

Regular meeting of the Planning Board of the Village of Brockport was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Monday, October 27, 2003 at 8:20pm after the ZBA meeting.

PRESENT: Chair R. Scott Winner, Vice Chair John Brugger, Member Charles Switzer, Member Annette Locke, Member Arthur Appleby, Building/Zoning Officer Scott C. Zarnstorff, Village Clerk Leslie Ann Morelli.

EXCUSED: DPW Superintendent Bradley B. Upson (in Village Board workshop)

ALSO PRESENT: Deputy Village Attorney Frank A. Aloi, Village Engineer Tom Carpenter of Chatfield Engineers, Joan Hamlin, Art Brennan, Mark Edwards, Matthew & Melissa Fuino, Mike Torregrossa, Guglielmo & Sal Maniscalco, Scott Leonard, Denise Gray, David Samer, Patricia Montarella, S. Pruner.

CALL TO ORDER: Chair Winner called the meeting to order and led the Pledge of Allegiance.

REVIEW OF MEETING MINUTES: Chair Winner called for a motion to approve the minutes of the previous meetings held July 14, August 11 and September 8.

- ➔ Member Locke moved, Member Appleby seconded, unanimously carried to approve the minutes of the meeting held July 14, 2003 as written.
- ➔ Member Appleby moved, Member Locke seconded, unanimously carried to approve the minutes of the meeting held August 11, 2003 as written.
- ➔ Member Switzer moved, Member Appleby seconded, unanimously carried to approve the minutes of the meeting held September 8, 2003 as written.

CORRESPONDENCE: None

PUBLIC HEARINGS: None

OLD BUSINESS: None

OPEN FORUM:

1. Art Brennan – Bev Lane Clarkson re Lakeside Health System

A. Brennan thanked the Planning Board for allowing him the courtesy to air some issues he has with Lakeside Health System. He said he is sorry he has to appear before the Planning Board, but that he can not get anywhere with LMH. His property values are deteriorating. He said he has been a good neighbor and supporter of the hospital for 35 years. A. Brennan said he developed 24 town homes on Bev Lane before LMH took a 180-degree turn. For instance, the receiving location has changed. He has tried to work with Mark Edwards over the years, has had several meetings and received several response letters to his concerns. In April 2001 LMH promised to baffle to solve the noise issue. In 1995 LMH promised trees on their site plan. They were never planted. There is one small dumpster shown on the approved site plan, but there are 3 huge dumpsters in reality. Not one tree has been planted on the west side. A. Brennan said he even offered to pay for the trees. A. Brennan said he had a four-page study done. He provided photographs, some aerial, that shows that trees were actually removed instead of increased.

Member Locke asked if he has lived in his house for 35 years. A. Brennan said he purchased and lived at 200 West Avenue for many years and recently built a new home on Bev Lane. A. Brennan said he wanted LMH to have the Hill property when it went up for sale since they encroached upon it anyway and it would provide a good buffer. The property went up for blind bid. The hospital bid, as did A. Brennan who was awarded the bid even though it was lower than the LMH bid. Apparently the Hill's did not want LMH to have the property. A. Brennan said he offered to split the land so he and LMH would each have 480 feet. He would use his 480 feet for a no build zone to protect Bev Lane. He offered to sell them half the land for less than half of what they had bid for it. He received a letter from then-CEO Bob Harris turning it down.

Chair Winner asked if the houses on the east side of Bev Lane were built prior to the addition of the Lakeside-Beikirch Care Center. A. Brennan said yes. It was a park-like setting. Now there is a 24-hour smoking gazebo, a noisy air handler, dumpsters, a huge satellite dish, etc. There is nothing to screen any of it. A. Brennan said when he was involved with Brockport Cold Storage in the Village; they were made to enclose their dumpsters. Chair Winner stated that none of the current Planning Board members were on the Board at that time.

Member Appleby said east and west of LMH is considered the Town of Clarkson. Chair Winner said yes. LMH was annexed to the Village for water and sewer purposes many years ago.

Chair Winner thanked A. Brennan for addressing the Board.

NEW BUSINESS:

- 1. Application of: Name: Christina Manna
 Address: 51 Spring Street
 Purpose: driveway/parking expansion

→ Member Brugger moved, Member Switzer seconded, unanimously carried to table this application until the ZBA renders a decision on continuance of non-conforming use as 2 family.

