

**Village of Brewster
Planning Board Meeting Minutes
February 19, 2019**

BOARD MEMBERS IN ATTENDANCE:

Rick Lowell, Chairman
Rick Stockburger
Janet Ward

OTHERS IN ATTENDANCE:

Mr. Todd Atkinson, PE

ABSENT BOARD MEMBERS:

Marti Foster
David Kulo
Gregory Folchetti, Attorney - Costello & Folchetti
Cathy Chiudina, Secretary

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

REGULAR MEETING:

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

530 North Main Street:

Nassar Aqueel, owner of 530 North Main Street, appeared before the Board in support of this application. Mr. Aqueel said the project is a 12-unit apartment building at 530 North Main Street. He said we appeared before the Village Board for a Special Use permit and it was looked upon favorably so this is our next step in the approval process. Mr. Aqueel showed renderings of the building although coloring and landscaping is still to be determined based on the Planning Board's review. He said the parking lot is in the front and there will be four units per floor. It will be recessed into the hillside with the front facing North Main Street and to the north side will be Wells, he said. We are also going to put a decorative wall in the front, he said, about 2-3 ft. high so that cars parking will not have their lights shining into the street. He said there will be flowering pear trees in front of the wall and shrubs like azaleas and boxwoods that will be about 18 in. in height at most.

Chairman Lowell said what is the width of the planting area between the sidewalk and the wall? Mr. Aqueel said I believe it's about 5 ft. Chairman Lowell said so in total to the curb would be about 10 ft. Mr. Aqueel said approximately yes. Boardmember Ward said the rendering looks wider. Mr. Aqueel said yes it does but that's what it is. He said last time he was before the Planning Board there was a sidewalk on Wells that was ending at the building but it is going to be extended all the way up to the property line.

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Boardmember Ward said the lighting plan shows there is no lighting off the property. Mr. Aqueel said most of our lighting will reflect onto the parking lot and the overhead lighting will just cover the walkways or means of egress/ingress. Boardmember Ward said you won't have lighting that's high enough to bother the neighbor in the back. Mr. Aqueel said the lighting plan doesn't show that and whatever it does will be very, very dim. Mr. Atkinson said in the back it definitely won't bother anyone as there is a 20 ft. elevation. Mr. Aqueel said there is also a pretty large setback in the back.

Chairman Lowell said Mr. Atkinson, have you reviewed the lighting and all these considerations? Mr. Atkinson said yes I have, we have been reviewing this all the way through since it was before the Village as well but I have a couple comments although the plans are in good shape and have been scrutinized quite a bit at the Village Board level and the Planning Board level. He said my main concerns are: storm water wise they are proposing to keep it onsite so they're not increasing any storm water discharge offsite. He said they are putting in some Coltex infiltrators below the parking area but I will require some deeps and perc tests to ensure that the soils are adequate for that so we don't do a design and find out it won't work. He said the submitted a SWPPP and a storm water pollution plan and calculations; I didn't get the calculations until after the fact. He said we've looked at them and had a couple questions so will meet with Peder Scott, engineer of record, to review them. Mr. Atkinson said they're showing a cut of approximately 1500 cu. yd. that will be removed from the site but that number also includes the area where the infiltrators and gravel are going in. Boardmember Ward said will it be shown on a drawing? Mr. Atkinson said it won't show the cut and fill. Boardmember Ward said do you have something that shows the elevation? Mr. Atkinson said here is the topography right here and showed where the cut was going to be and that there will be two walls placed in the back. This is not out of the ordinary for a building like this, he said, for that much fill to be leaving. Boardmember Stockburger said what if you encounter rock? Mr. Atkinson said we have not talked about that yet but I believe that it would be proposed to hammer it out. Chairman Lowell said is there any kind of seismic sounding you can do to make sure of what's there? Mr. Atkinson said I am not sure if they have done any borings. Mr. Aqueel said right now there's an existing retaining wall and we are only removing about 12 ft. of dirt from 108 to 120 and we're going to put up retaining walls.

Mr. Atkinson said are you doing slab on grade so no crawl space? Mr. Aqueel said we are not doing a crawl space.

