

**Village of Brewster
Planning Board
January 7, 2014
Regular Meeting**

Board members in attendance:

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

Also present, Mr. Greg Folchetti, Counsel to Planning Board.

The Pledge of Allegiance was recited, whereupon the proceedings were called to order at 7:30pm.

Regular Meeting

Mr. Kulo made a motion to open the regular meeting. This was seconded by Mr. Anderson and passed 5-0.

Chairman Kulo stated that this meeting was rescheduled from Dec. 24, 2013.

Mr. Kulo took attendance.

First order of business:

Mr. Kulo stated that tonight's meeting was new business as it related to 861-869 Route 22, 67.36-2-4 existing site plan from Achilles Doupis.

Mr. Kulo asked Mr. Achilles Doupis for his comments.

Mr. Dimitri Doupis, Mr. Achilles' son, responded and said that they had received approvals in January 2013 with the condition of getting variances from the Zoning Board. Received variances approval in August 2013.

They were here tonight requesting that the site plan be signed by the Planning Board in order to acknowledge that all conditions have been satisfied.

Mr. Kulo stated that the original site plan was approved in February 2013. Mr. Dimitri Doupis agreed.

Mr. Greg Folchetti stated that there is a condition of final approval to be in compliance with sign code. Technically, if the conditions have been met, then Mr. Doupis can apply to have his map signed. If there are any fees, e.g., an inspection fee, then it would be paid at this time. That's the only condition of final approval.

Mr. Anderson asked the Board if they saw Mr. Hansen's note that the Zoning Board has approved this plan. The Board responded, Yes.

Mr. Dimitri Doupis stated that they have followed the process, and if they need an extension, they will request one either from tonight or from the date that the site plan is signed: a year extension from the signature date.

Mr. Stockburger mentioned that he had gotten in trouble in approving an extension when there was no extension from the original date allowed.

Mr. Folchetti asked if a building permit had been issued. Mr. Dimitri Doupis said, No, because of the variances needed for the sign.

Mr. Folchetti said that the building permit tolls (sp) out the expiration. You have a year unless you have a building permit issued. Then the expiration is inapplicable. The way the code is written, you'd be submitting for a reapproval, but in essence it's a new approval. There's no provision for an extension itself, but the Board can do whatever it wishes and could waive the Public Hearing since it's the exact same application. You get a year unless you get a building permit issued.

Mr. Doupis asked that if they pull a permit before February 26, 2014, then they get a year from that date. It becomes a year from the date the building permit is issued.

Mr. Folchetti asked if they had an application in for the permit. Mr. Doupis said, Yes, however not issued because of the sign variances needed.

Mr. Folchetti stated that if they now have the variances and the signed site plan approval they should have a complete building permit application to be considered, along with any fees.

Mr. Dimitri Doupis asked that if they don't have the permit by February 26, 2014, do they come back before the Planning Board and resubmit a new application and pay another fee and it's just a formality.

The Board responded, Yes.

Mr. Folchetti concurred and said that the Board can waive the Public Hearing since it's the exact same application.

Mr. Folchetti also said to Mr. Doupis that if he doesn't get the permit, for example, he can come back before the Planning Board in March and ask for an extension.

Mr. Folchetti also reminded the Board that the Board can grant the extension retroactive to the expiration of the last approval, but can't grant the approval retroactively.

Mr. Achilles Doupis reminded the Board that he had spoken with one of the members of the Board in a phone conversation before going to the Zoning Board (couldn't remember with whom he spoke). He was told that the permit is issued when the sign situation is approved, which was August 23, 2013. So he thought that the year timeframe started from August 23, 2013.

The Board reminded Mr. Doupis that the timeframe was one year from the final approval, which was February 26, 2013, as that was a condition of the approval.

Mr. Folchetti said that the Board is without discretion other than working from the effective date of the final approval. They can only tell you that if it expires they can give you a new one.

Mr. Achilles Doupis asked if they should get site plans stamped by the Planning Board to have something in hand.

Mr. Folchetti said that if the condition for final approval has been met, Mr. Kulo can now sign the map so that Mr. Doupis can then go to the Board.

Mr. Anderson asked about original copies. Mr. Kulo said that the originals are locked up, but assured Mr. Doupis that he will make sure that all

paperwork is in order. As long as he's aware that this project is time sensitive, he'll make sure everything is in order quickly.

Mr. Achilles Doupis and his son thanked the Board and left the meeting.

Next order of business

Commercial Building – 538 N. Main Street, 56.82-1-18. Update of site plan. Review and demolition and site work.

Mr. Jim Nixon will be coming in at the next meeting at the end of the month, January 28, 2014.

Next meeting

Mr. Kulo reminded the Board that the next meeting will be on Tuesday, January 28, 2014, back to the regular schedule.

Accept draft of December 3, 2013 minutes

Mr. Kulo asked if anyone had any questions on the minutes.

Mr. Anderson asked if everyone confirmed that the bulleted corrections listed were acceptable. Board said, Yes.

Mr. Stockburger made a motion to accept the minutes of December 3, 2013. This was seconded by Mr. Murrello and passed 4-0 with Ms. Diaz abstaining because she was absent.

Training

Mr. Kulo brought up the subject of training in April. Mr. Anderson asked if there was any money in the budget, which runs to May 31; asked if board members would like to attend training sessions. Mr. Anderson stated that he liked learning in a classroom and would book time to attend.

Mr. Kulo stated that usually one or two members can't attend because of budget.

Mr. Murrello mentioned that in the past they've paid to attend training sessions.

Ms. Diaz asked about other NYS training classes.

Mr. Kulo mentioned that there was a Planning Federation meeting here, two years ago.

Mr. Anderson remembered that there were classes in White Plains which were less interesting; they also went to Albany; there had been a class in New Paltz where the head of DEC presented and the subject matter was SEQR.

Mr. Stockburger would like to attend a meeting in Saratoga.

VOB Moratorium

Mr. Stockburger brought up the subject of moratoriums that were discussed at the last VOB meeting for two properties.

- . Sign at the Gulf Station – to change to an electronic sign and install LEDs. Mr. Stockburger suggested to waive the referral to the Planning Board. And the Village Board waived it.

- . Getty Station – Reconstruction of a building on this site in a different location than prior building.

Mr. Stockburger suggested to waive the referral to the Planning Board. And the Village Board waived it.

Short discussion ensued...

- . Mr. Stockburger wanted to make sure this Board knew what he did and to make sure this Board had no objections.

- . Mr. Anderson voiced not pro building moratoriums. Should keep to pragmatic reviews.

- . RE: The above projects – nothing new, these are rehabilitations.

- . Mr. Stockburger stated that no reason for useless delays. Board agreed.

- . Mr. Stockburger reminded the VOB Board that they needed Planning Board referral.

Adjourn meeting

Motion to adjourn meeting made by Ms. Diaz; seconded by Mr. Murrello. Vote passed 5-0.

Meeting adjourned at 8:00pm.

