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Village of Brewster Planning Board Meeting
October 28, 2008

Pledge of Allegiance

Planning Board Members in Attendance:

Mark Anderson
David Kulo
Rick Stockburger
Kathi Meyerson

Motion to open the Village of Brewster Planning Board Meeting at 7:30 pm, made by David Kulo. Motion was seconded by Kathi Meyerson.

AYES: 4 NAYS: 0

174 – 182 Main Street

Mark Anderson– thank you for taking care of your lawn the morning after our last Planning Board meeting it looks much better.

David Kulo – now I see the engineer’s have reviewed, and these are the final plans. Paul Garrity – Putnam Engineering – yes, these are the plans we’ve submitted most recently .

David Kulo – within these plans here, is there a picture of the proposed façade? Paul Garrity – yes, it should be the last sheet, SK10. Paul Garrity – one of the questions in the engineer’s letter is regarding the color of the building, and we’ve brought color and texture samples with us. (shown to the board). Stucco – neutral with slightly darker trim.

David Kulo – what remedy have you considered, are you going to submit a map detail with all the structures in 150 feet? Paul Garrity – we have that all shown in drawing C120 . Mark Anderson – is the implication that some of the buildings cross property lines? Paul Garrity - what we used was an aerial photograph that we floated in there ... so it hadn’t indicated that it was crossing the line or not. Mark Anderson – so Paul (Pelosio) does this change your opinion? Paul Pelosio – I’m reasonably comfortable that all the structures within 150 feet are shown, and this is a reasonable attempt to show that.

Mark Anderson – what about item #7 on the slopes? Paul Pelosio – again it’s a code requirement. I believe the board in the past has waived that. Paul Garrity – I’ve prepared a letter requesting that be waived, as this is an existing site, and nothing additional is being disturbed. Rick Stockburger– asked Paul Pelosio if he was

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comfortable with the retaining wall. Paul Pelosio indicated that he was. Paul Garrity submitted a letter to the board requesting waiver of slopes. David Kulo— what's the issue with trying to map out the slopes in that radius? Paul Garrity – we could do it on a smaller scale, but we're really not disturbing anything around it. We have done it on a watershed map and shown slopes that were greater than 15%. David Kulo to Paul Pelosio - it sounds like a reasonable waiver. Paul Pelosio replied – I don't know what useful purpose having all those slopes within 500 feet would provide. I'm comfortable given the minimal disturbance to the site.

David Kulo – let's review the lighting at the entrance. I see the poles, I assume those are utility poles. Is that where the lighting is going to be or are you putting in free standing light poles? Mr. Safeih – NYSEG installed new lighting a few months ago and they maintain it for a small fee. It also projects into the site. Paul Pelosio - will the installed lights light up parking stalls. Paul Garrity – the pole mounted lights that were installed will light that up sufficiently. Paul Pelosio - is it noted anywhere that those pole mounted lights are in fact there? Paul Garrity – no not on my drawing. Rick Stockburger – is the sign lit up? Mr. Safeih - yes – it's lit up but low voltage. Rick Stockburger – my preference would be drop lit vs. interior illuminated, as we've done with most other projects. Mark Anderson – I tend to prefer the woodcut signs, with downlighting. It can still accommodate the trademark signs. David Kulo – I think this can be done with the same requirements we've given other projects. Kathi Meyerson – I can tell you that this (interior illuminated signs) is going to be phased out and then you'd have to replace it in the next 5 years. Mr. Safeih if we can make them agree on the sign wooden, as requested, we will, otherwise we won't put a sign on the building. Rick Stockburger asked Paul Pelosio - did you look at the handicap spot ? They show 8 feet, and 8 feet for a markoff. Rick Stockburger – the spacing should be 9 feet. Paul Pelosio – the total feet that you're providing is 16 feet? Paul Garrity – yes. I think in the state code it's required that you have 8 feet marked off. Rick Stockburger – there's another foot on the side, can it just be shifted down a foot to make it 9 feet? Paul Garrity replied – yes. Rick Stockburger to David Kulo - did you get a chance to send the 239 off? Dave Kulo replied - no. Rick Stockburger to Paul Pelosio – did you have a chance to review the EIS? Paul Pelosio – yes. Neither Mark Anderson nor Rick Stockburger have seen this. Paul Pelosio provided his copy to PB to review. Paul Pelosio – I did have a question with the vent pipes that are shown. Paul Pelosio continued – we were concerned if you were putting a footing in place for your enclosure that it could interfere with the vent pipes. We just need to ensure there's no interference that could cause a problem. Paul Pelosio – do you know the approximate alignment with the vent pipes? Mr. Safeih – I believe it's about 3-4 feet down, then straight back. Paul Pelosio – just make a note on the plans that there's a potential interference. David Kulo asks Paul Pelosio – Paul the lighting on the poles, etc. need to be clarified? Paul Pelosio – yes, even if it's a letter that can be added to the file. David Kulo directed Paul Garrity that the lighting needs to be spelled out on the site plan, and that this is being used as lighting for the parking spaces.

