

**D R A F T**

**VILLAGE OF BREWSTER  
PLANNING BOARD**

**REGULAR MEETING**

**December 12, 2006  
MINUTES**

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

Not present: David Kulo

Others present: Village Attorney Gary Kropkowski, INSITE Engineers; Peter A. Karis, JR., R.L.A. and Paul Folchetti

The Pledge of Allegiance was said and the meeting was called to order at 7:40 p.m.

**III. Accepted Minutes**

October 26,2006 - Regular Meeting Minutes have been accepted with revisions.

**IV. Old Business: 50 Main Street - Amended Application**

**Chairperson Piccini:** The Board has not receive documents to be reviewed. The current list of documents the Board does not have a copy of are the property title report, the list of adjourners, and the environmental impact statement even though that particular process is over. **Peter**

**Karis:** They were submitted on the 29th (of November) and I will provide copies to make the Board's package complete.

**Peter Karis:** The site plan this evening has had no changes since last submitted on November 29, 2006.

**James Bruen:** Peter you stated on the site plan that there are a total of 34 spaces on the site plan. Can you count them out for me? **Mr. Karis:** There are 5 along the front, actually 6 existing, were are going to stripe two of those off and make 2 of those handicap spaces. We will also introduce a drop curb and ramp. **Mark Anderson:** Will you be using street spaces? **Mr. Karis:** These spaces are serve this building, really for the Village offices.

**Mark Anderson:** Does any other developer of property get to use street spaces as part of their count? **Mr. Karis:** I'm not sure in the Village. **James Bruen:** So that's 5 spaces there. **Mr. Karis:** There are two handicap spaces in the front to service the first floor. In the back are the remaining 29 and 2 handicap spaces and striped cross walk to enter into the rear were the residents will enter. **James Bruen:** Can you review the parking spaces starting from zero?

**Mr. Karis:** There are 6 spaces along this property line which are in favor of the property line to the left and are not counted. **Rick Stockberger:** Can you count those if you are going to use those as dumpster spaces? **Mr. Karis:** The dumpster space access is left an open area that is striped with the intention that when the garbage truck comes to empty the dumpster or recyclables someone will have to open gates to wheel out the unit and can

load/unload. Or they may be able to pull up to this striped opening between where the #5 circle and # 6 circles are. So we have left the space there for access in and out of the enclosure area. Small bins will be used, one 8 x 8 and a series of 96- the bigger plastic to service recycleables. It is one dumpster per the number of units. Pick-up is daily and will be worked out according to usage. All spaces are conforming. Existing are 9 foot stalls, 54 feet.

The dashed line is not spaces. The "51" mark delineates the length of that line defining the easement. From the dot to the dot - the 51.26 dimension. The dimension along those 6 parking spaces is 54 feet, so those are 9 foot wide. **Mark Anderson:** Because you are eliminating that one lane in the drive-thru, which is currently two-way. **Mr. Karis:** Right, we are able to shift that over and have a striped island on the end. The entrance underneath the building now will be proposed as one-way. That's due architecturally with respect to what the architect is doing with the proportions of the facade. They are in-filling the opening along Main Street to about 14 foot wide and that 14 foot travel way will be the one-way in and there will be striping on the pavement underneath the building into the proposed curb, against the stair tower, creating the striped island to define those 6 spaces. That "51" dimension is that dashed line which is line of the easement and not the dimension of those spaces.

So we have 6 spaces there. We have 5 up the plan from the dumpster enclosure. We then have 5 spaces in front of the existing building - that is off of the property, but within the easement that is in favor of the subject property and a cross easement over that lot for parking.

There is no parking in front of the garage door locations on that building. There are 9 spaces along the back property line, that's 20 spaces. Then there are 2 spaces next to the proposed curbed island and we are going to plant a pin oak in the rear and curb and mulch that island so we will be taking some of that pavement out and trying to provide a break and an opportunity to plant a tree. Then there are the 2 handicap spaces and 2 additional spaces for a total of 5 spaces. That's 27 spaces so far. Then there is 11 spaces contained in the center.

We don't count the 3 off the property next to the handicap spaces on Main Street. Although we are showing 5 spaces there, we are proposing to take one away and stripe that for handicap.