Chairman Lowell said have you seen the proposal for the construction of the wall? Mr. Atkinson said I have and one of my requirements is for the applicant to provide us with signed and sealed plan calculations for that wall. He said they made a comment that they'll submit that to the Building Inspector but typically that comes to the Planning Board first.

Mr. Aqueel said pertaining to the fencing for the enclosure of the trash; I would prefer a composite-grade fencing similar to Trex that looks like wood as I don't want to use vinyl

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or real wood. It will be reinforced with pipes that have concrete in them to help the walls hold up a little better.

Boardmember Ward asked about the back retaining wall. Mr. Atkinson said they are proposing a Redi-Rock type wall. He said the wall will not be visible from either road. Boardmember Ward said my concern is the function of it as it's a significant hill that a lot will be cut out of; how is it being retained during construction? Mr. Atkinson said that's why I asked for a signed and sealed plan because they are 12 ft. and 8 ft. high. Mr. Aqueel said I think they are both going to be about 5-6 ft. Mr. Atkinson said the bottom wall will be at 115-116 and the top will be at 121. Mr. Aqueel said right and it will be stepped up and there will be plantings although they don't show on the landscaping plan. Mr. Atkinson said the first things to go in will be the retaining walls because you can't build the building without them. Mr. Aqueel said the wall will start at almost 0 and go up to 5-6 ft. because on the one side the grade is almost 0 and goes higher as you move toward Wells. Boardmember Ward said what about concern for the neighbors during construction. Mr. Atkinson said there is a 10 ft. setback. He then asked is this going to be a modular? Mr. Aqueel said it will be stick-built. Mr. Atkinson said they are also putting up the construction fence on the property line so they shouldn't be going over that property line.

Chairman Lowell said you'll be able to provide a curb and do paving work without disturbing anything over the line? Mr. Atkinson said they don't plan on cutting in the driveway on North Main until later in the process and will have a construction entrance off Wells Street.

Chairman Lowell said what's the projected timeframe on construction? Mr. Aqueel said 8 to 12 months. Boardmember Ward said once all approvals are received what timing are you looking at? Mr. Aqueel said I want to start this spring. He said the plans are ready to submit. Mr. Atkinson said when you get the approval from the Planning Board you can apply for a Building Permit and a Demolition Permit at the same time and get the building down while you're waiting. Mr. Aqueel said I looked into the Demolition Permit already; I have shut all utilities off but I didn't want to demo and create a crater on the site and have it become hazardous. I would like to do demo and start construction at the same time, he said.

Chairman Lowell said there will be a construction fence while working? Mr. Aqueel said yes. Mr. Atkinson said silt fence construction fence; we're not talking about a 6 ft. high fence. Chairman Lowell said some kind of fencing so people know it's a restricted area. Mr. Atkinson said yes the plastic orange mesh fence.

Boardmember Ward said there is a lot of traffic that goes up and down Wells but that is where you are going to have your construction entrance? Mr. Atkinson said that's correct as they will not place the driveway off North Main until they are almost complete. Boardmember Ward said when will the sidewalk construction on Wells begin? Mr. Aqueel said probably the same time we put the foundation in.

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Chairman Lowell said is there going to be any requirement from the DOT to put the driveway in? Mr. Atkinson said no it's a Village street. Boardmember Stockburger said if you put the sidewalk in when you pour the concrete for the foundation you will have a lot of heavy trucks going over it. Mr. Atkinson they will leave that one section open.

Boardmember Ward said all your parking is in the front and behind the building and between the building and the wall is just grass? Mr. Aqueel said yes. Boardmember Ward said the handicap apartments are all on the first floor with the entrance in the front? Mr. Aqueel said yes, right in front where the handicap signs are and there will be two handicap apartments on the first floor. Boardmember Ward said what are the rest of the apartments? Mr. Aqueel said they're will all be two bedrooms, two baths.

