

**Town of Southeast  
Zoning Board of Appeals  
1 Main Street  
Brewster, NY 10509**

**Planning Board Report  
July 27, 2023**

**Brewster Yards (p/k/a ProSwing)  
Request for Variances**

Re: **Brewster Yards (p/k/a Proswing), 132 & 160 Pugsley Road, Tax Map IDs 45.-1-10 (Lot 2) & 45.-1-11 (Lot 3)**

The applicant, referred by the Town of Southeast Planning Board, requested variances for:

Zoning Item	Required	Lot 2 (45.-1-10)		Lot 3 (45.-1-11)	
		Proposed	Variance	Proposed	Variance
Front Yard Setback	100 ft	104.2 ft	--	39.2 ft	60.8 ft
Front Parking Setback	100 ft	23.7 ft	76.3 ft	31.2 ft	68.8 ft
Max Building Height	35 ft	45.0 ft	10.0 ft	< 35 ft	--
Environmental Buffer	50 ft	0 ft	50 ft	0 ft	50 ft
Max Fence Height within Front Yard Setback (Entrance Arch)	3 ft	20 ft	17 ft	N/A	--
Max Fence Height within Front Yard Setback (driveway gates)	3 ft	6 ft*	3 ft	6 ft**	3 ft
Max Fence Height within Front Yard Setback (Backstop Netting Poles)	3 ft	N/A	--	30 ft	27 ft
Max Manufactured Slope Height	30 ft	36 ft	6 ft	35 ft	5 ft

\*Gates at three driveways on Lot 2

\*\*Gates at two driveways on Lot 3

The application included the following documents and drawings:

1. ZBA Application, prepared by Keane & Beane, PC, dated 5/24/23
2. Referral Letter from Planning Board, dated 5/8/23
3. Proof of neighbor mailings
4. Notarized Affidavit of Mailing
5. Memorandum to ZBA from Keane & Beane, PC, dated 5/24/23

6. Overall Plan, OP-1, prepared by Insite Engineering, PC, dated 7/6/21, last revised 5/12/23
7. Grading & Utilities Plan, SP-2.1, prepared by Insite Engineering, PC, dated 11/28/22, last revised 5/12/23
8. Grading & Utilities Plan, SP-2.2, prepared by Insite Engineering, PC, dated 11/28/22, last revised 5/12/23
9. Grading & Utilities Plan, SP-2.3, prepared by Insite Engineering, PC, dated 11/28/22, last revised 5/12/23
10. Grading & Utilities Plan, SP-2.4, prepared by Insite Engineering, PC, dated 11/28/22, last revised 5/12/23
11. Details Plan, D-2, prepared by Insite Engineering, PC, dated 11/28/22, last revised 5/12/23
12. Details Plan, D-3, prepared by Insite Engineering, PC, dated 11/28/22, last revised 5/12/23

At the meeting of **July 17, 2023**, the ZBA **granted** the variances as submitted with the following changes:

1. Lot 3 Front Parking Setback: 73.8 ft. variance
2. Lot 2 Maximum Retaining Wall Height: 2 ft. variance
3. Lot 3 Maximum Retaining Wall Height: 6.1 ft. variance

Motion to Approve: Chairman Froessel  
Seconded: Boardmember Vink  
Roll Call Vote: 6 to 0 with 1 absent

#### Attachment

cc: Town Attorney  
Town Clerk  
Richard L. O'Rourke, Esq., Keane & Beane, PC  
Insite Engineering

TOWN OF SOUTHEAST  
ZONING BOARD OF APPEALS

ZBA Meeting Date: 7/17/2023 Referral Date: 5/8/2023

Applicant: Brewster Yards (p/k/a Proswing) Tax Map IDs 45.-1-10 & 45.-1-11

Address: 132 & 160 Pugsley Road

Approved as submitted to Zoning Board

Approved as submitted with the following changes/conditions:

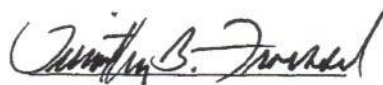
Lot 3 Front Parking Setback: 73.8 ft. variance

Lot 2 Maximum Retaining Wall Height: 2 ft. variance

Lot 3 Maximum Retaining Wall Height: 6.1 ft. variance

DENIED

Date 7/17/2023



Timothy Froessel, Chairman  
Zoning Board of Appeals