

**Village of Brewster  
Planning Board  
October 22, 2013  
Regular Meeting**

**Board members in attendance:**

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

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

**Public Hearing**

St. Lawrence O'Toole School & Parish Center Elevator Project  
67.26-2-15, 16.

Review Parish Center Elevator Project

- . Mr. Kulo made a motion to open the public hearing. This was seconded by Mr. Stockburger and passed 5-0.
- . Mr. Kulo asked for comments and there were none.
- . Mr. Kulo made a motion to close the public hearing. This was seconded by Mr. Anderson and passed 5-0.

**Regular Meeting**

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

St. Lawrence O'Toole School & Parish Center Elevator Project  
67.26-2-15, 16.

- . Mr. Stockburger made a motion to approve the St. Lawrence O'Toole School & Parish Center Elevator Project application. This was seconded by Renee Diaz with all in favor. Mr. Kulo called for a vote and it was unanimously approved.
- . Therefore, approval given to Mr. Paltre for the St. Lawrence O'Toole School & Parish Center Elevator Project (SEQR already done).

## Pending Business

### First order of business:

Murello Subdivision – Center & Prospect Streets. 67.26-1-26.

Site plan review of proposed subdivision.

- . Mr. Murello recused himself from the Board at this time.
- . Mr. J. Folchetti presented Board with engineering report dated October 21, 2013 with updated comments on most recent application.
- . Mr. J. Folchetti stated that there were basically no changes in this application and that the applicant will need to address items contained in his statement and they can discuss any additional questions informally.
- . Mr. J. Folchetti also stated that the application is complete and applicant can proceed to SEQR application.

. Mr. Anderson asked about the handicapped curb as currently there is no sidewalk and Mr. J. Folchetti explained that details for curb and curb tie-in to follow.

. Mr. Stockburger stated that a 239 is still needed.

. Mr. J. Folchetti stated that they can do an uncoordinated review. He also stated that they'll want to set up a public hearing and that he can set up the negative declaration.

. Mr. Stockburger asked how soon. Mr. J. Folchetti said asap.

. Mr. Anderson asked if there would be enough time before the next planning board meeting on November 26.

. Mr. Kulo suggested aiming for the December planning board meeting.

### Discussion: Planning Board meetings for the balance of 2013.

RE: November 2013 meeting

. Mr. Anderson suggested merger of November and December meetings.

. Mr. Kulo stated Trustees aren't in favor of this approach.

. Mr. Stockburger suggested doing an early December meeting, e.g.

12/3/13, instead of a November 26 meeting too close to Thanksgiving and made a motion to have the next Planning Board meeting on **December 3, 2013 at 7:30 pm** at 50 Main Street., Brewster, N.Y. Mr. Anderson seconded and motion was passed with one abstention.

RE: December 2013 meeting

. Mr. Stockburger made a motion to hold the December Planning Board meeting on **January 7, 2014 at 7:30 pm** at 50 Main Street, Brewster, N.Y. instead of Christmas Eve 2013. Motion was seconded by Mr. Anderson

and passed unanimously.

- . Mr. Kulo reminded Board that only change might occur if there was a conflict with the use of the hall.
- . Mr. Kulo asked if there were any other comments and there were none.
- . Mr. Murello said they'll send notices for public hearing.
- . Mr. Murello returned to the Board.

Second order of business:

Commercial Building at 538 North Main Street, 56.82-1-18. Site plan review of demolition and site work.

- . Mr. J. Folchetti provided Board with copy of engineering report, dated October 21, 2013 with updated comments on most recent application.

- . At this time there was no representative present for this project and Mr. Anderson asked if this item of business could be discussed without the applicant present. Mr. Stockburger responded, Yes.

- . Mr. Kulo stated that the Board could discuss the merits of the project.

- . Mr. Anderson asked if the buildings were readily available and Mr. J. Folchetti responded, Yes. Mr. J. Folchetti stated that Application has other issues, re: retaining structure.

- . Mr. Stockburger stated that this would be waived if not changing footprint.

- . Mr. J. Folchetti asked if parking not on his property, why on his plans.

Board spent time reviewing plans.

- . Mr. J. Folchetti suggested that something needs to be made clear re: the four parking spaces.

- . Mr. Anderson asked if lot line should be adjusted now. Mr. J. Folchetti stated, No. Mr. Kulo added that this would be a whole other ball game.

- . Mr. Folchetti brought up the proposed location of the dumpster behind the proposed parking spots and how would garbage pick-up be conducted if cars parked in these spots. If inhibited, could be a health/sanitation issue.

- . Mr. Anderson asked about keeping trash inside, but this would be a No per the Health Department.

- . Mr. J. Folchetti reiterated that the Applicant already has a 2007 approval for a restaurant/commercial use on the ground floor with storage on the second floor. The issue would be if a new/difference use were requested for the second floor.

- . Mr. Nixon arrived at 8pm.

- . Mr. Kulo asked about the retaining wall. Mr. Stockburger stated that

there were no mullions as they were removed by Mr. Bruen.

. Mr. Stockburger asked about commercial use in the front on the second floor and Mr. Nixon responded, No.

. Mr. Stockburger asked about the purpose of the two parking spaces at 536 N. Main St.

. Mr. Nixon responded that the Applicant would like parking spaces.

