

VILLAGE OF BREWSTER
PLANNING BOARD

REGULAR MEETING

December 14, 2006

MINUTES

Present: Chairperson Christine Piccini; Board Members: James Bruen, Mark Anderson, Richard Stockburger

Not present: David Kulo

Others present: Village Attorney Gary Kropkowski

The Pledge of Allegiance was said and the meeting was called to order at 7:51pm.

Good evening once again this is now the regular meeting of the planning board, it is 7:51pm, and the board in its entirety is here except for David Kulo, who is out of the country.

Accepting minutes

Our first order of business on the agenda is to accept minutes but I would like to table that item as we don't have them available at this time. And the second order of business is old business at 50 Main St. At this point in time are there any questions that any of you would like to talk about...

50 Main Street

Mark: I have a quick question for Mr. McCormick. Will the people using the residential end of the building still have access from the front doors?

So they can get to the elevator if they're going to Main Street shopping.

They don't have to walk around the back of the building to get in (correct).

So will there be any passkeys for residents getting into the building, to protect residents from people wandering off the street?

There probably will be swipe cards but we haven't determined how that would really work...

Canopies

On the back of the building near the turrets, wouldn't it be advisable to put some kind of covering, some kind of inconspicuous thing, to make it an all-weather space, a little thing further than just the canopies out now?

Right now, just suppose the back of the building, the stair towers, and canopies over the walkway...

Why can't some kind of canopy come out over the stairs themselves?

Looking out there at the new handicap access... They'll be waiting out in the rain...

The idea of extending this canopy which does come out, I'm going to say, several feet.

The idea of getting the canopy over the terrace... These windows are mid-level... the canopy will have to be up over those windows, which is probably not the best in the world...

Dan, you had had a concern about the awning in front of the building?

What type of dimensions are we referring to as the overhead...

A five foot or 6 foot dimension.

The concern, Mike, was that making a space that would be great for loitering out under the weather and being protected out there. The exact opposite of our concern at the back...

...

Face plate, Fine board, Letters

See where it reads tenant 50 Main St. No, I'm sorry, the whole face, is that supposed to be a face plate?

It's like a fine board, you can put letters onto it?

More trim? Are you running with a colonial style trim.

Is this another face? Yes, it will be a face, a square edge, it will be.

We may get a little bit of crown moulding there...

We have individual letters on the sideboard based on that tan board thing... so it'll be individual letters.

James-So you're talking more or less the plastic sealed-on letter; Is there a possibility of getting a reset...

Individual letters applied to the building itself...

There is going to be a profile, probably 1/1/2 in to 3/4...

Anything that has some depth to it will look nice.

The windows, are they going to be single pane,

No.

The breaking of the window is inside the window...

What do you call it?

James-Who's working with the sidewalk?

Sidewalk and the tree

James-Well the sidewalk is not in good shape. There are two major stress cracks in the sidewalk from the building right across to where the car bumpers crack...

This tree has overgrown its welcome...It's a huge crack in the sidewalk because it's gotten so big...8' plus, the roots are pushing the sidewalk up...

...

Reed McGuire, working with the Putnam Community Foundation as part of our revitalization efforts.

Reed-You know we're just completing Metronorth ...

We're excited about this project, it's a great opportunity for us to go forward with the village, these comments are important/critical and I can assure you that the senator will definitely be addressing them with the mayor. Whether it's the sidewalk or the crown moulding out front we want this ...

Thank you.

...

On the front of the building, those prince balconies you're adding in there, how's that going to impact fire codes access, is it something that the firemen are going to be able to get through?

Looks like you're taking up a lot of the 5.7" sq. ft access.

They're really not "brook" windows...

They're a typical residence, they're truly ventilation.

Parking requirements

And how about the parking? There were 5 parking spaces out front the other night...

They were adding 1 handicapped spot and moving the other one...

Parking on the rear, on the right hand side, an easement-how long is it good for...

The easement is permanent, runs with the land, was granted in the early 90's as part of a fire application, and is on record in county clerk's office...

There's something in my memory unless it's written down ...when Mel ... brought this proposal years ago, the parking requirements were going to be met with a purchase of parking spaces basically in perpetuity from village sources, recognizing that a lot of buildings were footprinted buildings on the main drag and would have to be provided off site...That way they were going to meet that requirement if my memory serves me correct was through this dedicated purchase of whatever number of spaces were needed to bring it up to the required space total for a project of this size. At that time it was 1 ½ units per apt which I believe still holds true today. So, I don't know, Christie said it was addressed apparently...There's a letter from Bruce Zarzeski in the packet

...

The dimension of the tree...because that tree is getting so big, and because the sidewalk is lifting up... No one loves trees more than I do...because I spent tons of money trying to save them...sometimes I wonder why, but if I look at that building, I love that building so much that I don't want to see the tree go in front of it...it looks so beautiful the way it is next to the town hall, the southeast, the railroad station. I think now is the time to get to remove that tree...

...

Off street parking requirement (cont.)