- 2. Application of: Name: Melissa Fuino – Hackers Hot Spot
 Address: 68 Market Street
 Purpose: change of use for cyber café – computers & food

Applicant Presentation:

Matthew and Melissa Fuino presented their application at the ZBA meeting earlier in the evening with all Planning Board members present. They reviewed the floor plan, with back room and entrances and exits to be used. They will be taking up what used to be 2 storefronts.

Continued Board discussion on application:

Chair Winner said the Planning Board would deal with the change of use aspect and ask some different questions. Member Locke asked for details regarding food preparation and what times food would be served. M. Fuino said they would not have any grill. It would be cold food preparation and microwave use and coffee machines. M. Fuino said they would have pastries brought in for mornings and would provide light food for lunches and dinners.

Member Appleby asked the hours of operation of the other stores in the plaza. Plaza owner, Vincent Anzalone, said not much is open on Mondays. He believes the swimwear shop is open Tuesday through Saturday during the day and Thursday evenings. He believes the salon is open Tuesday through Saturday until 6pm depending on their bookings. Member Appleby asked if the upstairs apartment residents would be disrupted if the proposed use were open until 10pm. V. Anzalone said no

since neither apartment is directly above this space. They are at the other end of the building. M. Fuino

said they expect it to be a relatively quiet business. Member Appleby if the computers would offer any extreme games. M. Fuino said they may for birthday parties and such, but they would provide headphones. Member Appleby asked if there would be a room full of speakers like the former cyber café on Main Street. M. Fuino said no. They want to give a quiet, relaxing place for residents and SUNY Brockport students to get a fast computer connection in an alternate setting. Member Locke said

she lives not too far from the plaza and goes by it frequently. She questioned if there would be enough parking. She said the parking lot is often full Tuesdays through Fridays. She said it is just far enough from SUNY that there might not be as much foot traffic as they expect. V. Anzalone said the lot was just

paved and he thinks there is room for 14 parking spaces. They have yet to stripe it, but will do so soon. They recently put up signage that says plaza customer and tenant parking only. There is also on-street parking and the municipal lot at the Market Street firehall. Member Locke asked if they would mark any as handicapped parking. S. Zarnstorff said they would need to mark 2 as handicapped. Regular parking spaces will need to be 10 feet by 20 feet to meet code. There will need to be access aisles for the handicapped spaces. S. Zarnstorff said he found an old hand-drawn parking plan in the files. However, there were no measurements and it was not to scale.

Member Brugger inquired about the name of Round Table System. M. Fuino said that is the DBA (doing business as) license name, but it will be called Hackers Hot Spot. Member Brugger questioned the parcel size on the application. S. Zarnstorff said it is 108 feet by 70 feet. What was put on the application was the building size. Member Brugger asked if there is currently a dumpster that the plaza uses. V. Anzalone said no. For the last 20 years, the shop proprietors have disposed of their own garbage, like a carry-in, carryout park. Member Locke said this would not work for a restaurant since there will be more garbage generated than some retail or service businesses. M. Fuino said she took the Monroe County Health Department course and learned that they need 3 sinks. They will washable dishes for eat in orders, but disposable dishes for take out orders. Chair Winner agreed with Member Locke that with food preparation and consumption comes waste. Therefore, disposal will be an issue. It would not be responsible for the Planning Board to approve a food service establishment without a disposal plan. There will need to be on-site refuse containers and scheduled pick up. Member Brugger asked if there would be food preparation in room 3 as shown on the plan and if there would be a large conference room as stated in the business plan. M. Fuino said no, that didn't work out. S. Zarnstorff suggested that room 5 be used to house the totes and recycle boxes until ready to take to the curb once

or twice per week. Board agreed that could work. M. Fuino asked if they could be stored outside on the back of the building instead. Member Brugger said not without the construction of an enclosure.

Member Switzer asked if the Fuino's are planning to rent the space or purchase the plaza. M. Fuino said they originally planned to purchase the plaza, but for now they are going to rent the space.

Member Brugger asked if the property owner had signed off on the application and if the money issues had been resolved. Clerk Morelli said all is now in order.

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Member Locke encouraged the striping of the lot and expressed concern that when some people create their own parking spaces they park very near the corner of Market Street and Park Avenue and it can be a visual block for the stop sign there.

Member Brugger said he likes the Fuino's idea of encouraging Canal traffic and boaters to stop. M. Fuino said that was S. Winner's idea.

