

**Village of Brewster  
Planning Board Meeting Minutes  
December 19, 2017**

**BOARD MEMBERS IN ATTENDANCE:**

Rick Lowell, Chairman  
Rick Stockburger, Assistant Chairman  
David Kulo  
Janet Ward  
Marti Foster  
Gregory Folchetti, Attorney - Costello & Folchetti

**ALSO IN ATTENDANCE:**

Mr. Todd Atkinson, PE

Chairman Lowell led the Board in the Pledge of Allegiance, whereupon the proceedings were called to order at 7:30pm. Chairman Lowell introduced the new members of the Board: Janet Ward and Marti Foster.

**REGULAR MEETING:**

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

Chairman Lowell nominated Boardmember Stockburger for Assistant Chairman, seconded by Boardmember Kulo and passed unanimously.

**538 North Main Street – Tax Map ID 56.82-1-18:**

Chairman Lowell reminded the Board there are two Public Hearings open for 538 North Main Street and that they were looking for the variance from the Zoning Board.

Boardmember Stockburger made a motion to Continue the Public Hearing for Site Plan, seconded by Chairman Lowell and passed all in favor.

Mr. Nixon provided the variance. Chairman Lowell asked Mr. Folchetti if the variance had to be read into the record to which Mr. Folchetti said it is already a matter of record. Chairman Lowell noted that all variances requested were granted on November 1, 2017.

Chairman Lowell asked if there was any further Public Comment. Mr. George Gaspar said we had asked specifically what the variance was for so the Planning Board would know the specifics. Chairman Lowell read the information in the variance indicating that parking was reduced to 2 parking spaces and Mr. Folchetti added that 6 were required and 4 were waived reducing the number to 2. Boardmember Foster asked is that off street or on street? Chairman Lowell said 2 on street and the balance to be found by luck.

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Boardmember Stockburger made a Motion to Close the Public Hearing on the Site Plan, seconded by Boardmember Ward and passed all in favor.

Boardmember Stockburger made a Motion to Continue the Public Hearing for SEQRA finding for 538 North Main Street, seconded by Boardmember Foster and passed all in favor.

Chairman Lowell asked Mr. Folchetti if he had any comments to which he responded no but that he had prepared a Negative Declaration and if the Board so wished they could Close the Public Hearing and vote on the Negative Declaration.

Chairman Lowell asked if there was any Public comment and there was none.

Boardmember Stockburger made a Motion to Close the Public Hearing for SEQRA on 538 North Main Street, seconded by Boardmember Kulo and passed all in favor.

Mr. Folchetti asked the Board if they were inclined to consider a SEQRA Determination and the Board said yes. Mr. Folchetti read the prepared Negative Declaration for 538 North Main Street, Tax Map ID 56.82-1-18. He stated that *“the Village of Brewster Planning Board performed an uncoordinated review of the Site Plan that had been submitted for that site pursuant to the State Environmental Quality Review Act and pursuant to 6NYCR Part 617 that the Planning Board hereby designated itself Lead Agency for the purposes of State Environmental Quality Review in this Unlisted Action and that pursuant to Part 617 of the implementing regulation pertaining to Article 8 of the Environmental Conservation Auspices State Environmental Quality Review Act the Lead Agency of the Village of Brewster Planning Board has determined that the project and the proposed Unlisted Action will not have a significant effect on the environment for the purposes that are listed at the end in the Declaration provided. Those points are largely as follows: The Site Plan will not result in a significant adverse impact to the air quality, there will be no negative impact to surfaces on the site. Although the Site Plan involves some excavation on site premises shall not be significant in scope or nature. It will not involve any long term noise impacts. All solid waste generated by the project will be collected onsite. No disposal system is required as there is sewer available. The project will not create flooding impacts. There are no flood plains noted in the vicinity of the proposed site. It will not result in any negative impacts on wetland resources. It will not result in any removal of onsite trees. There will be no impact of any significant habitat as a result of the project and does not create a material conflict with the community’s master plan. It will not result in adverse impacts to the character of the surrounding neighborhood and the project will not impair the character or quality of the historic, archeological or architectural resources. The project will not result in the change or use on the site. The proposed project will not present any opportunity to adverse public health conditions nor would it create a hazard to human health. The action will not result in changes to two or more elements of the environment which alone would not have a significant effect on the environment but when considered together would result in substantial adverse impact on the environment and the proposed action*

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*is not related to another action which would be funded or approved by an agency which when considered would meet one or more of the aforementioned criteria.”* Mr. Folchetti said if the Board is in agreement with the statements given in the Negative Declaration someone may move to adopt Counsel’s statement as a Motion, get a second, and vote it. Mr. Foster asked who made the statements that Mr. Folchetti read. Mr. Folchetti said he drafted it for the Board to consider in connection with the standard Negative Declaration for a Site Plan. He said the reason that he listed out (1 through 17) are listed in the Environmental Quality Review Regulations and are considered when making a SEQRA Determination on a proposed Action like this.

Boardmember Stockburger made a motion to adopt the SEQRA Determination for this project, seconded by Boardmember Ward, and passed all in favor.

Mr. Folchetti asked the Board if they were inclined to consider Site Plan Approval Resolution at this time and Chairman Lowell said yes to the project as designed since there has been sufficient discussion in previous meetings.

Mr. Folchetti asked if there were any engineer comments to be incorporated into the Resolution and Mr. Atkinson said no.

Mr. Folchetti said the Board may move to approve the Site Plan as submitted. He said the Board should read the dates of the most recent Site Plan for the record. Mr. Folchetti said you would need to make a motion to approve the Site Plan as embodied on the drawing entitled 538 North Main Street Commercial Building Plan and Amendment Durquinn Inc. owner, Tax Map ID 56.88-1-18 on drawing number SY-101 with a last revision date of 11/6/17.

Boardmember Stockburger made a motion to accept the Site Plan as submitted, seconded by Boardmember Kulo, and passed 3 to 0 with 2 abstained.

Mr. Gaspar said that Mr. Atkinson left the meeting with a piece of information that is going to require Chairman Lowell’s signature after he looks at it. He said that once Chairman Lowell signs then he can sign as well. Mr. Folchetti said that Mr. Gaspar should not sign it as he is on the Board of Trustees now so Chairman Lowell or Boardmember Stockburger should sign. Mr. Gaspar said the document is for 530 North Main Street subdivision. He said the Board approved it but he had to go through the process of the Boards and it came back with some add-ons to that approval.

Boardmember Stockburger made a motion to approve the minutes of November 21, 2017, seconded by Chairman Lowell and passed all in favor with 2 abstained.

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