

**Village of Brewster
Planning Board Meeting
June 24, 2014**

Board members in attendance:

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

Also present:

Mr. Greg Folchetti, Counsel to Planning Board
A Representative from Folchetti Engineering

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

Public hearing

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. Stockburger made a motion to close the public hearing. This was seconded by Mr. Murrello and passed unanimously.

Mr. Kulo took attendance and cited that there was no new business.

Pending business

First order of business

876 Route 22 67.36-2-19 Site Plan Application

. Mr. Kulo asked if there were any other comments or any questions by the Board on the engineer's report.

. Mr. Kulo asked one question about the contamination of the soil. Mr. Cameron, representing the Applicant, said that it is acknowledged that the soil is contaminated and that Getty committed to the decontamination; it was part of the sale agreement.

. Mr. Murrello asked if there was a timeframe established to get this done and Mr. Cameron said he hoped as soon as possible.

. Mr. Murrello asked if the Applicant owns the property and Mr. Cameron

said, Yes, and that the closing included the agreement that Getty was to restore the site.

- . Mr. Murrello asked about needing a building permit for them to remediate. Mr. Cameron responded that they want to do the demolition and soil clean-up simultaneously, and that he doesn't want to do a soil test now, but rather have Getty remediate the situation first. Then he will do the soil percolation test when the new soil is put in the ground.

- . Mr. Murrello asked if a condition of final approval was testing the new soil. Mr. Stockburger responded that this is what the building inspector will do.

- . Mr. Murello asked Mr. Cameron if he was thinking that it was the soil around the tank itself that is contaminated, and Mr. Cameron responded, Yes.

- . Mr. Stockburger asked about the retaining wall. Mr. Cameron responded that the building will be part of the retaining wall, but it's not ready to be designed yet. This will be done during the building process and it will be part of the building design.

- . Mr. Stockburger stated that the building inspector will sign-off on this.

- . Mr. Gaspar asked Mr. Cameron to bring him up to speed on where the building will be located. Mr. Cameron stated that the existing station is being removed and there will be a new store built, only on a set back. The position of the pumps will be the same only on a different angle for better entrance/exit. The paved area will be the same.

- . Mr. Gaspar asked the last time work was done at the station. Mr. Cameron wasn't sure but thought it was a couple of years ago.

- . Mr. Kulo asked if there were any other questions and there were one.

Mr. Murrello made a motion to approve the Applicant's site plan. This was seconded by Mr. Stockburger and passed 4-0.

- . Mr. Kulo stated that the soil testing should be added to the motion.

- . Mr. Murello made a motion to approve the Applicant's site plan, amended to include the proper soil testing. Mr. Stockburger seconded the amended motion. This was passed 4-0; Mr. Gaspar abstained.

- . Mr. Folchetti stated that he will provide them with the resolution and the Board will then be able to sign off on it.

- . Mr. Cameron also agreed to provide additional, whole sets, of the site plan.

Second order of business

Saint Lawrence O'Toole – 67.26-2-15(16) – Site plan review. Mr. Drazen Cackovic, AIA of DCAK.MSA, presented an overview of the project.

. Mr. Gaspar asked about the area north of the church that is currently an asphalt driveway. Mr. Cackovic responded that this will remain the same, as egress and ingress.

. Mr. Gaspar asked about signage indicating the one way entrance going around the building. Mr. Cackovic agreed to provide signage indicating one way in with arrow pointing out.

. Mr. Gaspar pointed out the refuse container in the northeast corner and asked if the pickup will be at 3am. Mr. Cackovic responded that he will try to get the commercial hauler to try to comply with Village pick up hours.

. Mr. Stockburger stated that a new C102 will be needed to include the dates of the granting of the variances.

. Mr. Folchetti stated re: floor area ratio to parking spaces and coverage – variances were granted and that it is confirmed that no additional parking area is needed. No Zoning Board action needed for parking.

. Mr. Cackovic explained the interior redesign: losing one row of pews as a result of increasing the space between each pew, ultimately losing 28 person occupancy.