⇒ Member Appleby moved, Member Brugger seconded, unanimously carried to approve the change of use to allow a cyber café with computers and food service at 68 Market Street.

3. Application of: Name: C. Carter & J. Scott Leonard – Champion Moving & Storage
 Address: 100 Owens Road
 Purpose: lighting for parking lot

Applicant Presentation:

Scott Leonard said now that the parking lot is completed, they need lights on the north side for safety and security. It would not affect the Woodlands apartments and condos on the south side in Sweden. There would be no spillage. They propose enough to light the parking lot.

Continued Board discussion on application:

Member Appleby reviewed the light proposal specifications provided. Member Switzer said he has no problem with the light proposal but thought they were not part of the site plan. Member Appleby said the building lights were on the site plan. Member Switzer asked how the lighting would be phased in with the rest of the conditions of approval that have yet to be completed such as landscaping and berming to the appropriate height.

Chair Winner asked S. Leonard if he had seen the list of outstanding issues the Village and Chatfield Engineers put together recently. He said no, it must have gone to C. Carter. S. Winner cited the 9 items that still need to be addressed and shared that the Planning Board is usually reluctant to deal with new applications when old conditions have not been met. However, lighting is not an "extra" as it is beneficial for safety and security. To table the application would be punitive. Member Switzer agreed, but stressed the importance of having the approved berm height so that the light poles are placed properly. T. Carpenter agreed that the east side berm may not be at the correct height and that a west side berm is being constructed that was not even on the plans – therefore not approved. Chair Winner asked S. Leonard to get together with T. Carpenter and S. Zarnstorff and work diligently toward completing the punch list. Member Appleby questioned requiring a letter of credit. Chair Winner said that would be an enforcement issue if it becomes necessary.

Regarding this application, Member Appleby said the lighting would be a welcome addition. Member Brugger commented that the poles need to be outside the wetland buffer. T. Carpenter said the berm and plantings can be within the buffer, but the lights should be just outside it unless they apply to the DEC.

Chair Winner said the double-parking by employees should not continue. S. Leonard said it has been mostly cars along the building side.

⇒ Member Locke moved, Member Switzer seconded, unanimously carried to approve the application for parking lot lighting as shown conditioned on satisfying the outstanding punch list of items to be done from previous approvals regarding the site. As instructed, work with Chatfield Engineers as to what work still needs to be completed.

4. Application of: Name: Michael Torregrossa & Michael Lana – Maliboo Lounge
 Address: 38 Merchants Street
 Purpose: open a tavern

Applicant Presentation:

Michael Torregrossa introduced himself. His business partner, Michael Lana, was unable to attend. Property owner Guglielmo Maniscalco and his son Salvatore were also in attendance. Chair Winner prefaced the presentation by explaining that the building, which was last known as Northbound Junction, has been vacant for over 9 months. The ZBA had planned to review the application in

regards to Section 58-11A14 of the Village Code that prohibits a bar from opening within 300 feet of another bar. However, Deputy Village Attorney Aloj researched this and learned that the State provision allows for 500 feet. The State provision prevails and no ZBA action was required. The New York State Liquor Authority needs to issue a liquor license, and has not done so yet.

M. Torregrossa reviewed the list of improvements he plans to make to the exterior and interior of 38 Merchants Street. These included the following per the document:

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Exterior Proposal

- 1) There will be no structural changes made to the exterior of the building.
- 2) Remove weeds from around the building and in the landscape.
- 3) Lay mulch in the landscape area.
- 4) Install two doors in the front of the building, one going to each patio.
- 5) Install gate railing around each front patio.
- 6) Paint the exterior walls a darker shade of beige.
- 7) Paint the exterior trim dark brown.
- 8) Replace the existing shingles on the roof.
- 9) Install a patio behind the building approximately fifty feet in length and ten feet in width. (Future plan, approximately one year from opening.)
- 10) Place a six to ten yard dumpster behind the building on the east side.
- 11) Install a vinyl sign that says Maliboo Lounge on the roof or where existing sign stands which will be illuminated by a stationary spotlight. (Possible box lit sign requested.)
- 12) Seal the parking lot and install lines for the parking spots.

Interior Proposal

- 1) There will be no structural changes made to the interior of the building.
- 2) Paint the interior walls with a tropical theme.
- 3) Install new tiles on the floor.
- 4) Install clear safety glass in place of the existing front windows.
- 5) Install privacy glass in the front doors.
- 6) Install three new televisions.
- 7) Install a sound system.
- 8) Install a light show.
- 9) Install a security camera system.
- 10) Install a burglar alarm system.
- 11) Install an up to date fire alarm system.

