

**Village of Brewster
Planning Board
August 28, 2012**

Regular Meeting Minutes

Board Members in Attendance:

David Kulo, Chairman
Rick Stockburger, Assistant Chairman
Tyler Murello
Mark Anderson
Renee Diaz

Also in Attendance:

Greg Folchetti-Planning Board Attorney
Bruce Martin- JRFA, Village Engineer
Stephen Abels- Attorney
Daniel Ledley
James Nixon
Joe Ramirez

The **Pledge of Allegiance** was recited.

[Whereupon the proceedings were called to order at 7:31 p.m.]

Call to Order

Chairman Kulo stated that this was the regular August Meeting of the Planning Board and noted that he was in attendance along with Rick Stockburger, Mark Anderson, Tyler Murello and Renee Diaz. Chairman Kulo made a motion to open the Meeting, which was seconded by Ms. Diaz and passed by a vote of 5-0.

New Business

55 Main Street-Cache Restaurant expansion (concept plans)

James Nixon stated that he was representing the Colons, the owners of Cache Restaurant and that they wanted to expand the restaurant. Mr. Nixon stated that the work would primarily be on the interior-the Colons want to take the east wall of the restaurant down and add the space next to it, which is currently vacant with a garage door on the outside; by doing so it was hoped to expand the dining room and bar, expand and relocate the restrooms and add a second entrance, the left one of which would have a handicap accessible ramp. Mr. Murello inquired as to the current width of the restaurant. Mr. Nixon stated that it was 20 feet and the expansion would bring it to 36 feet; he added that the restaurant is about 100 feet deep and that it currently has an area of around 1,720 square feet, which would be doubled by the expansion to about 3,445 square feet.

Ms. Diaz asked if there was currently a restaurant and bar at the premises; Mr. Nixon replied that there was. Mr. Anderson stated that it did not appear that the nature of the restaurant's operation was being changed. Ms. Diaz asked if there was a dance floor, and Mr. Nixon replied there wasn't and added that nothing that the applicants were doing changes anything, and that the lot coverage remains the same.

Mr. Stockburger stated that the building's interior was the purview of the Building Department, while the Planning Board was concerned with the outside and SEQRA. Mr. Anderson noted that this was always a nice building, for example when The Whistle Stop was there. Mr. Stockburger added that items like signage and the lighting thereof, architecture and windows were within the Planning Board's purview and more about that had to be seen; in particular, more details showing what the front would look like-the awning and the color palette of the sign for example-were needed. Mr. Stockburger also noted that requests for waivers of many non-relevant items could be requested on the site plan application, and added that if they weren't requested the waivers could not be granted.

Mr. Folchetti said that he believed site plan approval was required in this matter but couldn't say with certitude as he had not seen the application. Mr. Nixon noted that he had spoken to Joe Hernandez, who thought site plan approval was required for the expansion-it is one building but two tenant spaces. Mr. Anderson opined that this was not a major undertaking, as it was the expansion of an existing business. Mr. Nixon stated that the business was in overlay 1 for parking; Mr. Folchetti stated that therefore there are no parking requirements. Mr. Folchetti added that once he had had the opportunity to review the documents that he would advise the Board as to whether or not he believed site plan approval was needed herein.

544 North Main Street-Laundromat (concept plans)

Inasmuch as no one appeared on this matter no discussion or action was had.

Pending Business

220 East Main Street-D.J. & N.A. Management, Ltd.
Amended Site Plan for Parking Spaces

Mr. Abels stated that he and Mr. Ledley appeared in deference to the fact that it was listed on the agenda. Chairman Kulo replied that it was on the agenda, notwithstanding that it been adjourned for a hearing until September 25, 2012 at the Planning Board's last meeting, in case any party sought to make any changes or modifications.

New Business (con't)-145 Main Street & Four Star Deli
(concept plans)

The Chairman then inquired if anyone had any business he wished to discuss at the meeting, to which Joe Ramirez replied that he did. Mr. Ramirez noted that he was the owner of the building located at 145 Main Street as well as of Four Star Deli, which is located at those premises. Mr. Ramirez stated that he wants to add a patio at the front of the premises and that he had spoken to a Building Department

official about this, who had advised him to appear before the Planning Board. Mr. Anderson asked if there would be outside dining and the same entrance, to which Mr. Ramirez responded yes.

Mr. Anderson then inquired if there was a beer license, to which Mr. Ramirez stated there was. Mr. Folchetti stated that Mr. Ramirez would need a different beer license than the supermarket one he probably had if he wished for patrons to be able to consume beer on premises. Mr. Anderson asked if that affected the Planning Board, and Mr. Folchetti stated it doesn't, as if Mr. Ramirez were to apply for the requisite license the Village Trustees would be notified and be given an opportunity to comment by the State Liquor Authority. Mr. Anderson stated that whether alcohol would be consumed on premises could affect his thinking. Mr. Folchetti responded by stating that if site plan approval was needed (which he thought probably was) that that would be something to consider in the approval process, and that the Building Department should ensure that the jurisdictional requirements, including those concerning alcohol, were met. Mr. Folchetti added that consumption of alcohol outside would raise open container issues. Mr. Murello thought it would be prudent to get site plan approval first and thereafter, if so desired, to go before the State Liquor Authority.

Chairman Kulo asked what kind of materials were envisioned for the patio. Mr. Ramirez stated he wanted cement, no fence and no overhanging umbrella. Mr. Anderson noted that perhaps a *quid pro quo* could be garnered here, whereby any site plan approval would be conditioned upon improvements to the property, such as better landscaping. Mr. Stockburger noted that the sign is on the street but that the law required a ten foot setback thereof. Mr. Anderson added that there were size, display and color constraints as well for signs. Mr. Stockburger advised Mr. Ramirez that he needed to submit a site plan application; Mr. Murello added that an engineer and an architect would probably also be required.

Mr. Murello then asked if food was currently served, to which Mr. Ramirez replied that there was. Mr. Stockburger inquired if there were tables inside, and Mr. Ramirez responded yes. Mr. Murello stated that it seemed that the proposal would just expand what is already happening at the premises. The Chairman stated that this

seemed like a good idea and would be worth pursuing but the Board would want to see lot improvements. Mr. Anderson concluded by advising Mr. Ramirez that he would want to hire someone to lay everything out for him.

Accept Outstanding Draft Minutes July 24, 2012

Chairman Kulo stated that the next item of business was approval of these outstanding Draft Minutes. Mr. Stockburger made a motion to accept the July 24, 2012 Minutes. This motion was seconded by Mr. Anderson and passed by a vote of 5-0.

Other Business

Chairman Kulo inquired if anyone had anything else he or she wished to raise. There was no other business that anyone desired to discuss.

Close Meeting

Chairman Kulo made a motion to close the Meeting, which was seconded by Mr. Stockburger and passed by a vote of 5-0.

[Whereupon the Meeting was closed at 8:16 p.m.]