

**Village of Brewster
Planning Board Meeting Minutes
October 18, 2016**

BOARDMEMBERS IN ATTENDANCE:

George Gaspar, Chairman
Rick Stockburger, Assistant Chairman
David Kulo
Rick Lowell

ABSENT:

Tyler Murello

ALSO IN ATTENDANCE:

Mr. Todd Atkinson, PE
Greg Folchetti – Attorney, Costello & Folchetti
Christine Piccini, Deputy Mayor

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

REGULAR MEETING:

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

Brewster Honda Sales Center, 899 Route 22, B-2 Zoning, Tax Map #67.36-2-6:

Nicholas Gavery of Bibbo Associates, Eric Masterson of BBL Construction, and Michael Liguori, Attorney at Hogan & Rossi appeared before the Board in support of this application.

Mr. Gavery updated the Board on the most recent plan updates since the last meeting. The main change to the plan is the addition of a landscaping plan. It includes buffer plantings along the Allview Avenue side of the Rapp property, a landscaped area in the northeast corner of the MetroNorth property, proposed tree planting inside the site, and just grass in the buffers in front of the vehicles. The owners were adamantly against doing any other planting in front of the display vehicles according to Mr. Gavery. He said they have been working with the architects to develop a planting bed directly in front of the building on the sidewalk and explained how the sidewalk drops down on the southern side of the building and how they will be adding some beautification plantings.

Boardmember Stockburger asked if some low mums or annual flowers along the front could be added to the front? Chairman Gaspar asked that the overall plan be talked about first although the plantings should be discussed as well.

Mr. Gavery discussed the signage for the showroom building and they have marked each sign that was there previously and will be removed. He noted that the singular standing, pre-existing sign directly north of the entrance will be the only freestanding

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sign for the showroom site. He said that based on their site meetings with Mr. Atkinson and DPW regarding the Rapp property they will be incorporating some grading behind the retaining wall. They have lowered the retaining wall to 4ft. max height. The entrance was shifted uphill to create a better site distance looking under the trestle. The water shutoff valves for the building have been located as part of the demo project and a demo permit has been issued for that site. Next Tuesday should be when the first two buildings start to come down, the smaller garage and the larger barn. They are still trying to remove the tenants in the apartment building. Chairman Gaspar asked how the tenant removal was going and Mr. Masterson stated that they tenants are reluctant. Three of the four remain although they were given legal notice to vacate by September 30 and the Lia's counsel has taken it to the next step. The tenants are being issued a summons. Chairman Gaspar said there is no real curb cut in front of that structure and having cars parked in front of it is a concern on Allview Avenue. It appears they have created their own parking. Mr. Stockburger said the Building Inspector had talked to him about concerns he had but on Allview Avenue on there is authorized parking on the west side of street, that's what is in the Village Code.

Mr. Gavery discussed that with the landscape planting buffer they are also creating a physical timber guardrail to stop any vehicles from either pulling off on that side or potentially going down the slope they're creating. Mr. Atkinson said they will need to go to DOT to get the curb put in and they may not approve it because it is still within the right-of-way and there is a grade change going out of there.

Mr. Gavery updated the erosion control and sequencing plan. This is the during construction plan while the building is being built and the temporary structures are across the street. There is not a real floor plan of the smaller building as they could not get one from the supplier so it is just a hand sketch. That building will just be for the accounting and the public will not be in the secondary trailer. Mr. Atkinson said that he spoke with Mr. Hernandez and he has no issue with what is being proposed here but both buildings have to be handicap-accessible in some way and whatever is done with those buildings temporarily will be ripped down when it is done, meaning the water and sewer lines will all be ripped out and brought out to the edge of the property once it is no longer being used. Mr. Gavery said they have shown a handicap space and ramp up to the front door. The plan during construction will be for Honda owned vehicles to bring customers behind the facility out the current curb cut and they will protect pedestrians and the public with construction fencing along the entire existing curb cut during construction. Mr. Atkinson asked if the upper curb cut will be used for the entrance and exit for construction vehicles? Mr. Masterson said yes probably.

Chairman Gaspar asked about the southern entrance and when is it going to be changed over as well as how are they going to protect the northern property during construction because that particular area is a fill section and the building will be constructed while people are traveling through that on the side. Mr. Masterson said he agreed with that and explained that the southern curb cut will remain as long as possible during construction. He said he is confident that he can fill the area up to the

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temporary fence and maintain it. At a point when it best makes sense for construction they will remove the fence. He said that during that time they will coordinate to have the sales vehicles on the upper lot or in the other lot when the customer comes to pick up their vehicle.

