

**Village of Brewster
Planning Board Meeting Minutes
March 15, 2016**

BOARDMEMBERS IN ATTENDANCE:

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

ALSO IN ATTENDANCE:

Mr. Greg Folchetti –VOB Counsel
Mr. Todd Atkinson – VOB Engineer

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

REGULAR MEETING:

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

John and Josephine Gress / Town of Southeast Lot Line change Oak Street 67.27-1-2, 67.27-1-3 and 67.35-1-39: John Gress appeared before the Board to continue the presentation of his application. Mr. Gress gave the Board a certified copy from the Town of Southeast Resolution giving Town Supervisor Tony Hay permission to sign it as Mr. Folchetti had required and the final copy of the metes and bounds as well as the transmittal letter from Bergendorff. He has the final map Mylar signed by him, his wife, Mr. Hay and by the Board of Health and with the Board's signature he can bring it up to the County Clerk and have it signed. He did run into a problem with the Board of Health stating that they told him they would not sign the map until they received a certified copy with a raised seal with his signature, Mr. Hay's, and his wife's signature on it and that the Board of Health didn't want to wait until the County Clerk gave them the final. He wanted the Board to know this because he felt that with a lot line adjustment there is almost no need for the Board of Health to sign off like if there were a septic involved or a house so if the Board is considering making some corrections to the Code that may be one thing to consider. He said the engineers at the Board of Health were confused as to why he was going there for a signature and the only reason he did was because Chapter 182-3 required it. Mr. Gress would like a copy of the 239m and Mr. Stockburger gave to him.

Mr. Atkinson appeared before the Board noting that he had reviewed the Mylar and everything is in conformance with his letter dated February 12, 2016.

Mr. Folchetti asked the Board if they were ready to act with regard to SEQR. Mr. Gaspar said yes they were. Mr. Folchetti said SEQR Determination must be done first. Mr. Gaspar asked Mr. Folchetti if they had to make a resolution first and Mr. Folchetti

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answered yes there was a Draft Resolution for the Board's consideration and some backup that you don't necessarily have to read verbatim. He said you can certainly do the Resolution which recites that it's an uncoordinated review of an unlisted action and you are going to declare yourselves as Lead Agency now.

Mr. Stockburger read the SEQR determination and Negative Declaration with an uncoordinated SEQR review of an unlisted action and declared the Board as Lead Agency. The Draft Resolution indicated it was a coordinated review but the Board amended it to an uncoordinated review.

Mr. Stockburger made a motion to approve the Resolution as read and amended. Mr. Murello seconded the motion and was passed all in favor.

Mr. Gaspar read the final approval resolution. Mr. Gaspar made a motion to approve the lot line adjustment for Tax Map 67.27-1-2, 67.27-1-3 and 67.35-1-39 at 104 Oak Street, 108 Oak Street and 98 Oak Street with regard to John Gress and Josephine Gress with the Town of Southeast and the lot line adjustment. Mr. Kulo seconded the motion and was passed all in favor.

Mr. Gress asked the Board about the merging of the properties and said that it was not noted anywhere. Mr. Folchetti answered that it will be done by either the County or local Assessor. Mr. Gress wanted to be sure he did it correctly so that he didn't have to come back before the Board again. Mr. Folchetti explained to him that the merger itself is without an affirmative elimination of the lot lines and he is the owner of all the parcels so he can merge it at real property tax level and that he may do a conveyance so that it becomes one piece but that it is not a Planning Board function.

HOUSE ITEMS:

ZONING CODING:

Mr. Gaspar spoke about the Town Code and lot line adjustments. He used Mr. Gress' property as an example stating it was open property but they might have applications involving two property owners which would have a different impact on the site. He suggested that in these cases the Board should hold a Public Hearing for lot line adjustments and it can always be waived if something like Mr. Gress' situation comes before the Board where there is no impact on the property or adjoining neighbors. He continued: since it's not listed the Board is forced into not having a Public Hearing. Mr. Gaspar also noted another item with regards to the Town Code involving Brewster Honda and the parking and he suggested that the Board look at the parking regulations in the B-2 District to see if there are adjustments that need to be made with regards to parking or anything else that the Board finds in the Code. He said that he understood that the Village Board approved having the Code printed and there will be 10 copies made for the Boards and when they received them they should go through it and compare to past if needed. He asked the Board how they think they should handle any adjustments they feel need to be made.

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Mr. Stockburger said it should be reviewed to be sure it's uniform with regard to requirements and that all Board members should review it and then get together and discuss their findings so that they can write something up to give to the Village Board.

Mr. Stockburger asked Mr. Gaspar if he could make sure since we moved a lot of information out that we have the zoning, planning, signs and parking ordinances because they all have become one.

