

**Village of Brewster  
Planning Board  
February 25, 2014**

**Board members in attendance:**

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

Mark Anderson absent.

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.

**Public hearing**

Public hearing for the commercial building at 538 North Main Street, 56.82-1-18 for the review of the site plan improvements and parking could not be held as no public notice had been posted. Therefore, the public hearing for this project will be held at the next Planning Board meeting in March, 2014.

**Regular meeting**

Mr. Kulo made a motion to open the regular meeting. This was seconded by Mr. Murrello and passed 4-0.

Mr. Kulo took attendance showing Mr. Anderson was absent.

**First order of business – New business**

St. Lawrence O’Toole Parish 67.26-2-15 – Request for waiver of building moratorium.

Mr. Nixon presented. The request is to convert the grassy back yard behind the house at 40 Prospect St. (property owned by the church north of the stone church building) to a parking area for church purposes. The house remains a single-family residence. In order to fit the parking, a section of the house where there is currently a bathroom and a laundry room would have to come off the back of the house. Half of this space where the laundry room is (which would be moved to another section of the house) would be taken off. The current driveway would be converted to a one-way road and used as a thoroughfare to reach the new parking area

behind the house and that line of parking against the church. The change in the back yard would yield ten parking spaces, plus the current ten, would yield a total of twenty spaces.

Mr. Stockburger stated that the Village Board is asking the Planning Board for a recommendation to waive the moratorium on this project. He continued to say that there wasn't any prohibition in the code to have parking in the rear of the building, it's not a structure.

Ms. Diaz asked about what was next door. The answer was that there is another residence and back yard.

Mr. Folchetti asked if a site plan submission was necessary after this. Mr. Nixon responded that he thought so. Mr. Folchetti then restated that this discussion was only for the moratorium waiver.

Mr. Stockburger didn't think there needed to be a site plan waiver because this modification would fall under the "as of right" of the owner. No structure is being added, no use being changed. Didn't think they'd have to come before the Planning Board.

Mr. Folchetti stated that for the purposes of this, the Board of Trustees raised the question of waiving the moratorium and is asking the Planning Board to make the recommendation of whether they should or shouldn't.

Mr. Stockburger suggested the following stipulations:

- a) All parking spots should be 9' x 20'
- b) Two of the spots should be designated for the tenant of the house (currently the tenant parks in the driveway)
- c) Parking to be screened from the adjacent neighbor (currently it is screened with fence and some shrubs.) Mr. Nixon said he had discussed this with the church.

Mr. Kulo asked if it would be a natural screen. Mr. Stockburger responded that there is currently a stockade fence on three sides and the fence between the adjacent house should be maintained.

Mr. Folchetti stated that the recommendation is to waive the moratorium with certain conditions.

Mr. Stockburger stated he didn't see any reason to go before the ZBA.

Mr. Stockburger asked Mr. Folchetti about the need for a public hearing on the waiver of building moratoriums. Mr. Folchetti said No.

Ms. Diaz expressed a concern of how putting twenty additional spaces will impact the neighbors. Mr. Stockburger responded that this will remove twenty people off of Prospect Street during church services. Ms. Diaz responded that those will be replaced by twenty others. Ms. Diaz also added that this won't only affect times during church services, but also when other church functions are held, e.g., fundraisers, funerals, etc.

Mr. Kulo stated that he was in favor of the waiver with the discussed caveats, provided that the property is kept nice and doesn't offend neighbors.

Mr. Stockburger made a motion that the Village Board waive the building moratorium with the following caveats from the Planning Board:

- a) All parking spots be 9' x 20'
- b) Two of the parking spots are designated for the tenant of the house
- c) Fencing on the north side of the lot remain in place as screening for the neighbor.

Mr. Kulo seconded the motion and a vote was taken. Motion passed 3-1. (Yeas: Mr. Kulo, Mr. Stockburger, Mr. Murrello; Nays: Ms. Diaz)

### **Acceptance of draft minutes from January 28, 2014 meeting**

. Mr. Kulo asked if everyone had read the minutes.

. Two corrections were needed:

Page 1, last paragraph, second line to be changed from: ...it will be disturbed with the building construction *and the steel reinforced concrete retaining wall...* to ...it will be disturbed with the building construction *and replaced with the steel reinforced concrete retaining wall...*

Page 3, first bullet: Change from Mr. Stockburger stated to Mr. Kulo stated...

. Motion to accept the amended draft minutes of the January 28, 2014 meeting made by Mr. Stockburger and seconded by Mr. Murrello and unanimously passed.

### **Other business**

Brief discussion on training in Saratoga. One training session taking place March 31 – April 1, 2014. Mr. Stockburger/Ms. Stockburger and Mr. Murello/Mr. Anderson to coordinate going.

- . Ms. Diaz not going.
- . Mr. Kulo not going.

Also, training coming up on March 12, 7pm-9pm at 50 Main St. Brewster, NY 10509.

Brief mention of Comprehensive Plan public sessions coming up:  
Wednesday, February 26, 2014 at 7pm at Garden St. School, Brewster, NY  
Saturday, March 8, 2014 at 10am at Garden St. School, Brewster, NY.  
Thursday, March 20, 2014 at 10am at 50 Main Street, Brewster, NY.

Mr. Stockburger asked an audience member, Mr. Ruchala, if he had an opportunity to say his piece. Mr. Ruchala responded with R75. Mr. Stockburger stated that there is no R75. Mr. Ruchala responded that he was at the wrong place.

### **Adjournment**

Mr. Murrello made a motion to adjourn the meeting; seconded by Ms. Diaz and unanimously passed.

Meeting was adjourned at 7:50pm.