

use as requested.

- 3. Application of: Name: Katherine Weston
 Address: 85 State Street
 Zoning: Residential
 Purpose: filling of low lying lands (Section 58-16.1B)

Applicant Presentation:

A two-car garage is being built. A map was distributed to show the pitch of the drainage that is being made due to the garage construction. After construction was underway, it was discovered that some fill was needed to connect the driveway to the garage and have a good drainage situation for the land. This only needed to change the footprints of the garage. Land levels were noted on the map of the existing driveway, where the garage is being put and the surrounding areas to make the drainage a better situation.

Continued Board discussion on application:

Member Brugger stated that the new driveway is crush and run at this point. It will need to be paved like the rest of the driveway per Village law within two years. Owners indicated it would be done. How far is the garage from the rear property line? It is 3 feet from the line. Water will not be trapped. There is a swale that will go around to the East of the garage. It was made known that the drainage that is set-up Cannot allow the water to leave the property and flood a neighboring property in the process.

Village Engineer T. Carpenter was concerned about the drainage, but he feels that from the explanation that it should not create any problem for neighboring properties. It will displace most of the water in the back of the property and not go onto neighbors property due to the elevations of the land.

Member Brugger said he would feel more comfortable with this if he could see the site for himself. Member Appleby said he did a site inspection. He feels it should be ok. Member Locke is one of the neighbors and feels that it should not cause any problem to her land due to the elevations involved.

⇒ Member Switzer moved, Member Appleby seconded, unanimously carried to approve the fill permit needed to make the elevations for the drainage.

⇒ Member Switzer moved, Member Appleby seconded, unanimously carried to approve the driveway expansion as outlined, with a site visit in one year to make sure that after the driveway is put in and it has experienced some time of draining the way it is proposed that no erosion or problems have occurred.

OLD BUSINESS:

- 1. Application of: Name: Schultz Associates for Sunflower Landing Subdivision
 Address: East Avenue
 Purpose: continue site plan and subdivision review

Applicant Presentation:

K. Schultz is looking for site plan approvals. The only things that have changed since last review is the fact that two units were changed to single use housing units rather than senior residences. It helped to clean up the area, but did not impact utilities and helped with the grading.

Continued Board discussion on application:

Village Engineer, Tom Carpenter, stated that he felt very comfortable with the plans.

K. Schultz commented on the comments that were brought to their attention by the engineers. There is plenty of distance from homes to create a good buffer. The pond is in a good location away from property lines and has a nice walkway. There is a good safety bench created that is a dust and stone trail that will eliminate the steepness to the pond and create no possibility to overflow. Walkway benches are still in development stages with architects. There is a homeowner's fee that will help to keep the walkways cleared.

Member Appleby asked about the pine trees that were being planted and asked what will be on the slope into the pond? They will be planted with a 20-foot span from the centers so that when they grow bigger they will not interfere with each other. There will be grass on the slope into the pond.

Member Locke asked about how the houses will be targeted toward senior homes, but will they be exclusive. They have the features that are attractive to senior housing, but they will not be exclusive to seniors. Whether you are 77 or 27 you can live in these homes.

K. Schultz said they plan to get the DEC involved to make sure that all new regulations are met and understood. They will also contact Soil and Water Conservation to make sure everything looks good to them.

Member Appleby wanted to make sure the SEQR has been done. SEQR has been completed.

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Village Engineer, Tom Carpenter, wanted to let the board know that he has been very pleased working with the developer and his engineering firm. They have been very accommodating to all requests and recommendations. The level of planning has been impressive and they have done an excellent job. Engineering is very comfortable and confident that all their concerns will be addressed.

⇒ Member Switzer moved, Member Appleby seconded, unanimously carried to grant preliminary subdivision and site plan approval overall, contingent on all review comments from the Village Engineer, Department Heads, and agencies being addressed to their satisfaction.

⇒ Member Appleby moved, Member Switzer seconded, unanimously carried to grant final subdivision and site plan approval to Phase 1, contingent on all review comments from the Village Engineer, Department Heads, and agencies being addressed to their satisfaction. Signatures will be required.

Joan Hamlin of 50 Park Avenue asked why some of the agenda items were started without Planning Board approvals being in place. S. Zarnstorff responded that regarding the garage construction, it was determined a fill permit was needed after construction began. Levels of grade needed to be changed to correct the drainage situation. As soon as it was realized it was addressed. If certain things are compliant to code, they do not need to come to the board. Only when things are straying from the code are they brought in front of the board for approval.

Member Locke wanted to make sure that everything is addressed in a timely manner so that it does not open us up to problems with neighbors of any of these applications. There was discussion that there should be repercussions of actions that are taken before all the correct approvals are complete. Member Brugger stated that he has looked at other municipalities and how all change of use goes before the board. The Code Review Committee that is looking into items such as that. All changes plan to be presented as a whole. If an emergency code change needs to take place, they will bring it to the Village Board separately.

NEXT REGULAR MEETING: Monday, December 12, 2005

ADJOURNMENT:

→ Member Arthur Appleby moved, Member Annette Locke seconded, unanimously carried that the meeting be adjourned at 8:30 pm.

Michelle D. Johnson, Clerk