Mr. Gress made a comment that the application has to be submitted 14 days prior in the Code and there's a discrepancy online and Mr. Gaspar said yes, we use 15 days. Mr. Gress also noted that the application needs to be amended to show the lot line adjustment on the application for site plan subdivision.

Mr. Stockburger suggested that the Board review the Code prior to the next meeting and Mr. Gaspar said he would find out when the Town Clerk will have the copies available for the Board and send out an email regarding it.

Mr. Stockburger suggested to Mr. Gress that the Zoning Board of Appeals might want to review the Code to see if there are any changes they might want to make. He asked Mr. Folchetti if the ZBA needed to do SEQR for an area variance. Mr. Folchetti said no it's a Type II.

Mr. Gaspar suggested the Planning Board and Zoning Board get together and have one big meeting. Mr. Folchetti asked to roundtable ideas for Code modifications? Mr. Gaspar said yes. Mr. Gress said he would send the Chairman an email with the Planning Board's suggestion.

NEW YORK PLANNING FEDERATION:

Mr. Gaspar said that the Village Board approved the Planning Board's request to attend the New York Planning Federation for each Boardmember. The Town Clerk has made the reservations for everyone so if a Boardmember is not going they should inform the Town Clerk.

Mr. Stockburger asked if Mr. Gaspar submitted the budget for next year and Mr. Gaspar said yes and that he had training money included.

NEXT MONTH'S MEETING:

The meeting will be April 26th due to the 19th being primary day. The deadline will remain the same.

NEW BUSINESS:

VOS DEVELOPMENT:

It may be on the agenda for next month per Mr. Atkinson. Mr. Folchetti said to Mr. Atkinson you're at SEQR stage right now so there hasn't been a determination. Mr. Atkinson said yes but that they still may not be ready.

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494 MAIN STREET:

Mr. Gaspar said he understands that everything is signed and the Town Clerk sent an email notifying them that if they needed anything to come in and get it and to go to the Building Department. Mr. Atkinson said they are operating under an existing building permit that they have to get amended now to reflect the new set of plans in order to do the work inside the building. He said he will check with the Building Department to see if they have come in.

Mr. Gaspar said he heard the County was going to replace the sidewalks from Michael Neuner to Kobackers because of the bike path. Mr. Stockburger said he also heard that when they were going to put the bridge over Morningthorpe they were going to sidewalk that too as part of the County's plan. Mr. Gaspar said he knows it's a bone of contention and Mr. Hernandez of the Building Department has brought that up in the past and I think he is still trying to get that side of the sidewalk repaired.

BREWSTER HONDA:

Mr. Atkinson said to Mr. Folchetti, when we're looking at Brewster Honda they showed on their site plan the work that is in the Village and they also showed a piece that's the parking in the Town. He asked would it be in the Board's purview to ask for the site plan for what's actually being built across the street in the Town of Southeast in order to review it as a whole project. Mr. Folchetti said right they have jurisdictional requirements there for whatever improvements they want to do in Southeast but we're going to calculate the bulk parking requirement based on the entire site so they would need the site plan. Mr. Folchetti said we're going to calculate whatever the parking is and determine whether or not there's conformance with the bulk parking requirements. Mr. Kulo asked there are two site plans? Mr. Atkinson said there are two site plans and two municipalities. Mr. Folchetti said that the Village has the majority so they will probably be lead agency for SEQR purposes. He said his understanding is that they need the other location for parking. Mr. Atkinson said based on their parking calculations right now they will not meet the customer parking that's required and if you look at it now they are showing 18 parking spots and if you go based on the square footages on there I think it was substantially higher, in the 80 range that was required but they're claiming that all the parking spots on the back along the water and going up into the Town on the west side are all for cars that are to be sold. Mr. Gaspar said which is part of MetroNorth property. Mr. Kulo said logistically if they're going to try to park on the other side of the street that encourages a safety issue because now you have people crossing the street. Mr. Atkinson said he thinks the Planning Board needs to look at the whole thing as a master plan so they can see what it is overall going to look like. Mr. Kulo said there are still buffer requirements between the residential R-20 that is there and their property. Mr. Atkinson said another issue that came up was that they disturbed more than an acre in the Village on the other piece of the property and there's no SWWTP.

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ACCEPT MINUTES OF DECEMBER 22, 2015:

Mr. Gaspar made a motion to accept the minutes of December 22, 2015. This was seconded by Mr. Murello and passed 3 to 0 with 2 abstentions from Mr. Stockburger and Mr. Lowell.

ACCEPT MINUTES OF FEBRUARY 16, 2016:

Mr. Gaspar made a motion to accept the minutes of February 16, 2016. This was seconded by Mr. Murello and passed 5 to 0.

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

Meeting adjourned at 8:30 pm.