Mr. Atkinson reviewed his memo with the Board. He explained that Honda is in front of the Zoning Board of Appeals for a parking variance and a meeting has been set for October 25. Mr. Atkinson said they will be using the south curb cut. He said they still need to work with MetroNorth further. Further work on the retaining walls needs to be done. Mr. Atkinson didn't see a design in the plan for them. Mr. Gavery said they do have a standard detail and because both walls on the Rapp site are only 4 ft. in height an engineered wall will not be proposed but they can provide cross-sections through that property to give a view of what the actual grade change will be and Mr. Atkinson said that would be fine. Mr. Atkinson talked about the Storm Water Prevention Plan and they are in agreement that they are actually reducing the amount of impervious coverage and they need something from the DEP stating that they are in agreement with that. He indicated that the Rapp site should be included in that and the response was that what was sent to the DEP included the Rapp site. Mr. Atkinson said that curb cut permits are needed for the east and west side. He said that no sidewalks are being proposed for the east side and he is recommending to the Board that on the west side of the road the sidewalk should be replaced because there are three curb cuts right now, they are going to do away with two so there is going to be a section in the middle and a new curb cut established. He felt that it should be continuous across the whole front and should be redone. Mr. Masterson felt it was in everyone's best interest to have a new sidewalk for the new building. Mr. Atkinson said that the only other item was contour issues on the backside as it is not matching. Mr. Gavery said they will review that. Chairman Gaspar said the first number needs to be switched and the last two numbers are in agreement with the current site. Mr. Atkinson said he felt their biggest hold up will be dealing with the DEP and DOT, getting the letter from the DEP and getting the DOT to be in agreement with the curb cuts and locations.

Mr. Gavery informed the Board that with this latest submission they have corrected their application so it now includes the Rapp site as part of the application officially and based Mr. Atkinson's and the Board's comments they have corrected the EAF as well. They feel they are ready to move forward with the SEQR process. Chairman Gaspar asked that they make one change on the drawing: down on the southern portion of the property where the existing curb cut is, there is a retaining wall in there. There is also a note at the bottom that says it's a Versilock retaining wall, 6 ft. maximum height. If you come around the corner and go to the east side of that retaining wall you are actually 8 ft. tall so either reduce the height or change the note. Mr. Gavery said on one end of the wall they will be tying into grade. He showed on the plan where they will be coming up the hill by Route 22 and that it is 6 ft. high, it works its way back to zero at the front. The highest point of the wall is at that corner and as it comes back it will go to grade. Mr. Atkinson asked if the wall between there and Norm's is going to be taken down?

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Mr. Gavery said that whole wall is coming down and they will be starting at grade and going from there.

Boardmember Stockburger asked about the flagpole and sign plans. Mr. Gavery said they originally had a flagpole out in the parking area but it will be moved into the newly created buffer and closer to the road. Boardmember Stockburger asked what size flag are they going to fly and what's the possibility of it going over the sidewalk. Mr. Gavery said they will include detail of the flag on their next submission but right now it is a 35 ft. flagpole. Mr. Atkinson said they may be getting too close to the power lines and showed alternate locations on the plan including the parking island that Mr. Masterson had suggested.

Chairman Gaspar said he has a concern with regard to landscaping and Allview Avenue and he would like to see the houses on the east side plotted because those houses are looking at the back side of the old barn and once that is gone they will have a clear view so there should be landscaping placed there. Boardmember Kulo said if the lighting is done well they should not get too much light pollution and with nice landscaping it will be an improvement because those buildings are in need of repair. Mr. Gavery indicated that there would be three trees that need to come down. He said that they tried to keep the landscaping consistent with what they did with Allview Avenue with nice spruces. Boardmember Stockburger said some low lying cover would be good to add to the landscaping instead of just grass. Mr. Gavery responded that they would pick some spots to add some colorful plantings. Mr. Atkinson suggested the area by the bottom of the stairs to the bike path near the entrance.

