

**Village of Brewster
Planning Board Meeting Minutes
January 31, 2017**

BOARD MEMBERS IN ATTENDANCE:

George Gaspar, Chairman
David Kulo
Rick Lowell
Tyler Murello

BOARD MEMBERS NOT IN ATTENDANCE:

Rick Stockburger, Assistant Chairman

ALSO IN ATTENDANCE:

Mr. Todd Atkinson, PE
Gregory Folchetti,

Mr. Gaspar led the Board in the Pledge of Allegiance, whereupon the proceedings were called to order at 7:30pm.

REGULAR MEETING:

Boardmember _____ made a motion to open the regular meeting. This was seconded by Boardmember _____ and passed unanimously.

Search for Change, 2611-2615 Route 6:

Cody Quinn of InSite Engineering appeared before the Board on behalf of this application.

Chairman Gaspar said this is a Public Hearing for Site Plan approval and SEQR resolution. There is some confusion at the moment but that is how it was published for today. Chairman Gaspar made a motion to open the Public Hearing, seconded by Boardmember Lowell and passed all in favor.

Chairman Gaspar asked if there was anyone that wished to be heard on this application.

Mr. Atkinson said they do not have a memo right now but they are working off the last memo and will incorporate the comments into the resolution if you so choose.

Mr. Quinn of InSite Engineering said he would be happy to answer any questions.

Brody Foster, 2619 Carmel Avenue appeared before the Board regarding this application.

Mr. Foster: I share a driveway with 2617, which is right next door to the affected property and I just have a couple questions.

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Chairman Gaspar asked if he was in the house at the bottom of the hill.

Mr. Foster: Probably one house away but let me look. Here is the shared driveway. That's 2617 and this is 2619. The driveway goes all the way down and although you can't see it there is a garage. My concern is that as you said, it's a hill... Typically when water runs at any given time I have water running all down my driveway, into my back lawn, and I am concerned that a concrete driveway is going to make even more water come that way and have an undesirable effect. I did notice at one point some channels opened up after they did construction at the site. After they did whatever they did with the driveway and the water channels going down the hill so they had some water problems there. I am hoping that any water runoff will not impact me.

Mr. Quinn showed Mr. Foster what they have done to lessen the impact of water runoff. He said they are eliminating the lower parking lot and putting a 20 ft. extension on the upper parking lot so there will be a reduction in the impervious surface. He said they are also putting in some type of storm water channelization conveyance system so there will be a flat, grass swale across the whole property line so any water that now is directed towards the neighboring properties will be directed and discharged off the back of the property into the woods.

Mr. Foster: A correlated question to that is snow. When snow is plowed it makes mountains and where you plan to put the mountains will they be handled by the same system?

Mr. Quinn told him that they have designated snow storage, which will be in the back of the parking lot so it will run off the back of the property or down into the storm water system.

Mr. Foster: You said it was going to be one driveway?

Mr. Quinn said we are keeping the same driveway entrance to Carmel Ave., we're just adding a row of parking off the existing driveway so it will be higher up.

Mr. Foster: Another concern that my wife has is: what are we going to be looking at?

Mr. Quinn said there will be a gentle, grass slope because it is being connected upper parking lot with a wooden guiderail at the top and some plantings along Mr. Foster's side of the guiderail.

Mr. Foster: Obviously the shrubs will do as much as they can in the winter. When they were doing the first expansion my neighbor told that they were going to be cutting some of the trees down on his property line so are you going to be putting them back? Are you aware of that?

Mr. Quinn was not aware of that and there is no plan to cut down any of the hedges.

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Chairman Gaspar asked if the Board had any questions or comments but there were none. He said the Board was very concerned not only about what you see but during the evening hours to try and block as much of the headlight as possible into the neighboring properties and also down the hill.