. Mr. Cackovic explained that the pillar size was being reduced to improve parishioner visibility to the altar. Mr. Murrello clarified that there was no elimination of pillars or change in number, just changing the size (currently 30” across and replacing with a steel column of 12” wide) and Mr. Cackovic said, Yes.

. Mr. Murello asked about the downstairs space. Mr. Cackovic explained that a big part of this project has to do with connecting the church to the school, and inclusion of an elevator for seniors and handicapped parishioners, and that the downstairs area will now provide much needed storage space and will also accommodate a new HVAC system (central air conditioning/more efficient). No increase in occupancy.

. Mr. Gaspar asked about condensers and having a generator and Mr. Cackovic pointed out where the condensers were located and responded, No, to having a generator.

. Mr. Gaspar asked questions about the lighting designated on the plans as there seemed to be differences on some of the plan pages. Mr. Cackovic will review the plans to ensure they are consistent, but indicated that the

middle picture is the picture of the bollards that will be installed. He further stated that they will be along the walkway and will be 3 feet tall. In addition, there will be four pole-mounted lights, similar to those in front of the train station, with the electrical feed being provided by the church. Mr. Gaspar asked if the height of the new poles based on grade difference would be the same height as the old poles and Mr. Cackovic said he would have to clarify this.

- . Mr. Kulo asked if there were any other comments. Mr. Stockburger stated that the clarifications/corrections will need to be documented on the charts and presented at the July 22, 2014 meeting.
- . Mr. Folchetti stated that they will need to do SEQR.
- . Mr. Stockburger stated that the 239N was done for the Zoning Board.
- . Mr. Gaspar asked if all the agencies needed to be listed. Mr. Folchetti responded, Yes, however, only if this was a coordinated review. And that was up to the Board. That would require time for all the agencies to review and would affect the timing of the SEQR determination.
- . Mr. Stockburger asked what kind of action this was. Mr. Folchetti responded that this was an unlisted action. Mr. Cackovic added that this is a Type 2 unlisted action. And Mr. Folchetti added that if this is Type 2, no action is needed.
- . Mr. Murrello asked how big the area was and Mr. Cackovic responded that it was approx. 1460 square feet.
- . Mr. Stockburger asked if the Board was okay to rule this project as a Type 2 action and all agreed.
- . Mr. Folchetti stated he would prepare the resolution.
- . Mr. Stockburger made a motion to have a public hearing for the Saint Lawrence O'Toole site plan review – 67.26-2-15(16) on July 22, 2014 at 7:30pm at 50 Main Street, Brewster, NY 10509. Mr. Murello seconded this motion and it was passed 5-0.
- . Mr. Cackovic agreed to provide modified site plan drawings next week.

Third order of business

152 Main Street – A&R Service Center, 67.35-1-30, Mr. James Nixon, architect, presented for the Applicant.

- . Mr. Stockburger asked Mr. Nixon if he had received the Village Engineer's comments and Mr. Nixon responded that he just received them at this meeting.
- . Mr. Nixon presented that the modifications on this site are being done at the west end of the existing property. This will be a small addition (400 sq. ft.) at the front of the building with very little site work. The reason for this

addition is to enclose this garage bay in order to do the work currently being done in this area indoors. Construction will be architecturally similar to the existing building. Variances have already been granted.

Re: Engineer's comments – Mr. Nixon said that he can address them at the next submission.

Re: Discharge of waste – Mr. Nixon said that there must be a misunderstanding between himself and the Engineer and that they will have to discuss further. Mr. Stockburger reviewed that the floor drain tied into the sanitary storm and that the storm water will run off to the existing storm drain. Mr. Nixon did say that there will be new leaders on the new roof, going into the storm drain.

- . Mr. Kulo asked about the use of this bay being used for repairs. Mr. Nixon specifically stated that this is not a vehicle repair bay (not changing oil, etc.).

- . Mr. Stockburger pointed out that a correction on the date on the Bulk Area chart needs to be changed as it now shows the variance with the date of October 2014.