**Chairperson Piccini:** How do you envision the cars/vans with handicap passengers coming in and using those parking spaces in the back? **Mr. Karis:** They will be coming in from the front of the building and make a left around the curb and pull into that space. Unload, and that isle will be shared by both which is ADA code, 8 feet wide. They will load/unload in that striped area and then there is pavement markings across the main travel way through the rear terrace in the rear which gets you into the back door.

The curb, the triangle, that will be the back up for the border for the handicap spot so they will not be able to pull through? **Mr. Karis:** Exactly. To answer your question what we are proposing to do on the architectural plans is that there is second door proposed at that back entrance where you come into a lift, which brings you up the half flight of stairs to get you onto the second level where the main elevator is located to bring you up to the third and fourth stories. So we providing handicap access at the rear by way of that lift door and that is an internal lift which will be ADA compliant, 5 x 5. The lift door is the one to the left which will be partially covered by canopy which goes over both doors (the dashed line). By the stair tower which is the protrusion to the rear, there is a canopy covering the door location and that is that 'secondary access' that the architects have worked in. What we do is put some curbing around that and balers(?) at the corner to protect that structure.

The second door to the right by the lift will be a double door

Access to the retail level is from the street coming up the ramp to the curb level.

There are allot of cross easements accessing utility and parking, reservation units. Graphically we have shown that on the plan and the language is provided in the Title Report.

**Chairperson Piccini:** Page 4; Status on Waivers. The variance for the parking is...**Mr. Karis:** Previously granted for parking in 1993. **Mark:** Back then, they had to buy those spaces from the Village lots across the street. That was part of the developers deal, I was at those meetings, he was going to have to permanently retain part of the parking lot behind the diner or elsewhere to facilitate his need. Is the Village going to do the same thing and reserve spaces in the pay lot down there? **Mr. Karis:** I'm not sure if 1) that was ever done, back when this was created and 2) what the Village's intention is to do that. **Mark Anderson:** So when you say the easement was granted, I know we have gone through this lacking minutes, etc..., it's all... Anyone have the language of the parking variance - requirement to buy spaces from the Village.

**Village Attorney Kropkowski** is asked and he does not recall. **Rick Stockberger:** Last time spoken to Mayor (Degnan), apparently there were allot of old records, letters, etc.,

and we need to get copies of that to document in this process, exactly what the variances are, as we believe them to be, in order to move forward. Or go back to the ZBA and get

them to grant them. It ought to be cleared it up so we know exactly what is being stated on the site plan and then it will be documented.

The question is the clarity of the variance that was granted in 1993. The plan only states that there was a parking variance granted, but specifics are not reflected or stated.

**Mr. Karis** is asked if INSITE has researched the variances. Paul replies that INSITE has not found anything and they were not the engineers at that time (1993).

**Rick Stockberger:** I don't know that we should be moving forward with the project without having the variance(s) documented. **Paul Folchetti** states he has a copy of a May 5, 2002 memo from Bruce Zarzeski to Phil Prinz, Planning Board Chairman, that gives a history outline of the subject property of one and two, labeled the variances and the dates the variances were granted, etc. The memo lists both variances with dates.

*Paul Folchetti is to provide this letter to the Planning Board so that it has basis for what is shown on the site plan.*

**James Bruen** asks Mr. Karis what is being done to the left and right of the alley way entrance. **Mr. Karis** replies that under the building we are only proposing to stripe it. Through this section, all the paved area within property, is going to be topcoat asphalt, 1 & 1/2. After all construction vehicles are finished, we will be doing some full depth pavement replacement and finish with a topcoat and re-stripe it. Including both internal and external on the property.

**James Bruen:** Does the applicant want full ownership of the spaces in front of the building?

**Mr. Karis:** No, I don't think there is anyway we could own them we are showing them on the plan to partially service this building.

**Chairperson Piccini:** Front and rear elevations. Is there anything happening on the far side then the way the side is now? **Mr. Karis:** The architect can show you that. From my understanding they will continue the color scheme from the front and match it with and paint that side. I don't think there is any substantial improvement that will happen on the facade except that the color scheme will be followed through. **Chairperson Piccini:** Are there structural reasons that window can not be cut in on that first level on that side? **Mr. Karis:** The grade rises up after the drive-thru window, so there may be clearance or internal reasons.