Mr. Folchetti said the Board discussed an uncoordinated review at the December 20th meeting and set a Site Plan for today. He said my suggestion would be that Todd's comments be adjusted on the plans. Mr. Atkinson said there are a couple of comments but they are minimal. He said he went over them with Jamie and they decided to wait until the resolution is written to finalize in case there were any other comments from the public that needed to be addressed. Mr. Folchetti said his suggestion, given that circumstance, if there is a possibility they are going to be incorporated into a written resolution is to just put them on for the next meeting. He said he will do a resolution that you are going to do an uncoordinated review and you can make a SEQR determination at the time you make your resolution. Mr. Folchetti also told the Board if they are doing an uncoordinated review they do not have to do a Public Hearing on the SEQR part and they can just make the determination when they are ready to approve and he will have the comments incorporated into part of the resolution from Mr. Atkinson.

Boardmember Lowell made a motion to close the Public Hearing and passed all in favor.

Brewster Honda Sales Center, 899 Route 22, B-2 Zoning, Tax Map #67.36-2-6: Nicholas Gavery of Bibbo Associates appeared before the Board in support of this application.

Chairman Gaspar said the Board received new documentation. He said that he and Mr. Atkinson were asked to attend a meeting to reflect some of the changes and the status of the MTA property and they have come up with a phase 1 and phase 2 plan because the MTA is going to take much longer to achieve. Chairman Gaspar informed the Board that there were additional letters received from the DEP (Department of Environmental Protection).

Mr. Gavery said they had contacted the DEP early in December with reasons why they felt the project was a standalone project that does not require a DEP SWPPP review. They responded, he said, and indicated that they agreed with their determination and they will not be involved in that review. He said this means that the storm water review and plan is Mr. Atkinson's review and approval. He believes they responded to most of the concerns earlier in the month with plans. Mr. Atkinson said there are still a couple of items: the DOT permits and items like that but can made part of the resolution. He said when it comes down to it they are reducing the impervious surface on the both sides of the road by putting the buffer and a hydrodynamic separator. Mr. Gavery explained the use of the hydrodynamic separator and how to determine size and how it is used. Boardmember Lowell asked how the separator is cleaned out and Mr. Gavery said part

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of the SWPPP that will be on file will require it annually or after very large storms. He added that Honda already has them on the service center site. Mr. Atkinson said the DEP will be keeping a close watch on this.

Chairman Gaspar asked how far away from the end of the pavement to the bank of the river is the employee parking on the western part of the property and where will the sheet flow of water off the parking lot go to and how it is going to be protected before it gets to the river. Mr. Gavery said the closest edge is approximately 25 ft. but the majority are approximately 30 ft. He said the flood plane for the river comes up to almost the back of those parking spaces. There is a pretty significant grade change between the parking spaces themselves and the river so the river never actually comes up to the pavement, he said. Boardmember Kulo asked if that was based on a 100 year event. Mr. Gavery responded 100 year and on the EAF they answered that they were not affecting anything within the 100 year foot plane. He said their plan was to not touch anything in the back area and sheet flow across the flat parking area, down the slope, and into the river as it is now. Boardmember Kulo mentioned about what happened to Brady Stannard and how they lost their whole stock because of a flood and asked if Honda had any issues like that during those rains. Mr. Gavery didn't believe so. Mr. Liguori said the elevation for the river is different there than it is at Honda. Mr. Gavery said from the drawings it appears that there is a 14 ft. elevation difference between the property and the river. Mr. Atkinson added that curb stops should be placed on the back parking spots as per the Building Inspector. Mr. Gavery asked if the Board would like that sheet flow to go into a catch basin and Mr. Atkinson said it would be a good idea if they are going to be redoing the asphalt to pitch it so it does go into the catch basin.

Chairman Gaspar said one thing Honda should take more advantage of is that the existing building is about 15,000 sq. ft. and this building is 13,000 sq. ft. and they should mention that more. Mr. Atkinson added that they added 10 ft. of buffer as well in the front.