Chairman Lowell asked the Building Department if they had any questions or comments. Mr. Hernandez said when you have the dumpsters for the demolition, how long will they be there? Mr. Aqueel said during the demo they will be in and out the same day probably because I'm going to get four or five dumpsters. Mr. Hernandez said what about the dirt and debris you have to move out? Mr. Aqueel said we will do a stockpile, have a truck come in, and take it away. Mr. Hernandez said the reason I ask is because you don't want the area so open where it's accessible to kids. Mr. Atkinson said if I was doing this I would be loading the truck immediately upon doing the excavation because why move it twice. Mr. Aqueel said I will try to coordinate it with my excavator. Mr. Aqueel said this is going to be a Class-A building, I'm not going to build a modular; it will be nicely built. Mr. Hernandez said I like the fact that you have the handicap in the front.

Boardmember Stockburger said everyone is going to get a storage unit in the back? Mr. Aqueel said yes, my intention is to give each unit a storage unit to store items in. Chairman Lowell said so the first floor is really the two apartments plus the storage units. Mr. Aqueel explained how the apartments are laid out. Mr. Hernandez asked about the HVAC. Mr. Aqueel said each AC unit will be inside the apartment. Chairman Lowell said how are you doing the cooling of the AC? Mr. Aqueel said each unit will have their own HVAC unit as nowadays they are so efficient they are like 2 x 2 x 1 ft. and mounted on the ceiling and generates heat and AC and the coil will be outside in the rear. Mr. Hernandez said you have a designated spot for them? Mr. Aqueel showed on the plans where he was thinking of putting them.

Chairman Lowell said are you going to have gas cooking? Mr. Aqueel said no, everything will be electric.

Boardmember Stockburger asked Village Board Trustee George Gaspar if the Board did a SEQR Determination for the Special Exception Use. Mr. Gaspar said yes for the Special Exception Use. Boardmember Stockburger said ok, SEQR is done and we just have the 239 notifications. Mr. Atkinson said typically if they had not gone for the Special Use Permit it would have been an Unlisted Action. Boardmember Ward said I

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don't want to not meet a requirement but if it's been done under the Special Use then we don't need to do it again. Boardmember Stockburger said the plans were submitted under the SEQR and that was done so now we need to do 239 notifications. Mr. Atkinson said the 239 was already done.

Boardmember Stockburger said then as a Board we would need to accept the Site Plan and schedule a Public Hearing. He said the sidewalk will need to be added to the rendering. Boardmember Stockburger asked Mr. Atkinson if there was anything that he saw that should preclude the Public Hearing. Mr. Atkinson said anything at this point could be rectified before the final sign off. He said his only concerns were snow removal and loading area. Mr. Aqueel said if it is only a couple inches of snow it's not an issue but if it is a foot or two of snow it will have to be removed and that would be OK to put in the Resolution.

Chairman Lowell said will the trash trucks be able to pull in face first, pick up the trash, turn around, and pull straight back out into the street rather than back out onto North Main Street. Mr. Aqueel showed on the plans what he thought the trash route would be. Mr. Atkinson showed on the plans what parking spaces could be an issue with that path and that they may need to do a private garbage pickup.

Mr. Hernandez said is there a plan for emergency vehicle access. Mr. Aqueel said I would think they would just come right through the existing driveway. Mr. Atkinson said they should be able to just sit on Wells and have access.

Boardmember Ward said you have a wall along Wells and North Main, correct? Mr. Aqueel said I have a wall along North Main Street and showed on the plans.

Mr. Aqueel said the exterior of the building will be earth-tone colors.

Mr. Atkinson said I would recommend that the Board receive any information prior to the meeting so there are no questions about access and such so that they don't have to come back for any amended approvals.

Boardmember Ward said I don't see anything about exterior lighting. Chairman Lowell said he is going to have lighting in the parking lot. Boardmember Ward said he has a light plan but I don't see any detail on what it looks like. Mr. Aqueel will make sure it is there.

Boardmember Stockburger made a Motion to set the Public Hearing for March 19, 2019, seconded by Boardmember Ward and passed all in favor.

Boardmember Stockburger made a motion to adjourn the meeting, seconded by Boardmember Ward and passed all in favor.