**Rick Stockberger:** Looking at the A-1 drawing of the interior layout. Where the civic space, 1,400 square feet and there is only a front door, one door. What is the requirement of the egress from covered places? They all have one exit. There is no second egress as shown here. **Mr. Karis:** Architect will have to answer that. **Chairperson Piccini:** The

concern is that when you are in this space there are no other windows except the drive-thru window and no other door shown. The old side entrance to the bank is closed.

Page 4, comment #15: The Board discusses possible to fire door, second egress, more windows, etc. Need more information on alternate egress methods and windows.

**Chairperson Piccini:** On page 2 of comments page from Paul - Generally speaking most of their comments have been addressed and they have a few remaining questions which we do not have answers to. Page 2, comment of status of comment 4; top and bottom of curb elevations for all new curbing and finished grade elevation of concrete terrace.

*The Board agrees that this needs to be answered.*

Top of Page 3; Pedestrian Access Routes are fairly delineated now and their comments states that proposed access routes will not be grade separated, meaning that they are all at the same level? Is that something that needs to be addressed or is it that their comment, that is what their plan now indicates?

**Mr. Karis:** There is a code requirement for grade separated pedestrian access. What is being proposed is what is feasible for this site. There is only amount of grade change across the whole back of the site to begin with. We are working with fixed rear building elevations and so forth. So to alter the grade then what has already been established right now would probably be difficult on this site.

**Chairperson Piccini:** You are comfortable with what they are proposing? **Mr. Karis:** Yes, but I want to point out to you that it is not consistent with what is required in the code, but I do not have any issues with it. **Chairperson Piccini:** Is the Board comfortable with that? **The Board** agrees that they are comfortable with it because it is a pre-existing building and not be built new.

**Chairperson Piccini:** Page 3, comment #9: Status? Container Area Configured For Haulage Vehicles when parking stalls Are Occupied. Paul, you verbally informed us tonight that they would be rolled out in smaller bins. Asks the Board members if they feel this needs to be in writing?

*The Board feels that having the refuse in the front as opposed to the back of the lot, where it supposedly currently exists to service that building will pose to be inconvenient and possibly smell.*

**Mr. Karis:** We have only lost one parking space to provide that access while cars are parked in that proximity. The container can still be removed. We have provided clearance for the gates to get the containers out to the parking lot for loading the refuse.

We are struggling with maneuvering that big truck (refuse truck) when it's full. Our thought is that when that truck comes in , even if it's off hours, he has to come up this way

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he has a straight shot in and then maneuver and get out. As opposed to possibly driving around the center parking area. However, even with the parking lot full, the way it is now proposed, the truck can still maneuver and do it's job.

*The Board agrees to wait for Public Hearing to see what the public has to say and the Board feels that it does not have to be in writing.*

**Rick Stockberger:** Question on #11; Lighting. These are downward lighting, non-light polluting lights?

**Mr. Karis:** They are 20 foot downward light and will be shielding accordingly to not have any off site glare. There will be a double pole; 1 pole with two heads. Two singles in the rear. A light mounted to the building for the stair tower on both sides and a light at the entrance doorway. In the alleyway there will be something there to light that area and decorative lighting the front.

*The Board needs more information on alleyway lighting and any other lighting in parking lot area other than what is proposed to ensure there are no dark areas.*

**Chairperson Piccini:** Page 5, Status #2: Curb Elevations & Curbing on the finished grade elevation on the proposed concrete terrace.

*The Board has already addressed that.*

**Rick Stockberger:** Question on proposed concrete terrace. Is there any reason it is not roofed or making that all weather? **Mr. Karis:** It is really to provide our outdoor recreation open space. We had not contemplated a roof but it can be discussed with the architect.

**Chairperson Piccini:** Page 6: Asphalt You have referenced the places where the asphalt will come up this comment is about marking on the plan where those places are going to be. Are they sufficiently defined at this time that they can be marked on the plan.