Operation of security

- 1) We will employ only certified security guards.
- 2) Every customer will produce an ID on cameras to ensure that no minors will be permitted into our facility.
- 3) On busy nights we will run approximately eight to ten security guards.
- 4) At the end of each night we will place all but two security guards in the parking lot to help direct traffic and ensure the safety of our customers.
- 5) We will work with other bars in the area to station a security guard on the Brockport Transportation System to ensure the safety of the passengers.

Continued Board discussion on application:

Chair Winner asked the purpose of the patios. M. Torregrossa said for smoking. Chair Winner asked if re-roofing will take place of the NBJ letters on the roof or if the entire roof will be replaced. M. Torregrossa said the entire roof would be redone. Member Appleby asked if the railings around the patios would be the same as those just installed at the Canal Side Pub and if they would be 58 inches high. M. Torregrossa said he was not sure. Chair Winner said the fence height and hanging plants were to avoid hopping of the fence. M. Torregrossa said he didn't think that would be a problem since a security guard would be there at all times.

Member Switzer asked how they get to them. M. Torregrossa said they would be replacing the two front windows with doors. Member Appleby asked about enclosing the dumpster. Chair Winner said this is required and they would recommend 6-foot high stockade of good construction and that it be well maintained.

Chair Winner asked how many parking spaces they will have when they stripe it and reminded him that spaces need to be 10 feet by 20 feet in size. M. Torregrossa said there is room for 11 spaces for this property.

Member Brugger referred to the existing Canal Side Pub and the not yet built restaurant behind it and

said they are trying for somewhat of a theme along the Canal. The applicant and Planning Board worked hard on the new restaurant plans. He commented that he would hope the Maliboo Lounge would be in keeping with planned improvements for the area. Chair Winner commented that this building is deemed to have no historic significance and is not within the current Historic Preservation District. Chair Winner said aesthetics are important and that he appreciates that the applicant modified the exterior color scheme from his initial plan. They can go crazy with the tropical theme on the inside. Chair Winner said there are a number of initiatives underway for improvements to Clinton Street / Merchants Street.

Member Switzer said the proposed deck along the Canal would require New York State Canal Corporation approval as well. M. Torregrossa said he was aware of that and to expect that it can take a year.

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Chair Winner said although S. Zarnstorff has authority over signage, he encouraged the applicant to work within the sign code and exercise good judgment. He further asked that as a courtesy, he share sign design plans with the Planning Board. M. Torregrossa said he would.

Chair Winner questioned the plan for privacy glass. M. Torregrossa said it could be tinted privacy glass or clear safety glass. The Board agreed that clear safety glass would be best.

Chair Winner read a letter he received from Brockport Police Chief Daniel Varrenti. It read:

Please be advised that I am in receipt of a planning board application for the property located at 38 Merchants Street, formerly Northbound Junction. According to this application it is my understanding that the intent of the applicant is to restore this establishment to its original business, a "tavern".

I am strongly opposed to this type of establishment solely for law enforcement reasons. In the 2002 calendar year the Brockport Police Department responded to 12,234 calls for service, made 1,827 vehicle and traffic arrests, including 71 Driving While Intoxicated arrests, 610 criminal arrests and issued 2,235 parking tickets. Additionally the police department investigated 41 assaults, 29 burglaries, 149 criminal mischief, 76 disorderly conducts, 115 harassment, 135 noise ordinances, 22 open container violations, 176 larcenies, 8 rapes, 2 menacing incidents, 5 robberies, 55 unlawful possession of alcoholic beverages, 28 unlawful possession of marijuana and 165 domestic violence complaints. The Brockport Police Department, currently consisting of 12 full time and 3 part time police officers, struggles to keep up with the aforementioned crime. Increasing these types of calls for service would not only be dangerous but also irresponsible. An additional "tavern" located within a 2 x 2 square mile area would exacerbate an already potentially dangerous situation.

If you need further information or I can be of further assistance please do not hesitate to contact me.

Member Locke asked what "install a light show" means. M. Torregrossa said lights for the interior dance floor. Member Switzer asked what type of food would be served. M. Torregrossa said just finger foods. It is required in order to get a liquor license. Member Locke asked what the hours of operation would be and if food would be served the entire time. M. Torregrossa said they would be open Mondays through Saturdays 8pm to 2am. They would be closed on Sundays. Food would be served the entire time they are open. Member Locke asked the number of employees that will work at any given time. M. Torregrossa said 13 to 15. This includes 8 to 10 security, 4 bartenders and 1 bar back.

