

**Village of Brewster  
Planning Board  
January 25, 2011**

Regular Meeting

Board Members in Attendance:

David Kulo, Chairman  
Rick Stockburger, Assistant Chairman  
Mark Anderson  
Renee Diaz

Board Members Not in Attendance:

Jodi Ellis

Also in Attendance:

Richard Ruchala  
Paul Pelusio-J. Robert Folchetti & Associates, Village Engineer  
Bob Dumont

*Agenda*

The **Pledge of Allegiance** was recited.

**Call to Order**

Ms. Diaz made a motion to open, which was seconded by Mr. Anderson. The motion passed by a vote of 4-0.

[Whereupon the Meeting was called to order at 7:30 p.m.]

## **New Business-Concepts**

Chairman Kulo stated he, along with Assistant Chairman Rick Stockburger and Members Mark Anderson and Renee Diaz were in attendance. He further said that there were two concepts for consideration before the Planning Board this evening. The first one would be presented by Bob Dumont, the owner of The Bowl Company located at 162 Main Street, Brewster, New York.

### *East Main Street and Peaceable Hill Road-Bob Dumont*

Bob Dumont stated that he is the owner of The Bowl Company, which is a business located at 162 Main Street in the Village of Brewster. He indicated that he is wants to open up a tea room that would serve both the public-at-large as well as the customers of The Bowl Company, where he had hoped to do it but that the current location is too small to allow for this. He is therefore considering relocating his business to 206 Main Street, which is a two story white house located at the corner of East Main Street and Peaceable Hill Road. Mr. Dumont stated that he is contemplating purchasing this property to use for the tearoom as well as for offices. He stated that there was an agreement with the property's owner as to price and he was appearing before the Planning Board to ascertain whether or not the Board thought his plan was feasible as well as to find out if the Board liked his vision.

Mr. Dumont stated that the tearoom would be open to anyone, not just customers of his business. He indicated that 206 Main Street is a good location for his company as it is extremely visible from the street. Mr. Anderson queried as to whether Mr. Dumont was familiar with the reservoir rule setbacks, which Mr. Pelusio indicated was 300 feet. Mr. Anderson said that someone had appeared before The Planning Board in connection with the same property but had abandoned his plans to open an insurance company there. It was indicated that there is an absolute prohibition concerning parking within 100 feet of a reservoir and that within 100 to 300 feet that there are certain things that are allowed. Mr. Anderson suggested to Mr. Dumont that it would be in his best interests to retain someone who

understands the reservoir rules and the watershed agreement with New York City before Mr. Dumont invested too much money into the project.

Chairman Kulo opined that parking was the number one concern. Mr. Anderson pointed out that since the property that Mr. Dumont is located in a B-3 Zone it can be used for a retail store, professional services, restaurant, tavern, office or art gallery, meaning that Mr. Dumont's proposed use would be in accord with how the property is zoned. Mr. Dumont noted that the building is two stories and has 2,300 square feet in the aggregate. He stated that there are currently four parking spaces on site and that the locale could probably fit seven or eight. Mr. Anderson noted that several houses on the street were once unified and advised Mr. Dumont to check concerning easements, as getting a curb cut would prove a difficult task inasmuch as the property abuts a federal road. Mr. Stockburger reviewed the Code's strictures concerning parking. The Code mandates that for ground floor office or retail space, both of which Mr. Dumont indicated he was planning on having on the ground floor, that there be one spot for every 200 square feet of building space while one spot is mandated for every 400 square feet of upper level space; for a restaurant, the Code requires one spot per every 150 square feet of space. Thus, it was calculated that for the property as currently envisioned by Mr. Dumont that ten spaces would be requisite, one of which, as per the Americans With Disabilities Act, would have to be bigger for a handicapped patron.

Mr. Ruchala noted that there is an alternative way to comply with the on-site parking requirements, to wit: that parking spaces be available within 500 feet of the property-these spaces would have to be under the dominion and control of the property owner. It was suggested that because 208 Main Street is in close proximity to the old Village offices, which no longer need as much parking since the offices have relocated, that perhaps the Village would be amenable to renting parking spaces to Mr. Dumont for The Bowl Company to make available to its clientele. Mr. Anderson stated that this option would benefit not only Mr. Dumont's business but the Village of Brewster as well as it would add to its income. It was noted that the Farmers' Market takes up some of this space on Wednesdays and Saturdays at certain times of the year.