We can mark it on the plan. I know that under construction they are probably going to identify other areas that will be shown on the plan. We can do an educated guess and mark those areas for the Board's information on where we think the asphalt will be replaced and those areas may be expanded as construction is in progress. If the Board will accept that we will do full-depth replacement on the areas we think it is needed we would rather do that then be limited as to what is marked on the approved plan.

The intention is to be cut and keyed at the property line because we do not have any other right to do anything else. A fence, as discussed by the Board is not possible because the

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other property owner has a right of access there. (The dashed line with the '35' is the end of their line and they have the right of access and can not be blocked or bordered off).

*The Board requests notes on the plan that the entire area will be trued and leveled because that is your intention and then note other areas where the engineering feels that full-depth replacement is required.*

#### Last comment Erosion and Settlement Control Practices

Asks that what you propose to use should be clarified for where and how they will be installed on site.

**James Bruen:** Is there any room to put the handicap parking underneath the overhang? **Mr. Karis:** No. We run into problems with grade. Handicap spaces and aisles and accessible routes need to be 2% maximum. That is why we chose the locations marked on the site plan and the island because the grade has some play there. If it is anything other than what is required we can make adjustments there and make-up the grade in the island to obtain the accessible route.

Space for handicap requirement is 8 foot space and 8 foot aisle and one handicap space per 25 parking spaces. There is no accessible route around the building to have handicap spaces on both levels where you are entering the building.

The requirement of handicap spaces do not go up if there are more senior citizen residents in the building.

For this building we need 3 handicap spaces but are providing four. We want to have 2 for our parking lot and access to the rear and another two on the public street to provide for Village services on the first level.

The width of the alley is 25 feet and 5 1/2 inches not counting the columns. They are narrowing the opening on Main Street down to 14 feet. That is why it will be striped underneath and keep people centered on that 14 feet.

**Mark Anderson:** Assuming that a bank becomes a tenant, the 18.73 foot wide space. Can a car be at the drive-thru window and have another car pass it since now that the only egress? **Mr. Karis:** The property line to the curb is 18 feet. Yes, another vehicle can pass.

**The Board** question the absence of the architect(s) at this meeting. **Mr. Karis** answers that he believes it was short notice for them to be present but that Mr. Leary and the architect(s) will be present on Thursday.

**Anders:** How many spaces are behind the building? **Rick Stockberger:** 34 spaces for 50 Main Street, plus 6 for 20 Main Street (3 that are on our property and 3 that are on the other property). **Mr. Karis:** 46 spaces, 34 we have a right to use.

Discussion & Presentation Ends.

## **V. Other Business:**

### **I. New Inquiries:**

There are no new inquiries and nothing submitted to be on time to be added to the agenda tonight.

### **II. Status of WWTP Subdivision Submittal**

The Board has waived the 10 day requirement for submission so that the Board would be able to address the subdivision on December 14, 2006. Since then an e-mail from John Folchetti has been received by Chairperson Piccini stating that a scope has been electronically submitted to the DEP. There are electronic comments back, which increase the scope and request a written proposal for their review. They will not be presenting the subdivision at the December 14, 2006 Planning Board meeting and propose to be at the January 24, 2007 Planning Board meeting, which may be a public hearing rather than wait until February, 2007 for the public hearing.

### **III. Training Sessions: SEQR**

John Folchetti's thought is 5-6 sessions would be needed for training. Days of the week and frequency need to be discussed. John Folchetti has Village Board meetings to attend.

Tuesdays are proposed starting in mid-January at John Folchetti's office.

**The Board** now discusses questions to be addressed for Thursday, December 14, 2006 Public Hearing.

#### **1) Overhang**

- Length.
- How far off the building it comes out
- Pitch of the roof
- Would like to see a side view



2) Laundry

- Site plan shows 3 washers, 3 dryers on one floor
- Individual hook-ups in apartments?

3) Bathrooms

- Handicap compliance is not shown on plan

4) Square footage on second floor

- One bedroom is 3 feet smaller than the ones on the first floor
- Mistake or reason for this

**VI. Adjournment**

**Rick Stockberger** motions to close special meeting for tonight. **Mark Anderson** seconds. All Board members agree. Special Meeting ends at 9:32pm.