Mr. Gavery reviewed the floor plan that was included with the most recent submission. Mr. Masterson said he felt the color indicated on the rendering was a little misleading as they did choose the brick color but that is what the computer put out. It will be the same brick the Board had looked at. He said the colors chosen actually gave it a more weathered look. Boardmember Stockburger reminded everyone about the color palette conversation from the last meeting and Mrs. Picini said it should be similar but upon reading the Code it says it must be in accordance with the color palette and suggested they put in for a sign variance when they go to the ZBA for the parking to get the color approved. Chairman Gaspar said there may still be time to amend that application for October 7. Mr. Gavery answered that he would speak with Michael Liguori about that to see what can be worked out.

Chairman Gaspar reminded the Board that there had been a discussion about declaring the Board Lead Agency and potentially modifying the November meeting so it falls after the 30-day period. He asked the Board for their input on making a decision regarding these items. Boardmember Stockburger asked if they could still send the 239 notification and the Lead Agency package out without the parking variance being approved. Mr. Atkinson said yes. Boardmember Stockburger is in favor of proceeding as such but wanted to be sure enough time was given for the next meeting so that the package can be prepared and sent in such a manner that the 30 days are met.

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Chairman Gaspar agreed and said that Mr. Folchetti would need to prepare the documents if they declare Lead Agency. Mr. Atkinson said November 29 would give enough time for the 30 day notice and allow for a Public Hearing to be scheduled as well the same night.

Boardmember Stockburger made a motion to declare the Village of Brewster Planning Board Lead Agency in the Brewster Honda project, seconded by Boardmember Kulo and passed all in favor. Chairman Gaspar would inform Mr. Folchetti so that the documentation required can be prepared.

Boardmember Stockburger made a motion to set a SEQR Public Hearing for November 29, 2016 for the Brewster Honda project, seconded by Boardmember Lowell and passed all in favor.

Boardmember Stockburger made a motion to hold a Public Hearing on November 29, 2016 for the site plan application for Brewster Honda after the SEQR Public Hearing, seconded by Boardmember Lowell and passed all in favor.

Boardmember Stockburger informed the applicant that they have had continued complaints about the gate being open on Sunday and the trash bins are being emptied at 2:30 in the morning. His recommendation to the residents was to send a letter to the Village Board, Building Department and the police chief indicating that they are in violation of the site plan. Mr. Masterson said he received documentation and said they are working on it. Boardmember Stockburger also noted that Friday trucks were being unloaded in the middle of the day on the west side of Route 6.

Mr. Atkinson informed the Board of two comments that the Building Inspector brought up for the plans: some sort of barrier for the back of the site so there is a buffer between the parking and the drop off into the river. Mr. Gavery said they would incorporate a timber guardrail along the back to add another layer of protection.

Boardmember Stockburger asked if they met the parking requirement now that they owned the Rapp parcel and it is within 750 ft. of their project. Mr. Atkinson responded that he looked at it and doesn't think they can because they are at 17,000 sq. ft. for the new building and when the calculation is done it is actually more than what was calculated for the existing building. Mr. Gavery looked at laying out parking on the Rapp property and felt they could fit enough that would be close to what is required but didn't believe the owners wanted to stripe the Rapp property so it would be safe to get the parking variance.

Mr. Atkinson said the DOT may not be fully engaged by the time the Public Hearing is scheduled and may not have an answer from the railroad and asked would these items be contingent in the Board's decisions? Boardmember Stockburger said he would have no objection making it contingent upon because they will not be starting construction

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and demo is at their own risk. Mr. Gavery said they are going to try to get an initial meeting and onsite visit with the DOT prior to the Public Hearing.

Chairman Gaspar is satisfied with the modifications made to the plans and Mr. Atkinson agreed. Mr. Gavery said they also started looking into some issues with NYSEG and it turns out that the pole in the southern corner where they were originally proposing to bring electric into their temporary facilities is owned by NYSEG so they are working with NYSEG to bring power in from there. Mr. Atkinson informed the Board that one of the poles on the corner as well as the lights on the pole. Mr. Atkinson told Mr. Gavery that they will need to provide the pole numbers so that the Town Clerk can inform NYSEG of the pole that they will no longer be in use and can be shut down and removed.

SIGN ORDINANCE DISCUSSION – B-2 DISTRICT:

Chairman Gaspar's biggest issue is two-fold. One is that it makes reference back to part of the Ordinance but doesn't make any specific recommendations. What is needed in the whole Sign Ordinance is a chart that explains how each district should read as there is the 75% but no maximum length is indicated. He has researched other Sign Ordinance and that seems to be a common percentage (75%) but there is always a maximum length that goes along with it. He indicated that he believes the Village Code reads 75% of the length of the building and not the area of the building. For example if there was a building 40 ft. wide and 3 stories tall that would be the area of the front and it should not be related to the face area but relate it to the length area of the building.