There was a variance granted in 1992 or 1993... It should also be kept in mind that with the proposed municipal office for that part has been determined to be ...exempt from the off street parking requirement.

There was a discussion about that at a prior planning board meeting, and it was determined that the off street parking requirement to the extent that the village was going to occupy the first floor doesn't apply, because under immunity doctrine under zoning you're not subject to your own ...

...

Certainly we're not going to do anything against New York state code... We couldn't get a building permit. (if we did)...

We like the floor plan in this office, if we had to get out of that door we could in an emergency if that door was blocked... I think that from our discussions we'd like something similar, a panic door with a bar that could only be opened one way to go toward the exit, and would alarm if it was opening through the other direction ...

It'll depend on how this space plays out. It may be a good window, it may not be a good window...the next level of design is really taking into account, where the desks are, the chairs are, all the things of that nature and sees what their program requirements are ...

The first floor, access

A quick question on the 1st floor before we move on...I did notice that the units represent some 50 people, have no access from the apartments, from the village office to the proposed

commercial bank without having to walk outside into the street. There are three buildings in that building from the hallway into the bank...and one from the other side that's being closed off...

And I thought you might want to give some consideration to the residents of the building having access to the building...A little bit different circumstance than a 25 year old walking outside the building. And it will be a nice access...

Can they work around what was there....That's getting into the nitty gritty of the layout...and go to the bank proper...into the vestibule and not into the bank itself...

The application claims 4500 square ft, village offices, 1500 square feet as you stated before for the commercial space, when you add up the square footage... it doesn't come up to 3500, something doesn't fit there with the application, I want to explain that...

Commercial space is 2250 about, and 1500 on the budget requirements...I think that's more likely ...for storage...

I was trying to analyze the banking situation today...Now things are computerized, bank square footages are a bit less... The rental income for the Putnam County foundation for the commercial space, have they got that figured into their dollar values...

...

Mike, we were looking at the notes on the upper floors with the ventilation, possibly compliant...

What do you mean when you say possibly compliant? When you look at that...

There's a possibility that these do not fit w/ hcr regulations..., they're a New York state agency, hcr can give you a variance...

From the uniform code's point of view, we're ok, from the hcr point of view we have another level of regulations that they would like to fit, but doesn't mean you have to meet it...

That's what they mean by possibly noncompliant...

A question of hcr, what do you think...

But we've met it already...

ADA compliance

Are the bathrooms going to be handicapped compliant? Space, fixtures, all have been looked at...18" off the walls, fixtures, they're designing all of that

The code says you have to have the space allocated but you don't have to put the fixtures in to compliance w/o special changes...

So you may make some of the bathroom non-ADA compliant initially?

We have the space and the doors...

They have parking spaces right across...

But we're going to do all this beautiful renewal, and in my mind...the rest of that lot is not in any better condition than the bulk of ...

We're basically going to cut right along the lot line with a jackhammer and then just pave the park that's owned by the property owners...

As property owners, they'll assess where they are, and then make a determination

My guess is they will be cooperative.

Particularly if there's asphalt.

...

Crown Moulding

Total about 1800 sq ft.

Not including the garage.

Decorative moulding mover sign board on Main St.

Can put up a crown moulding right there...

In measurement applicable to building.

Decorative crown moulding over sideboard in keeping to the style of the overhead.

Gary-Well the part is conditional approval, than the project will then go to the designated municipal, appeals, village engineer, fire inspector, any you want to add there...

James- If decorative crown moulding over sign boarding on Main Street in keeping with the scale to the building

Two means of egress on 1st fl. spaces. I agree with that. Do we want to put that down to put a window on 1443 sq. space.

I'd like to remove that visual raw block with concrete swelling out of it and metal tabs and window on the east side,

In the tunnel--Some sort of satsch window, some sort of moveable window, into any floor plan 1443 sq ft east side 43

That's the only place left you get any light in...

Illumination

It would actually be very good light...since it's southeast...

There are four lights, fixtures in the tunnel now...they're just not working.

Enclosed or part level illumination , like indoor parking lots.

There may be some lighting coming out of apts.

My memory is that the 2nd level has some windows especially in the rear, where there's a cutback and a couple of the apts. May have some windows facing into there...

...

The sidewalk represents an offsite improvement to us ... To prepare one section of the sidewalk, it looks like somebody didn't finish, there was a job and they didn't finish...I think it is more appropriate to look at that in the context of a bigger project that maybe the foundation can work with the village on...separate from the site plan which has the on site improvements.

James Bruen-But then the village is also applying, it would be the village's portion to have that fixed.

I think we've already expressed our willingness to do that...

This is where the 2nd (condition) is coming front...Discussion about looking into kiosks for parking and those needed to be done before sidewalk is repaired. The timing on that just doesn't seem right...That might be something that is OK not to push on at this time...

James-Let me just ask you a question. Since John moved on the handicap spaces, are you going to move to replace the Duncan head meters?

They don't put meters at handicapped spaces, do they?

Oh yes we do.

...

James-This project is taking care of almost 100 % of the grounds...They're beautifying the whole place. Why at this point, while it sits in front of the planning board, ... why do we not make sure that that's going to be done...