. Mr. Stockburger asked about wanting site plan approval on second piece of property. Mr. J. Folchetti stated that his technical comments can be discussed between him and Mr. Nixon at a later time.

. Mr. J. Folchetti asked what was the intended purpose of the four residential parking spots and asked what the garbage people would do with the dumpster. Stated that there would need to be a written agreement between the Applicant and the refuse company.

. Mr. Nixon offered the following background information:

. Downstairs square footage is 1820 square feet.

. Parking is not needed for the commercial space, just for second floor office and residences.

. Mr. Stockburger stated that if one apartment, two parking spaces needed.

Also asked what parking requirement would be for commercial, non-apartment space.

. Mr. J. Folchetti stated that if space is 720 square feet, two parking spaces are needed. Therefore, total of three parking spaces.

. Mr. Nixon said he was figuring on two spaces for the apartment.

. Mr. Stockburger stated that one parking spot is designated for each 600 square feet and since space is 720 square feet, two spaces allowed.

. Mr. G. Folchetti stated that Applicant needs to describe how to provide four parking spots to answer questions.

. Mr. Stockburger asked about making an amendment for this application to merge 536 and 538.

. Mr. J. Folchetti asked, What if properties are later split?

- . Mr. G. Folchetti stated that the dominant parcel would have the rights to all parking and an easement would then be required. The burden would remain with the owner.
- . Mr. Stockburger stated he wanted to get into the record for the Building Inspector that this is approved.
- . Mr. Stockburger stated to Mr. Nixon that he would need to provide specific plans for the four parking spots, and where.
- . Mr. Stockburger asked about needing any type of legal instrument.
- . Mr. G. Folchetti stated that there should be a record of an easement wherever parking is (if any portion is offsite).
- . Mr. Stockburger asked about 536 being a two-family house and therefore needing four parking spots.
- . Mr. Nixon stated that they weren't doing anything there.
- . Mr. Stockburger then stated that eight parking spots would be needed.
- . Mr. Kulo stated that 536 was not considered in 2007, and Mr. Stockburger agreed.
- . Mr. Stockburger advised Mr. Nixon that he needs to go to the Applicant to decide if this 536 is in or out of this application.
- . Mr. G. Folchetti suggested an alternative to Mr. Nixon which was to go to the Zoning Board and ask for substandard parking if design modified.
- . Mr. Kulo asked about the condition of the retaining wall.
- . Mr. Nixon responded that he hadn't looked at it lately.
- . Mr. Anderson suggested a "class trip".
- . Mr. G. Folchetti reminded the Board that no "class trip" permitted if consisted of three or more persons.
- . Mr. J. Folchetti stated that they'll figure it out.
- . Mr. Stockburger asked if parking needed for ground floor of 600 square feet.
- . Mr. Anderson asked, Meaning 3 more spaces?
- . Mr. Anderson asked if B1 goes down to Main Street. Response: Yes.

- . Mr. Stockburger stated that the parking overlay for B1 was not changed (It was 1 parking spot for each 200 square feet).
- . Mr. Nixon responded that this was now modified because this was now district 2.
- . Mr. Nixon asked if with overlay districts, is the calculation based on total square footage as designed or addition.
- . Mr. J. Folchetti responded, Total.
  
- . Ms. Diaz suggested that Mr. Nixon might want to talk to the Zoning Board.
  
- . Mr. Nixon asked if the Board had any other questions. Board response, No.
  
- . Mr. Stockburger added that Mr. Nixon and Mr. J. Folchetti would discuss further. And that the Board would look for new application --- mapped to scale --- at December 3, 2013 Planning Board meeting.
  
- . Mr. Kulo asked if there were any further comments, and there were none.
  
- . Note: Mr. J.Folchetti also provided Board with copy of engineering report, dated October 21, 2013 with updated comments for:  
Application for Approval of Partial Change of Use, 52-54 Main St.,  
Brewster, N.Y., 10509 – S.B.L. No. 67.34-2-6.

**Accept draft of September 24, 2013 minutes**

- . Mr. Anderson asked about having a chance to review draft of September 24, 2013 minutes.
- . Mr. Stockburger had three changes to be incorporated as follows:  
Pending Business section  
#1 Modify Mr. G. Folchetti’s statement by changing “Therefore, he doesn’t believe that it *doesn’t meet fire code and is a negative impact.*” to “Therefore, he doesn’t believe that it *is not a code compliance issue*”.
- #2 Change “Mr. Patrie representing St. Lawrence O’Toole project was advised to send out *239 notices* again for exterior only.” to “Mr. Patrie representing St. Lawrence O’Toole project was advised to send out *notices* again for exterior only.”
- Accept draft minutes section  
#3 Correction that motion seconded by *Mr. Anderson*.

- . Secretary will incorporate Mr. Stockburger's changes and issue final minutes for September 24, 2013 minutes.
- . Secretary will send out draft minutes as pdf file in future.

### **Adjourn meeting**

Motion to adjourn meeting made by Mr. Stockburger; seconded by Mr. Tyler. Vote passed 4-0; Mr. Kulo abstained.

Mr. Stockburger made a motion to close the meeting; seconded by Ms. Diaz; passed 5-0.

Meeting adjourned at 8:30pm.