Boardmember Lowell said there should be a ratio between length and width of the side as well as consider that some signs are not mounted on a sign board but are letters attached to the building. Chairman Gaspar agreed.

Chairman Gaspar asked what is a permitted sign in a zone? Letters are permitted but the letters should have a height to it for a maximum letter height on a sign. It should be 75% of the storefront or a maximum of some number. Boardmember Lowell asked what the typical storefront length is for a store in the Village? Boardmember Stockburger reminded him that they are only discussing the B-2 zone, which is from Route 6 coming down towards Route 22. He indicated that the medical office building will be a big part of this and they need to decide how signs such as will be there should appear. He went on to say that most medical office parks have a monument sign and then interior signs. Mr. Atkinson said he believed the concern is what is going to be visible when you are facing east from the bridge.

Boardmember Stockburger noted that there are three possible access points into that site. The one from Route 6 coming up Palmer Road is not going to happen. The other entry is the Goldsand legal offices and there could be access from there. The third access is Allview Avenue, which is residential and I am not sure what a commercial sign in a residential area is zoned for and if we even want to try to discuss that. Mr. Atkinson went over that entry in his discussions with the DEP. He said that the DEP's point about 2 Palmer is that they only gave an access permit for the actual municipal building

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and now they would have to modify the access permit. The issue with that is that it would be for a commercial entity that is going to make money off that access and the DEP says they can't do that. He did note that there are numerous locations where they have done that and that's what the attorney for this project is going back to the DEP with. One thing they are proposing, Mr. Atkinson said, is giving a donation of land with the DEP and only taking the piece that they need and there are another 18 or so acres that they don't need and saying 'you give us access and the permit and we will turn everything we don't need over to you and allow it to be DEP property.' Mr. Atkinson said they put together the numbers coming off Allview and they are very bad. He said there would be approximately 6 extra acres of disturbance to try to get the grades in and he felt it was not feasible. Boardmember Lowell said he has not seen a rendering of this plot and asked if there was one available that shows the boundary lines and access points? Boardmember Stockburger said they sent something through with the site plan application but they didn't have DEP approval. Boardmember Lowell said he has not even seen how it is laid out or what the total acreage is. Mr. Atkinson thought it was approximately 22 to 26 acres. He said it is going to be located on the north side of the Town Garage.

Chairman Gaspar said that Boardmember Stockburger did some research regarding freestanding signs. Boardmember Stockburger said the Code says area of the signs should be defined as 199-4 that doesn't exist in the Code. Chairman Gaspar said it exists but it doesn't explain what the area of the sign should be. Boardmember Stockburger said it is not in Chapter 199. Chairman Gaspar and Boardmember Stockburger both agreed that there is no definition of what the sign is. Chairman Gaspar said *'the area of the sign shall be as defined in 199-4'* and there is no definition there. He said that this needs to be clarified maybe with a chart at the end and define all the Zones and what is permitted in each. Mr. Atkinson said to maybe find another Village in the area and see what they have but Boardmember Stockburger disagreed. He said that he went out and took pictures of monument signs and found one that he thought would be appropriate for the Route 6 area, which he passed around a picture of the sign and noted that it is the one in Dupuis property. Chairman Gaspar's objection to that sign is that if there is a height restriction to a sign it can't be on a pedestal and Boardmember Stockburger said they could make it a ground sign or something similar to that. He continued: the Catholic Charities sign, which is out of the B-2 Zone, but is a freestanding sign for multiple businesses. Boardmember Lowell said that was a sign for a shopping center that lists all the businesses but we're talking about a building that could have 100 offices or more and you can't list everyone one on the front of it. He felt it should just have the name. Boardmember Stockburger said he felt they could be strict in not having 100 signs just by the area of the sign. Boardmember Lowell said in the Sign Law that exists now there is a subset on all signs that are nonconforming depending on the advertising value of the sign it's amortized over x number of years. Boardmember Stockburger said the strip mall needs a sign such as he showed. Boardmember Lowell said because it's a strip mall and it's commercial storefront which is different than an office building. Boardmember Stockburger said they must regulate the whole B-2 because they could not make that a B-6 and he felt that if they used the

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size of the sign and explained the size of the sign that was used for this strip mall minus the pedestal and he felt that was a good way to restrict signage. Mr. Atkinson said in some places they only give you 12 sq. ft. for a sign, which made the law too restrictive so that applicants have to go before the ZBA if the sign doesn't conform to make a determination and it forces approvals on a case by case basis.