Chair Winner asked why so many security guards. M. Torregrossa said 8 breaks down as 1 or 2 in front, 2 at the door, 1 at the bathrooms, 1 at the rear and 2 roaming. Sal Maniscalco spoke up from the audience and said there would be 10 on Thursday, Friday and Saturday nights for public safety. Chair Winner asked if the security guards would be identifiable. M. Torregrossa said yes. They would have uniform shirts and the other employees would have staff shirts. Chair Winner asked what "certified" security guards meant. M. Torregrossa said those who have received New York certification and carry a card. The security can even be placed on the SUNY shuttle bus to ensure no problems. The ids would be shown on camera to assure no minors are allowed in.

Member Locke asked if the employees would take up all their available parking. M. Torregrossa said he would have the employees park elsewhere. Member Locke asked if all patrons would enter and exit through the front door. M. Torregrossa said yes. Member Locke asked if there are other exits for fire purposes. M. Torregrossa said yes, there are 3 and pointed them out on the plan. Sal Maniscalco said the one fire exit goes through the kitchen.

Chair Winner asked if they plan on any special events. M. Torregrossa said they plan on having a live band one night and 80's music one night. They do not plan anything special for weekends. Chair Winner cautioned that any activities that involve partial or full nudity are not allowed in that zoning. M. Torregrossa said they have no plans for such.

Member Switzer asked when he hopes to open. M. Torregrossa said he hopes to open in January. They need to paint, pave and stripe before bad weather sets in. Member Switzer asked about exterior lighting, including lighting plans for the smokers patios. M. Torregrossa referred to the existing lighting

and said he had no additional plans. Member Appleby asked if there would be seating on the patios and how many smoking receptacles there would be.

Sal Maniscalco burst out saying the Planning Board should just tell him what all they need so they don't get put off. Chair Winner said that M. Torregrossa is the applicant and is doing just fine. The Planning Board is asking questions and telling the applicant what information is needed. This is the process and it works very well. This is the first time the applicant has had an opportunity to present his plans and be questioned. Member Brugger concurred this is the first he has seen this. Member Locke said it is better to have everything spelled out upfront. The Planning Board cannot operate solely on good faith and needs to represent the best interests of the Village. Chair Winner said the remaining issues could be buttoned down over the next two weeks. If all is in order, a decision can be rendered at the November 10th Planning Board meeting.

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⇒ Member Locke moved, Member Appleby seconded, unanimously carried to table the application until the November 10th meeting. Applicant was asked to provide the following by the morning of November 5th: proposed menu / parking plan (spaces need to be 10' x 20') / exterior lighting plan / dumpster and enclosure plan / landscaping plan / patio(s) plan – seating and number of smoking receptacles / proposed signage – although S. Zarnstorff approves signage – please share with Planning Board as a courtesy.

5. Application of: Name: Mark Edwards for Lakeside Health System
 Address: 156 West Avenue
 Purpose: mechanical enhancements

Applicant Presentation:

9:50pm - Mark Edwards reminded the board that expansion including a fourth floor to the hospital was approved several months ago. At that time he mentioned that they would be making some energy saving enhancements. This has been done through interior lighting and façade doors on some buildings. The HVAC (heating, ventilation, air conditioning) improvements include replacing the electric rooftop units with hydronic heat and reducing noise and visibility issues from West Avenue and replacing the 1985 air cooled chiller which is very noisy with one much more efficient. A \$190,000 per year energy savings (mostly electric) is projected. He said he is here regarding the placement of a cooling tower. He reviewed the plan and photographs.

Continued Board discussion on application:

Member Brugger explained that he would recuse himself from any discussion or decision regarding Lakeside Health System as he always has since he is employed there.

Member Switzer commented that the towers are wide out in the open and that it is no wonder that A. Brennan is upset. Member Switzer asked if it is quieter. M. Edwards said it is significantly quieter than old one. It ramps up and ramps down compared to the current one where 4 fans and compressors run all the time. Chair Winner asked if it would double the volume. M. Edwards said no, because they don't run at the same time. It provides for a back up for the Child Care Center and the Hospital. The hospital side chiller is being removed. It does not shut off until it reaches 40. The new unit starts at 58 and carries the burden for the entire facility. It will be less expensive to run a larger machine at part load. Chair Winner asked the height difference. M. Edwards said this is 2 feet taller. Member Locke asked if there is any way to landscape around it and not reduce the efficiency. M. Edwards said they could try. It is adjacent to the Emergency Room and the touchdown helicopter area.

