

**Village of Brewster  
Planning Board  
March 26, 2013**

**Regular Meeting Minutes**

Board Members in Attendance:

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

Other People in Attendance:

Mayor Jim Schoenig  
Steve Priest

The **Pledge of Allegiance** was recited.

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

**Regular Meeting**

**Call to Order**

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

**New Business-55 Main Street-S.B.L. No. 67.34-2-51 Cache  
Restaurant request for cabaret license**

Chairman Kulo stated that this was the first item to be discussed. Mr. Stockburger said that a cabaret license, as requested by Cache, is a special exception use permit and that there are certain requirements that must be considered. The relevant statute in this regard is Section 263-20(I)(3)(b-d) of the Village Code. Mr. Stockburger noted that he believed, although he hadn't measured the distances, that the applicant was in compliance with Section 263-20(I)(3)(b), that is, that Cache is at least 250 feet from any church or school but was not in compliance with Section 263-20(I)(3)(c) mandating that the use be at least 1,000 feet from any other prohibited uses. Moreover, Mr. Stockburger stated that the applicant could not meet the stricture of Section 263-20(I)(3)(d), which states that there is a maximum limit of two such uses for adult oriented businesses, tattoo establishments, billiard halls, amusement establishments and cabaret establishments allowed in a B1 district, which the area in question is. Mr. Stockburger stated that there are already two such uses in the district, *viz*, the billiard hall and the adult bookstore and that therefore Cache's request for a cabaret license must be denied. Mr. Murello stated that he thought that Cache might be within 250 feet of a church and that therefore the application would be violative of Section 263-20(I)(3)(b).

Mr. Stockburger asked the other Members if any of them disagreed with the analysis and none of them did. Mayor Schoenig added that he believed Cache was within 250 feet of the R district and that therefore the application violated Section 263-20(I)(3)(a) as well. Mr. Stockburger made a motion that the Planning Board recommend to the Village Board that the application for a cabaret license be denied as it did not comport with the mandates articulated in Section 263-20(I)(3) of the Village Code. Mr. Murello seconded this motion, which was passed by a vote of 5-0.

**Pending Business**

There was no pending business for discussion.

**Accept Draft Minutes of February 26, 2013**

Action hereon was tabled until the next Meeting of the Planning Board.

### **Adjourn Meeting**

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

[Whereupon the proceedings were adjourned at 7:42 p.m.]