Mr. Gavery said based on the comments from the Public Hearing they added some flowering plantings on the corner up at the entrance of the property and at the entrance of the showroom site. They will also be beefing up the screening plantings for the neighbors on Allview Avenue, he said.

Boardmember Murello mentioned that NYSEG took some of the lighting down and Boardmember Kulo thanked Mr. Gavery and said it was a good response time and it was appreciated.

Mr. Masterson said gas has been disconnected from the building on the Rapp property and they are waiting for NYSEG for power to be turned off to the building. Once the power is disconnected, which is supposed to be in the next couple days, he said, and by the end of next week the last building should be down. He said that Comcast is hooking up the data and telephones and within the next two weeks they hope to relocate the

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sales office to the Rapp property so that they can move forward with demolition of the existing building.

Chairman Gaspar said there was a comment from the Code Enforcement Officer about fire apparatus access. He said there were some minor changes in the Fire Code for a provision in the Code to provide access around the building so they should get in contact with the Fire Department and have them look at the plan to ensure they have adequate access. Mr. Atkinson said the concern is more with phase 1 because it only gives the 10 ft. strip on the north side and that would not be enough to maneuver a firetruck through there but if an easement is granted that may solve the issue. Mr. Masterson said they were thinking of sliding the building a little to the south and Mr. Gavery said that would be a possibility if the MTA issue is not going to pan out as hoped and at that point maybe come back to the Board for an amended site plan for phase 1. Chairman Gaspar said there is also the issue on the southern property line as there is parking. Mr. Atkinson said Honda will need to know this before putting the foundation in. Mr. Liguori said he gave the Chief a copy of the plans and explained to him what was discussed on Thursday.

Mr. Liguori updated the Board on the MTA issue. He said they published the RFP and David Roth emailed him that morning that he sent a package and indicated that there is a suggested rental amount. He said the RFP is due back on February 28 so provided no one else makes a request for proposal...they're looking for \$30,000 a year in rent, which is basically \$1 a square foot. They are going to have a real estate agent give a value, he said, and then respond to the RFP.

Mr. Masterson informed the Board that Lia Honda has agreed to the brick. He said he has been in constant negotiation with American Honda and they have requested written documentation from the Board that brick is required. Mr. Folchetti said the Board can offer the resolution as it is with the amendment that the face of the building be finished him brick and it be a condition of site plan approval. Mr. Masterson will send the Board the specific brick information that was approved by the Board.

Mr. Masterson updated the Board regarding the visual impact of the mechanical units and showed a rendering with the screening to block that impact. Chairman Gaspar asked if the equipment could be consolidated to a particular area and Mr. Masterson said consolidating the equipment would require different loads and the steel would need to be upgraded. He said it increases the ductal runs, the size of the runs, and it increased the size of the steel in those areas so they felt the cost increase was greater than the benefit.

Boardmember Kulo said he was looking at the letter from the DEP noting that nothing in the letter mentions Lia and wondered if anyone else noticed that because they have referred to Brewster Honda in the past and now it is Lia Honda. Mr. Folchetti said they're both on the resolution.

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Mr. Atkinson informed the Board that there was an additional set of comments emailed from the DEP that he was copied on saying that they had addressed the concerns as well. Mr. Gavery said they were forwarded to the Village Clerk as well and they have responded to them as part of their plans.

Chairman Gaspar said regarding the landscaping on the Rapp property and the Bergstein and Russo properties, their driveway is there and there is some existing vegetation there as well. He would like it to stay there as much as possible and possibly enhanced. Mr. Atkinson said they met with the property owner (Mr. Bergstein) and the owner went through and showed them what they could take out. Mr. Gavery said they adjusted their plantings to allow for more eye sight out of his driveway. Boardmember Kulo asked when the landscaping will be done and Mr. Gavery said this spring. He said as soon as the building is down they will be putting up the wall and they will start landscaping as soon as weather permits.