Mr. Safeih the poles are photocell, and the safety lights on the building are also photocell.

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Rick Stockburger– motions to waive detailing of steep slopes within 500 feet, and Mark Anderson 2nds the motion.

AYES: 4 NAYS: 0

Handicap Parking – spaces 1-3 will slide over 1 foot to the left, making the Handicap space 9 feet with an 8 foot hatch mark. Rick Stockburger – do you have the square footage of the building? Paul Garrity – the area of the building is a little over 1300 square feet.

David Kulo – sign on the façade, details of the lighting, and handicap spot being moved. We now need to notify the county via a 239 as it’s within 500 feet of road.

David Kulo motions to accept these plans based on the details of wooden signs on the façade, additional details on the lighting – particularly from the street, and the 9 foot handicap spots. This is a declaration type 2 action under SEQRE paragraph 617.5 C7 NYCOR. This is conditional upon notification of the county via 239 and their concurrence or non-response. Kathleen Meyerson 2^{nds} the motion,

AYES: 4 NAYS: 0

Rick Stockburger - I don’t see them coming back, but they still have those 30 days... and the entire site plan can be thrown out. Rick continued we also want to do a SEQRE review and get this on the record as a type 2 action.

Anthony Mole – I don’t know that you have to do a 239 on a level 2.

New Business:

Planning Board Membership

David Kulo stated that the membership on this Planning Board is very small and we do need more members to fulfill our duties here.

564 North Main Street

Nobody in attendance.

David Kulo will talk to Bob Serino to ensure there are no violations and that they’re just doing interior work at this point.

Rick Stockburger – we’re running into what is a change of use that requires a site plan. Anthony Mole – I believe the way the new code is written is that any change in use, even if allowable still needs to come to this Board. Anthony Mole – if it’s a change of use that’s not allowed in the district, they need to go to ZBA first, then to the PB, if it’s

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allowable, they just need to go in front of the Planning Board. Anthony Mole – one thing the Planning Board can also do when approving a site plan, is that you can specify the use, and make it clearer to the applicant that there's now a change of use, that needs approval.

Mark Anderson – I was with Mr. Serino doing apartment inspections, and he said that he wasn't for this, he viewed it as a bar by another bar within 500 feet. And then they came back with a completely different application. Mr. Serino believes that a site plan isn't needed as it's an allowable use.

ACTION: Anthony Mole will review/discuss this with Bob Serino.

David Kulo – my take is that in order to give the village a continuity in the type of buildings that we aspire to have here, is that any change of use requires a site plan ... and that any means any. I think I should have some discretion on a building permit that Bob may be granting and say hey I want to look at this change and that it might be significant enough, even if he doesn't. Anytime there's going to be a building permit, even if you keep the original sign, you can have enough changes in the interior that can change the amount of usage.

Anthony Mole – it has nothing to do with who's happy or unhappy, however every change of use needs to come before the Planning Board.

Approval of Minutes:

Rick Stockburger motions to approve the July 22, 2008 Village of Brewster Planning Board Minutes as amended. Mark Anderson seconds.

AYES: 4 NAYS: 0

Kathleen Meyerson motions to approve the August 26, 2008 Village of Brewster Planning Board Minutes as amended. Rick Stockburger seconds.

AYES: 3 NAYS: 0 ABSTAIN: 1

Mark Anderson motions to approve the September 23, 2008 Village of Brewster Planning Board Minutes as amended, Rick Stockburger seconds.

AYES: 3 NAYS: 0 ABSTAIN: 1

Kathleen Meyerson makes a motion to adjourn the October 28, 2008, Village of Brewster Planning Board Meeting. David Kulo seconds the motion.

AYES: 4 NAYS: 0