

# Town of Liberty Planning Board Minutes January 8, 2008

## **MEMBERS PRESENT:**

Chairman Deutsch, Chairman  
Jon Sutherland  
Ray Kelly  
Lynn Dowe  
Dean Farrand  
John Van Etten, alternate  
Peter Stettner, alternate

## **ABSENT:**

## **ALSO PRESENT:**

Walter F. Garigliano, Town Attorney  
Mark Van Etten, Building CEO  
See attached sign in sheet

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**CHAIRMAN DEUTSCH CALLS THE MEETING TO ORDER AT 7:03 PM.**

**ON A MOTION MADE BY JON SUTHERLAND AND SECONDED BY DEAN FARRAND THE BOARD UNANIMOUSLY APPROVED MINUTES FOR DECEMBER 4, 2007.**

**ON A MOTION MADE BY JON SUTHERLAND AND SECONDED BY DEAN FARRAND THE BOARD UNANIMOUSLY APPROVED MINUTES FOR DECEMBER 17, 2007.**

## **PUBLIC HEARING:**

**Camp Bnos**  
Special Use Permit  
316 Ferndale Loomis Road  
SBL 36.-1-60.1  
Zone: RD

Chairman Deutsch asked if there were any comments or questions from the public.

18 notices were sent, 12 green cards received.

Mr. and Mrs. Robert Bruce appeared and asked where the building for the staff quarters was going to be located. It was explained that it would be at the back of the property. They were satisfied.

**ON A MOTION MADE BY RAY KELLY AND SECONDED BY LYNN DOWE, THE PUBLIC HEARING WAS CLOSED.**

**PUBLIC HEARING:**

**Paul Edelstein**  
Special Use Permit  
1363 Briscoe Road  
SBL 44.-1-28.15  
Zone: RS

Chairman Deutsch opened the public hearing and asked for any comments from the public.

13 notices were sent, 7 green cards received.

Maureen Keirnan spoke up and said she would like to see this project get approval.

**ON A MOTION MADE BY JON SUTHERLAND AND SECONDED BY DEAN FARRAND, THE PUBLIC HEARING WAS CLOSED.**

**Camp Bnos**  
Special Use Permit  
316 Ferndale Loomis Road  
SBL 36.-1-60.1  
Zone: RD

Attorney Garigliano the maps appeared to be complete with everything shown as requested. Attorney Garigliano read SEQR.

**MOTION WAS MADE BY RAY KELLY FOR NEGATIVE DECLARATION ON SEQR, SECONDED BY LYNN DOWE. ALL IN FAVOR. APPROVED.**

**ON A MOTION MADE BY RAY KELLY AND SECONDED BY JON SUTHERLAND THE BOARD GRANTED APPROVAL FOR THE SPECIAL USE PERMIT. ALL IN FAVOR. APPROVED.**

**Paul Edelstein**  
Special Use Permit  
1363 Briscoe Road  
SBL 44.-1-28.15  
Zone: RS

Gary Silver appeared for this project. The Board had a brief discussion and came to the conclusion that nothing further was required.

**ON A MOTION MADE BY JON SUTHERLAND AND SECONDED BY DEAN FARRAND THE BOARD GRANTED APPROVAL FOR THE SPECIAL USE PERMIT WITH THE CONDITION THAT WHEN AND IF THE SHED ON THE EDGE OF THE PROPERTY IS EVER DESTROYED OR MOVED THAT IT IS DONE UNDER THE PROPER SETBACKS. A VOTE WAS TAKEN – 5 AYES, 0 NO'S. APPROVED.**

**Camp Agudath Israel of America**

Special Use Permit  
140 Upper Ferndale Road  
SBL 29.-1-24.1  
Zone: RS

Meir Frischman appeared for this project and passed out site plans. Ray Kelly and Lynn Dowe asked him about placing safety glass at the end of the stairwell. It will be added to the plan. A public hearing is to be scheduled for February 5<sup>th</sup>.

**MSD / RNR**

Special Use Permit  
Kelly Bridge Road  
40.-1-1.1  
Zone: RD

No one appeared for this project. However, it was decided that there should be a work session on this project. It will be scheduled by the Chairman.

**Camp Yeshiva Gedola Ohr Yisroel**

Special Use Permit  
249 Anderson Road  
SBL 2.-1-3  
Zone: RD

Faye Grunwald appeared for this project. Bill Gill stepped up to represent Al Adler's office. The Board requested a blow up of the two classrooms showing egress, electrical, etc. If the information is delivered to the Planning Board office within 10 days, a public hearing will be scheduled for February 5<sup>th</sup>.