Mr. Atkinson asked when they would have DOT permit for the Rapp property. Mr. Gavery said they are just starting to prepare the documents for them but he feels it should not be a lengthy review. He said they went through the concept with the permit administrator for this area regarding the curbing.

Chairman Gaspar asked Mr. Atkinson if the documentation for the construction of the retaining walls were reviewed and he said one of the comments on his letter regarding soil testing and they will be doing that once the building is down as well as by the wall in between their property and Norm's.

Chairman Gaspar asked Mr. Folchetti if they should read the resolution first or make a motion. Mr. Folchetti said it's entirely up to the Chairman. It is a lengthy resolution. It is a resolution for approval based upon the site plans that were submitted most recently with revision dates of January 3, 2017 and January 26, 2017 plus the architectural plans from January 3, 2017. He said phase 1 incorporates our standard site plan approval conditions and the incorporation of the comments from Mr. Atkinson's memorandum of January 30, 2017. Phase 1 excludes the MTA and phase 2 includes it. He said if the Board wants to make a motion for approval they can adopt what he said or he can vote unless you want to read the whole thing. Conditioned on the brick he added.

Chairman Gaspar asked if Joe's comments were being addressed. Mr. Atkinson said Joe's comments minus the actual fire apparatus going around is the only thing not in his comment letter so it would have to be included as well. Chairman Gaspar said an amendment to include the fire apparatus as well. Mr. Folchetti said whatever the specific verbiage the Board wants in it they should recite it so he can add it to the final resolution. Chairman Gaspar said it is just access for fire apparatus on the north side of the sales building. Mr. Folchetti asked if the Fire Department had to approve it and Mr. Liguori said they have no approval jurisdiction but they will make a recommendation to the Planning Board.

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Mr. Folchetti said the Board will take what he just said with the additional condition of the utilization of the brick facing, type and specification to be provided by the applicant and the proper provision for fire apparatus on the north side of the sale facility as additional conditions.

Boardmember Lowell made a motion to approve the final site plan for phase 1 based upon Mr. Folchetti's statement, seconded by Boardmember Murello and passed all in favor.

Chairman Gaspar made a motion to approve the final site plan for phase 2, drawings listed EC1 existing conditions plan January 3, site plan phase 2 dated January 26, erosion control sequencing revised January 26, lighting plan dated January 3, details dated January 3, second D2 details revised January 3, storm water pollution prevention plan revised January 3, architectural presentation plans dated January 3, seconded by Boardmember Kulo and passed all in favor.

Mr. Masterson will email the brick specification to Mr. Folchetti.

Chairman Gaspar said regarding the internal lighting for the sign on Allview Avenue, which he had brought up previously, and informed Mr. Masterson that the Planning Board would like that change duplicated for the sales site. Mr. Masterson said it was his understanding that there would be a separate sign permit and review of the signage prior to installation and they will be using the same sign installer and designer so it should not be a problem.

GETTY GAS STATION – Route 22 – UPDATE

Mr. Atkinson updated the Board on this site. He said he reached out to Rob Cameron who has talked with the DEP. He said they have come to an understanding on how to handle the storm water based on the DEP's comments and concerns and they are waiting for a final sign-off from the DEP. Mr. Cameron was hesitant to give Mr. Atkinson anything in writing until he had something in writing from the DEPT according to Mr. Atkinson, but Mr. Atkinson did inform Mr. Cameron that the Planning Board has requested something formal be submitted to the Board. Mr. Gaspar said yes even if it just his letter of understanding of what the process is so that it is part of the record. Mr. Atkinson believes he has an active building permit and unless there are any major changes to the site that would require him to go back to the Planning Board he should be able to start moving forward again.

Chairman Gaspar asked for the word reducing be changed to reduced on page 5 of the minutes of December 20, 2016. Boardmember Murello made a motion to approve the minutes as amended from December 20, 2016, seconded by Boardmember Kulo and passed all in favor.

Boardmember Kulo made a motion to adjourn the meeting. This was seconded by Boardmember Lowell and passed unanimously.