Mr. Dumont also pointed out that access in and out of Peaceable Hill Road is an issue. The Chairman noted that the lot seems small. Chairman Kulo also stated that the proposal seems feasible but that parking has to be

located where it should and that safety is also of paramount concern and that a professional should be consulted by Mr. Dumont about this. Mr. Dumont noted that it was his hope to keep his Company in the Village as that is where the business is and that the property would give him great exposure. Mr. Stockburger suggested that Mr. Dumont should discuss his plans with Joe Hernandez, the Village's Building Inspector, to ascertain his thoughts. Mr. Anderson noted that if more than 50% of the property is torn down the new building requirements might have to be complied with.

Mr. Dumont stated that the Members of the Planning Board had given him much to consider. Mr. Stockburger advised Mr. Dumont that if he decided to go ahead with the project that before he submitted his Site Plan Application he should avail himself of the opportunity to again appear before the Board inasmuch as, depending on what the Plan envisioned, at least some of the 34 items delineated thereon could be waived, as the Planning Board would only require the things that made sense for the property. Mr. Dumont was also told that he might qualify for a grant if, for example, his business would be adding jobs, and that the person to discuss this with is Christine Piccini of the Village of Brewster Board of Trustees. Mr. Anderson thanked Mr. Dumont for having his high-end business in the Village and for his considering expanding it while remaining in the Village. Mr. Dumont expressed his gratitude to the Members for their time and departed the Meeting.

#### *Marvin Avenue-John Gillmore*

Mr. Gillmore's name was called twice by the Board but he failed to answer. It was noted that it is Mr. Gillmore's intent to tear down two houses, one a single family and the other a two family, on Marvin Avenue. Mr. Anderson noted that the houses would have to be torn down as they are in very poor condition, as reflected by the fact that their aggregate price is less than \$100,000.00. Inasmuch as the properties are located in a B-1 zone there are many options regarding what can be done once the houses are razed. Mr. Anderson thought that the lot was big enough to subdivide into more than two lots. Mr. Anderson also stated that there were several interested parties who wanted to go into contract on the property.

In a B-1 zone there is a thirty foot frontage requirement with no setback. Mr. Stockburger noted that unless a property is detached (as in a

single-family house) that residences must be above the ground floor. Chairman Kulo stated that he had spoken to Mr. Gillmore and that Mr. Gillmore had indicated that he wanted to leave his plans open-ended so as to best develop the property to maximize its value. Mr. Anderson stated that the issue is whether or not the lot is sub-dividable into smaller units to facilitate denser development. Mr. Stockburger said that the Code says that for B-2, B-3, B-4 and B-5 zoned properties the Code specifically limits each lot to one dwelling but that for a B-1 property, which is the zoning for this lot, the Code states there can be up to 20 bedrooms per acre but does not address how many dwelling units there can be, nor is there anything that says there can't be multiple single-family residences on a lot. Mr. Anderson inquired whether condominiums would be allowed on the lot. Mr. Stockburger said that if condominiums were built the Code would require that there be offices on the ground floor, as in a B-1 property residences are not allowed on the ground floor in attached properties such as condominiums. Mr. Anderson forewarned that the Board should expect a proposal on the site because the property was just too cheap to stay on the market inasmuch as it was unheard of to have property like this for under one hundred thousand and that five years ago the lot alone would have cost more.

### **Accept Minutes of December 7, 2010**

Ms. Diaz made a motion to postpone accepting the Minutes of the December 7, 2010 Meeting of the Planning Board to the next Meeting of the Planning Board. Mr. Anderson seconded the motion. The motion passed by a vote of 4-0.

### **Other Business**

Chairman Kulo asked whether there was any public comment [as to which inquiry there was none].

Chairman Kulo indicated that Brewster Honda would probably be on the Agenda for the next Meeting of the Planning Board. Mr. Stockburger stated that he hoped Brewster Honda would appear with the same plan that it received a variance for from the Zoning Board of Appeals. Mr. Ruchala pointed out that the issues extant before the Planning Board would be

whether Brewster Honda moved the road and the location of the gate, screen and sign.

### **Close Meeting**

Mr. Stockburger made a motion to close the Meeting, which was seconded by Ms. Diaz. The motion passed by a vote of 4-0.

[Whereupon the Meeting was closed at 8:20 p.m.]