Boardmember Stockburger said he felt the Sign Ordinance should allow one freestanding sign per property on a certain area, which would force them into having something like 'Medical Office Park' and then they have to decide how many other signs can be allowed on the property. He said addresses are now allowed so they could say something like Suite 300-340 that way which would all be legal. He asked the Board how do they want to regulate what is on the building itself because there will be signage on the building. Boardmember Lowell said he has gone into medical buildings and they usually have the name of the medical group and that's it. Boardmember Stockburger said right but if they propose to have different tenants in there and would not be one medical group. Boardmember Lowell felt they should just have a concept sign such as "Medical Arts Building of Brewster" and then you walk into the lobby and ask the receptionist where to go. Boardmember Stockburger said yes but it is unknown if they are going to have one lobby or one entrance. Mr. Atkinson said in Fishkill where Westage you have four different medical buildings now and they are named 100, 200, 300 etc. and there are no names on any of them other than the number. Boardmember Lowell said that was what he was thinking.

Boardmember Stockburger said that Doupuis building businesses behind Norm's all have a sign on their storefronts but that is a strip mall but it is one big building. Mr. Atkinson suggested for example there is a 20 ft. wide storefront, you're allowed to do say 50% and then a quarter of that in height so you could have a 10 ft. sign and a quarter of that means it can be 2.5 ft. high. Boardmember Stockburger said okay but does the medical office building have the same rights as they have? Mr. Atkinson said one would be called retail and the other would be a professional building. Boardmember Stockburger argued but what if a retailer went in there? Say someone that makes and sells orthotics? Mr. Atkinson said it is not approved for retail and he would be a professional making orthotics. Boardmember Kulo agreed that a professional building would be different than retail. Boardmember Stockburger said he just wants to be sure they write a clear regulation.

Chairman Gaspar said to start with the freestanding sign and he agrees with one freestanding sign per property of 32 sq. ft. that is two-sided. Boardmember Stockburger said and no higher off the ground than... Boardmember Kulo asked what constitutes the ground? Mr. Atkinson said typically you want to be 4 ft. off the ground for height and then if you are going 8 high... Boardmember Lowell said that is going to depend on terrain to some extent because if you have a sign that won't be visible until you come over the crest of a hill 8 ft. may not be good. Boardmember Stockburger reviewed the heights of some of the signs he researched. Chairman Gaspar said he objects to having a sign that is 12 ft. tall and the pedestal should count as part of the sign. He

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said he is fine with the size of the sign but not the pedestal. Boardmember Stockburger said it could say 'total of the sign including pedestal is 10 ft.' Boardmember Lowell asked if the pedestal had to be see-through? Boardmember Stockburger said they should indicate that the sign area can be no more than 4 ft. by 8 ft., total height of the sign including pedestal if utilized is 10 ft. Boardmember Lowell said he could do it 8 ft. high by 4 ft. wide and Boardmember Stockburger said yes as long as he is under the 10 ft. in height. Chairman Gaspar clarified the numbers: 32 sq. ft. and 10 ft. in height.

Boardmember Stockburger indicated another problem he found in reviewing the signs. The sign for Doupuis was grandfathered for 0 ft. from the property line. The new Code says 'must be 10 ft. from the right of way' and should that still be included or should it be less than that? Chairman Gaspar said they have a 10 ft. buffer so that is dictating that it must but within the buffer area that has been instituted. Boardmember Stockburger asked do they want it in the buffer area or beyond it? He said that if the medical building tries to go in by Goldsand's the sign will not be seen going north if that is instituted. Mr. Atkinson said they would need to go for a variance then.

Chairman Gaspar said he liked Mr. Atkinson's idea about a wall sign. He said they need to deal with the frontage of the space and give it a percentage of what their front of the building is and that is where the issue is as there are no definitions as far as dimensions. Mr. Atkinson said there are signs in windows of businesses as well that need to be reviewed. Boardmember Lowell said he is on a board in Yonker where they have dealt with this and in the last Sign Ordinance they placed there was a stipulation in the amount of store window area that must be clear so that people can see in and lights left on. Boardmember Stockburger said the Village does not allow lights to be left on. Boardmember Lowell said many of the stores put the plastic letters on the windows as their sign so they do not have to pay for a sign permit or tax. Mr. Atkinson said the stores on Main Street that have basically a menu lettered in their window are inappropriate and not type of information that should be displayed in the window. Boardmember Lowell stated he didn't think they could legislate that but need to educate the store owners on how to do window displays so they are attractive.