**Samilik LLC**

Special Use Permit  
88 Ferndale Road  
SBL 36.-1-72  
Zone: RD

Bill Gill appeared for this project. He explained to the Board that the applicant was to be in contract to purchase the two attached lots numbered 70.1 and 71, which will resolve the issue of parking and septic system ownership. If this can be verified within 10 days, a public hearing will be scheduled for February 5<sup>th</sup>. The Board also wants to see the previously submitted second floor drawings to be sure the fire wall is in place. A dye test has also been requested for the septic system by the Code Enforcement Officer, Mark Van Etten.

**Silo Estates**  
Subdivision  
Town Roads 44, 25 & 51  
SBL 48-2-14.1  
Zone: RD

Board member Lynn Dowe recused himself from this project.

Ron Cobb of Hawk Engineering appeared for this project and stated that they were hoping to get final approval for Phase I of the project. Attorney Garigliano said he received a letter from Ken Klein saying that complete as to the financial part of Phase I.

**ON A MOTION MADE BY DEAN FARRAND AND SECONDED BY JON SUTHERLAND THE BOARD GRANTED APPROVAL FOR PHASE I OF THIS PROJECT WHICH ENCOMPASES LOTS 1, 9 AND 17. ALL IN FAVOR. APPROVED.**

Maps are to be brought in for signing. Mark Van Etten also asked for a list of road names to submit to 911.

**Shelly Kleinberger**  
Subdivision  
Radcliff Road / TR #37  
SBL 48.-2-9.5  
Zone: RD

Board member Lynn Dowe recused himself from this project.

Randy Wasson appeared for this project and explained it to the Board. Peter Stettner and Chairman Deutsch asked about the length of the driveway. It was stated that it appeared to be approximately 800 feet. A discussion was held by the Board on this project. Attorney Garigliano asked how the perc was. Randy Wasson said it was not good. It was mentioned that properties in the area would need raised beds. This project will be brought back for a public hearing on February 5<sup>th</sup> but will be kept open at that meeting and not closed until the March meeting.

**Chung Young-Gi**  
Lot Improvement  
Elk Point Road  
SBL 16.-1-28.6  
Zone: AC

Denise Birmingham appeared for this project. She explained that it would be taking 1.25 acres from Perrella to be added to Chung 44.42 acres, to total 45.67 acres, which will give access from Town Road.

**ON A MOTION MADE BY JON SUTHERLAND AND SECONDED BY LYNN DOWE THE BOARD GRANTED APPROVAL FOR THE LOT MPROVEMENT. ALL IN FAVOR. APPROVED.**

**Time Warner Cable**  
Special Use Permit  
NYS Route 52  
SBL: 35.D-3-10.2  
Zone: SC

This project is to be sent to Town Planner Tom Shepstone for review. Once his review has been received the site plan should be modified to show fencing. The Applicant said they may also do drainage.

**William C. Prince**  
Lot Improvement  
Worden Lane  
SBL: 31.-1-22.3  
Zone: AC

Mike Woods appeared for this project. He explained the lot improvement would combine 0.82 acres of 21.-1-22.3 with 31.-1-22.6 AND combine the remaining 0.40 of 21.1.22.3 with 31.1.24.

**ON A MOTION MADE BY JON SUTHERLAND AND SECONDED BY RAY KELLY THE BOARD GRANTED APPROVAL FOR THE LOT MPROVEMENT. ALL IN FAVOR. APPROVED.**

**Suburban Propane**  
Special Use Permit  
NYS Route 52  
SBL: 35.E-1-10  
Zone: SC

Richard Williams appeared for this project and explained that they wish to demolish the existing petroleum bulk storage (PBS) facility and reconstruct a new PBS facility. The Board discussed the project and it was decided to send it to Town Engineer, Terry Kelly for review.

**Menderis Road**  
Subdivision  
Menderis Road  
SBL 38-1-14 & 15  
Zone: AC

Paula Kay appeared for this project. She brought a new map showing the two existing buildings on the existing driveways. She asked for final approval on Phase I. A short discussion was held.

**ON A MOTION MADE BY DEAN FARRAND AND SECONDED BY RAY KELLY  
THE BOARD GRANTED APPROVAL FOR PHASE I OF THIS PROJECT WHICH  
ENCOMPASES LOTS 1, 3 AND 18. ALL IN FAVOR. APPROVED.**

**ON MOTION MADE BY LYNN DOWE AND SECONDED BY JON SUTHERLAND  
THE MEETING WAS ADJOURNED AT 9:00 P.M.**

**APPROVED \_\_\_\_\_ N. Saucier**