It's going to be ripped up even more with all the work that's going to be done...

Grant money- availability

Do you have any idea on the timeline on the grants in the execution.

No, I just confirmed that the money has been appropriated.

Does that mean that it could become available in a month or a year.

10 months to a year.

James-I want the board to think; this is what we're all about...is making things fall into place... Unfortunately, it's not a lack of trust in that particular applicant, but why we're here, to help along this project...

Here at least we have concrete sidewalks; Many times the village has gone in and done sidewalk repair w/ asphalt and that to me is an eyesore, but I don't know that ...

Grants and conditions

Mike-Why don't you tie the conditions into the grant...So when the grant comes through, because it's a coapplicant, you're making the coapplicant say OK, here's 100 feet, the tile work needs to be done, needs to be adhered to.

We don't have any control over the grants so ...

No, you don't, but the applicant does....

So we make the applicant do something here...

The question here is the condition we're putting on is actually on the village piece of the application.

Well, between them, they've got to work out how to fix the sidewalk.

I want to think about timing because this is again extraneous to some degree of what we're doing; There might be a problem to have a condition that arguably could be said satisfied at the time we've got to get a building permit...and is someone going to argue that we're not in compliance with our site plans...

In other words there's a timing problem...

The only thing there is if there's a grant issue or a money issue...

I think it's going to get done, but my concern is that we would be held up by a building permit because it hadn't been taken care of ...and we at the foundation don't really have control over it...the village has more control over it but doesn't have control over grant money.

So my concern would be not to have a hold up of the post approval, post site plan approval process, the building permit as a process as a result of this...

...

Sidewalk and the tree, cont.

Christine-What is your anticipation of what you would do with the tree, cut it off and leave the

- 2x2 opening there We would go beyond that opening method by the 2 by 2 opening there... We would go across beyond that opening to where the crack is diagonal coming out and move that portion of the sidewalk in order to get the majority of the tree out...and replace it...

I don't want to see this building finished standing alone for 6 months because the sidewalk money didn't show up. I really think we should separate them at the property line.

Would you be happy Jimmy with removing the tree and repairing the sidewalk damaged by the tree, or you want to go for the whole thing...

James-Know the sidewalk the difference in level is probably 6 inches. You're going to have to repair it, you're going to have to cut it out, and I don't understand why it's not proposed to be done...I mean what could be the dollar amount...

The mayor might have to fund it out of tax dollars if that doesn't come through in time to hold up the permit...

At least we know it's done.

Right now nothing's being done on the building. Whose responsibility is the sidewalk?

Usually it's the adjacent property owner...

If that sidewalk is in upheaval because there's a tree there, isn't it the village's responsibility; Aren't they liable if anyone gets hurt, falling on a crack, that would be the village's responsibility right now...

The answer is a little bit of both... the ultimate ownership title and public property belong to the village, however, if you look at our municipal codes, the adjacent property owner that faces the sidewalk is responsible for maintenance and upkeep, snow removal, etc.

Rick Stockburger moved to close the meeting at 9:30 pm. He was seconded by Mark Anderson. All ayes.

RESOLUTION

The duly constituted and authorized Planning Board of the Village of Brewster, New York upon the motion of Richard Stockburger, seconded by Mark Anderson, does hereby state and resolve the following:

WHEREAS, the Planning Board having heard the petition and application of co-applicants Village of Brewster, New York and Putnam Community Foundation, Inc. for the site plan approval application pursuant to New York State Village Law Section 7-725(a) and Section 170-9 of the municipal code of the Village of Brewster, New York; and
WHEREAS, the Planning Board has reviewed the environment assessment for this type of action pursuant to the State Environmental Quality Review Act (SEQRA) concomitant with the Board

of Trustees of the Village of Brewster having declared itself lead agency thereunder and a negative declaration thereto; and

WHEREAS, the Planning Board has caused to be heard the architectural and engineering representatives of these applicants as well as the scoping process and procedures for the citizens of the community; now therefore be it

RESOLVED, that the Village of Brewster Planning Board pursuant to all of the above grants conditional site plan approval of the project within its above-referenced statutory grant of power; and be it

FURTHER RESOLVED, that the co-applicants are now directed to proceed as soon as is practicable with the necessary approvals from the municipal engineer, building department and fire inspector to insure all necessary permit and approval; and be it

FURTHER RESOLVED, that a copy of this resolution be provided to all other planning and executory agencies at county, and other municipal agencies as required by statute.

Dated: Brewster, New York

December 14, 2006

AYES: Richard Stockburger, Mark Anderson, James Bruen, Christine Piccini

NAYS: none

ABSTAIN: none

ABSENT: David Kulo

CONDITIONS:

1. Decorative moulding used on the front of the building at the sign board be in keeping with the scale of the building.
2. Two means of egress will exist from each of the first floor spaces.
3. Window will replace the walled-up window in the "tunnel".
4. Adequate lighting as per IES standard within the "tunnel".
5. Remove tree in front of building and repair the resulting sidewalk damage.