- . Mr. Stockburger stated that a 239N was obtained by the Zoning Board.

- . Mr. Gaspar asked whether the new addition was to be finished in brick as the rest of the building, as the plans indicate just plain block. Mr. Nixon responded that the building will be done in brick face.

- . Mr. Gaspar asked about the garage doors – 1) Do they have to be that big and tall and solid, or could they include some glass/windows in the upper section and 2) Would it be possible to install windows on the south elevation. Mr. Nixon responded that he will talk to the Owner about installing windows in the garage doors, if it's efficient to do so and will have to check on the sizing of the garage doors; and he will talk to the Owner about installing windows on the south elevation as he doesn't see any disadvantage to installing them.

- . Mr. Kulo asked if anyone ever considered switching the locations so as not to have the service areas separated. He added that if the service area was positioned on the side, it could have windows to improve the lighting. Mr. Nixon didn't know if it was ever considered and he will ask the Owner.

- . Mr. Gaspar asked about inclusion of building lighting. Mr. Nixon responded that they are relying on what is already installed in place.

- . Mr. Kulo asked what the existing lighting is. Mr. Nixon responded that they are located in the front corners.

- . Mr. Kulo reminded Mr. Nixon that this Board is also interested in the aesthetics of buildings and trying to make a more attractive site.

- . Ms. Diaz asked about changes to the existing retaining wall. Mr. Nixon

responded that the back wall of the building sits on the current retaining wall, and that they hope to continue to build on the current wall. Will rebuild it in place if they encounter something that isn't conducive to using as is.

. Mr. Stockburger stated that he'd like to see changes on the sanitary conditions and the addressing of the comments in the Village Engineer's report first and would like to see the Applicant again before setting the public hearing.

. Mr. Stockburger asked if this was Type 2 (as less than 4000 sq.ft) and Mr. Folchetti responded, Yes.

. The Board advised Mr. Nixon that they would like to see him at the July 22, 2014 meeting.

Fourth order of business

22 Garden Street and 14 Eastview Avenue – 67.27-1-1 & 67.26-2-26: Lot line adjustment on two parcels. Mr. David Strong, Attorney, represented the Applicant.

. Mr. Strong explained that this is a lot line adjustment between two properties, on paper only, to reflect transfer. By way of a resolution, this has already been approved by the Village Board. The lot size is 15' x 120'. The two properties used to have the same owner in 1922. This owner gave the property to the school district, provided that it was used for school, and it couldn't be built upon. Now that Garden Street School is no longer, the transfer must be made back to the original owner.

. Mr. Gaspar asked what type of lot line change this is. Mr. Folchetti responded that this is a minor subdivision, no improvements proposed and that the Village calls for the site plan, that can be waived, if requested by the Applicant.

. Mr. Stockburger stated that no site plan approval needed and that this Board should waive the site plan approval, upon request of the Applicant.

. Mr. Stockburger asked if this was an unlisted action and Mr. Folchetti responded, Yes.

. Mr. Folchetti recommended that this should be an uncoordinated review, and didn't require SEQR.

. Mr. Stockburger asked about needing a 239N and Mr. Folchetti responded that there was no way to avoid that.

. Mr. Strong stated that he will put all this in writing so Board can provide the waiver for the requirement of the site plan approval.

. Mr. Stockburger stated that they will need a description for the County in order to prepare the 239N. He said that they are looking for a brief project description in order to waive the requirement for site plan approval process.

. Mr. Strong asked for the date of the next meeting and was told July 22, 2014. Mr. Strong asked if the approval could happen at that meeting. Mr. Stockburger said, Yes, provided they receive the 239N approval; probably, Yes (have to wait 30 days to make sure they don't have any objections).

Mr. Stockburger made a motion to approve the minutes from the May 27, 2014 Planning Board meeting. This was seconded by Mr. Murrello and passed 4-0, with Mr. Gaspar abstaining.

Mr. Gaspar made a motion to adjourn. This was seconded by Ms. Diaz and passed unanimously.

Meeting adjourned 8:30pm.