Member Switzer asked how much land the hospital owns along the emergency access road. M. Edwards said 10 to 12 feet. Member Switzer asked if stockade fencing would fit there and said he would like to visit the site and learn more about the unit and potential noise. S. Zarnstorff said he was there and confirmed that the unit is pretty quiet. M. Edwards said there is less noise than before. He further said the line of site issues from West Avenue are resolved. M. Edwards said it would have looked clumsier so they moved it to the service side of the property. A. Brennan said the "clumsy" visual has now been moved to the west side where Bev Lane properties have to deal with it. Chair Winner agreed a site visit would be beneficial, particularly to see and hear what A. Brennan sees and hears. He further said they need to look at what was previously agreed to and see what remains to be completed.

⇒ Member Switzer moved, Member Locke seconded, Member Brugger abstained, carried to table the application until the November 10th meeting and conduct a site visit on Saturday, November 1st at 9am.

6. Application of: Name: Denise Gray
 Address: 92 Barry Street
 Purpose: front yard fence or hedge on east side

Applicant Presentation:

10:10 Denise Gray said she has owned 92 Barry Street for 18 years. Her former husband removed half of their driveway. She would now like to remove the other half. They do not need it because they have a driveway on the other side. The current driveway blends in with the neighbor's property. She would like it to look nicer and be separate and distinct from the neighbor. They converted the east side back to lawn. Therefore, she would like to install either a fence or a hedge. It was clarified that she would prefer a wood picket fence painted white.

Continued Board discussion on application:

Chair Winner said although this is not a public hearing and the application does not require one, the Planning Board has received a letter from neighbor David Samer who in summary expressed that if D. Gray installs a fence on the property line in that location, it will prevent him from being able to open his car door. D. Samer explained that he leases driveway space from his neighbor on the other side for 2 cars. The driveway on his side has only enough room for one car. He pleaded that if she were to install said fence that it be 2 feet in from property so that he can open his car door and not damage her fence.

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D. Samer said the lease of driveway space for 2 vehicles is temporary. That leaves him with only one parking space for the house. This could depreciate the value of the house.

D. Gray said it is not her fault that the Samer's front entrance and deck design shorted them of parking. She said it was not good planning on his part. It is not her responsibility to worry about his parking. She has a right to put a hedge or fence right on the property line. Chair Winner said he detects there is a story running deeper between the neighbors than just this application. D. Gray said she has worked hard, has put \$50,000 into her house and has 9 grandchildren she watches. D. Samer said he only wants to be able to open his car door. He said he would even maintain it if she puts a fence 2 feet further over. Member Brugger commented that even 6 inches could accomplish this. D. Gray said it is his turn to be creative to accommodate his needs. D. Gray remained unwilling to budge. T. Carpenter asked D. Samer if there is room to park parallel. D. Samer said no.

Chair Winner said the Planning Board is trying to mediate rather than simply rule. However, short of D. Gray accommodating D. Samer's wishes, there is not much more the Planning Board can do. D. Gray said she wants the fence right on the property line and meets all codes.

F. Alois said the details of the application have now been firmed up by inquiries of the Planning Board (that the applicant wants a picket fence on the property line). The Planning Board has tried to minimize the possible adverse impacts to the neighbor, but the applicant's request meets all code and there is nothing to prevent the Planning Board from approving it.

⇒ Member Switzer moved, Member Appleby seconded, Chair Winner opposed, carried to grant approval of a proposed section of front yard fence at 92 Barry Street on the following conditions: that the fence is white picket, that it be no more than 3 feet in height, that it is 3 feet in from the Village sidewalk, and that it is on or within your property line.

Chair Winner said he was opposed because he believes neighbors should do their best to try to work together.

NEXT REGULAR MEETING: Monday, November 10, 2003 at 7pm

NEXT SPECIAL MEETING: Monday, November 24, 2003 after 7pm ZBA meeting

ADJOURNMENT:

➔ Member Locke moved, Member Brugger seconded, unanimously carried that the meeting be adjourned at 10:45pm.

Leslie Ann Morelli, Village Clerk