Boardmember Stockburger read *'the allowable sign area shall not exceed the square footage that is equal to the linear frontage of the building's frontage towards the public right of way.'* He continued: this means that if you have 60 ft. long building then 60 sq. ft. of signage is allowed on the building. Chairman Gaspar said that is the only definition of a wall sign that's currently available. The Board discussed that there are no parameters for the actual height of the sign or the lettering and it would be good to dictate the size parameters. Boardmember Lowell suggested putting using a percentage to determine the height such as 75 percent of the width of the building and 25 percent in height and maxes out at 20 ft. wide no matter how big the building is. Chairman Gaspar said yes there can be maximums used such as 24 in. tall, what the maximum length is, and what the letters are. Boardmember Lowell said then they would need to come for a variance if it is something more artistic. Chairman Gaspar said if it is artistic they are supposed to appear before the Planning Board.

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Boardmember Stockburger said there is a window sign law where you can only have 20 percent of the window covered.

Boardmember Stockburger said 90 percent of the signs in the Village are illegal and back when the sign laws were created there were five members on the board that wanted specific items and in order to get their items positively voted they voted for others items. He read *'no flashing, revolving, animated, moving or neon signs or continuous strip lighting are allowed.'* Boardmember Lowell asked if you can have a barber pole as it spins? Boardmember Stockburger said if it is moving no but someone has to enforce this if they do it.

The Board discussed the interior lighting of businesses and that now they must turn them off but Boardmember Lowell thought it would be good for them to be left on so that you could see inside the business in case of activity after hours. Boardmember Stockburger said in order to be allowed to leave lights on after hours the business owner must go to the Police Chief with their security concerns to get permission. He continued: stores should have some illumination because it is safer for the sidewalk. He said the next time these laws are voted on he is going to ask that the laws be voted on section by section instead of an entire package.

Boardmember Stockburger suggested that as a Board they should go for the area of the sign, frontage of the building and allow one freestanding monument sign per property of a certain size and then let the front of the buildings go.

Chairman Gaspar suggested on a wall sign to use 75 percent of the frontage with a maximum length of 16 ft. The sign can be a maximum of 24 in. tall and the maximum letter height is 12 in. It can be less but not more. Boardmember Stockburger said you're changing from 100 percent to 75 percent and Chairman Gaspar said yes with a maximum length. Boardmember Stockburger said he had no problem with that and if someone wanted something else they would need to go for a variance. Mr. Atkinson said if you look at a village that is trying to make everything similar and said cities like Beacon have done wonders with cleaning up the signs in their Town compared to what it was. Boardmember Stockburger said Ridgefield does it as well with their signs being uniform. Boardmember Lowell said he doesn't see that happening in the Village as it is not the same environment. He said you don't want consistency necessarily but you want color, life, vibrancy. Boardmember Kulo said yes but you don't want some signs making a bad impression against other signs in promoting business. He said he thinks that is what is meant by consistency and they want harmony. Chairman Gaspar said we are not saying that all signs must be 24 in. tall but that is the maximum so there is some creativity that can be used.

Boardmember Stockburger said they should adhere to the color palate with some leniency of a couple shades and that would be a good recommendation. He said he doesn't like the words "similar to" that are currently used. Mr. Atkinson said it is subjective.

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Boardmember Stockburger discussed the lighting of signs and suggested that properties and signs may be illuminated 24 hours a day at the owner's discretion but they don't have to be. Chairman Gaspar agreed. Boardmember Kulo asked doesn't business insurance suggest that lighting be on and Chairman Gaspar agreed that you are supposed to keep a light on in the store.

Boardmember Stockburger said this whole thing was done because the original sign law was unconstitutional due to regulating political signs and the Supreme Court says you can't regulate political signs.

Chairman Gaspar reviewed a home occupation and said *'a sign may not exceed 4 ft. in height including any and all supports for the sign.'*

Chairman Gaspar said he would write up what was said and distribute to the Board.

Mr. Stockburger made a motion to approve the minutes from September 21, 2016 and Mr. Kulo seconded and passed all in favor.

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

Meeting adjourned at 8:45 pm.