a document that says when it is set up we will give approval for the subdivision. Mark questioned what is the projected cost that he's so upset about? It's about 100 feet, which would be one day with a backhoe. James didn't know. James – referring to June 11, memo from inspector, this phrase is problematic: Being used as a boarding house, high water usage for a 2 family house (Initially thought that the Planning Board didn't have a copy, however it was located) electrical cords, GFI. Rental Registration paperwork doesn't address the issues raised, and doesn't comply with the spirit of the law. Rick Stockberger, the inspector thinks it's a boarding house, not just separate family units. James Nixon replies they will fill out paperwork, but the question is should they be investing in separating the water. Jim Bruen asked if there is a right of way from the main street property to the Oak Street property. Mark Anderson – the plan is to separate them, and once subdivided it can go whatever way the wind blows James will come back with documentation, if all else is done, except the water, the board will grant a conditional approval, then will grant final approval after the water has been separated. Rick Stockberger - they need to resolve the front standing house issues. We will not conditionally approve anything without these being done. Once the water is done, then James can come back to the board to make the approval final. Paul agrees with what the Planning Board Recommends. Christine advised James to send an email if he wants to be on the next agenda.

OUTSTANDING: Rental Registration, full building inspector approval, Deadbolt Locks needed off the bedroom doors (from a fire safety perspective). James to advise about being on the agenda at next meeting.

538 North Main Street (56.82-1-18)

James Nixon Appearing. One of the owners, Ray Durkin of Durquinn Inc, also in attendance. Purpose is to construct a building where there was a building that was damaged by fire. The owner had his attorney draft up a proposed lease for parking @ 538 Main Street that would meet the parking requirements. 559 Main Street (included parking area on the right hand side) Fox Gardens. Will designate a number of spaces from 559 as being leased to 538 to satisfy parking requirements. James Nixon – shared drawings of the proposed parking lot showing 18 spaces. Christine advises that none of this discusses any plans for the upstairs of the building other than for storage. This was confirmed by James & Ray Durkin. Rick Stockberger asking if lease satisfies Mark Anderson, it's a 10 year deal that has an escape clause. Mark Anderson stated that it may be an agreeable compromise. It's an attempt to create more parking than exists there today, in a neighborhood that was not planned with parking in mind. Christine Piccini added that it also gives us a tool to use as a model as we go forward and have to address parking at other times. Mark Anderson, it sets a precedent but it's like a sub prime mortgage... let's say 20 years down the road... it ultimately could lead to 16 or 17 unhappy people who don't have a place to park down in the future, unless someone comes down the road to fix this on a permanent basis. As long as we recognize it's the first step. Rick Stockberger stated now to address the issue with the DEP in working out ability to create head in parking once sewer fields are gone. After they are done working with the DEP for the parking garage, they can go back to deal with the DEP for this other space.

The plan is for the fence to be replaced. The owner has proposed a black vinyl coated fence. A concern regarding plowing/snow was brought up. Jim Bruen – so what is the proposal for the front (from main street looking in)? James responded that evergreens about 2 feet high, so as not to block impede visibility when pulling out. Jim Bruen – you have a few spruces there now, the fence now is sort of growing in between the two. Is the plan to put a new fence and plant in front? Ray Durkin, the fence will go where the fence is now. Jim Bruen asked if the trees would be taken down. Ray Durkin would like to leave the trees if at all possible, and that he needs to speak with the fence guy, some of the trees have died as the road salt kills them. Ray Durkin further explained that he's looking for smaller shrubs to ensure visibility when pulling out, and the larger trees toward the north end of the property he'd like to keep. Jim Bruen – so your replacing the fencing there now? Ray Durkin clarified that he would be replacing the fence in the front, and pulling in along the right, the fence in the back is new, and would remain as is. There was a question regarding potential tenants. Mark Anderson stated that the zoning is broad, and Christine Piccini asked about a bar. Ray Durkin answered that he was not looking for a bar. Jim Bruen asked what is the layout for the screen. We've got the spruce's that are there, what's the proposal for the rest. James Nixon explained that there will be low shrubs (24 inches) and a fence, that they want to ensure people feel safe. Rick Stockberger – so this will no longer be used by the auto shop across the street, so there won't be unregistered vehicles, etc. there.

Christine Piccini stated that everyone understands and asked if there were any further questions. No further questions from the planning board. James – other issues are questions of additional information, not design issues. Is the board ready to schedule a public hearing? Christine – Anyone have anything to stop that. Rick Stockberger stated to make sure 329 notification out in time. Christine Piccini stated, our next meeting is on October 24; theoretically we can do a public hearing ahead of the regular meeting, and then can make a decision that evening if we were so inclined. This would be my recommendation. It gives you the most time to makes sure everything is submitted in advance of the meeting. The Board concurs to schedule a public hearing 538 North Main Street – 7:30 pm. Christine Piccini advises James that 2 weeks before that, everything is to be submitted in its final form. With luck this could be concluded that evening. You know the drill about notifying the surrounding properties. Christine will notify Peter Hansen that we are scheduling a public hearing and he will notice it. James Nixon will notify the surrounding properties.

ACTIONS: Public hearing to be set for 7:30 pm on October 24 (Provided that 2 weeks prior everything is in its final form. Peter Hansen to notice the meeting and surrounding properties to be notified by James Nixon.

5. New Business

No new business

6. Other Business

a. New Inquiries

NONE

b. NYFP Planning & Zoning Conference – Saratoga Springs – October 7-9.

Mark Anderson, Rick Stockberger, and David Kulo have all submitted paperwork for attending. This will fulfill the training through John Folchetti. Jim Bruen needs to get 4 hours of training in before the December re-upping for membership. Rick Stockberger asked if online training counts, Christine affirmed. Rick Stockberger stated that he had the registration check for Mark Anderson & himself, that Peter made it out for \$250, and was putting the tax exempt number on a piece of paper for them to have. Jim Bruen asked if he went up to the conference for one day if he could meet the requirements. Christine Piccini asked to look into day registration; Rick Stockberger advised that it's an extra \$25 for one day registration. Christine asked those going to bring back lots of good notes, and we can certainly also ask Mr. Folchetti if we can do a discussion afterwards:

c. VOB Board of Trustees Resolution – September 19, 2007

7. Close Meeting

Rick Stockberger moved to close the meeting, Mark Anderson seconds.

Affirmative: 5 Negative: 0

Time: 8:44 pm.