

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
January 8, 2013**

MEMBERS PRESENT

Lynn Dowe, Chairman
John Van Etten
Denise Birmingham
Vincent McPhillips
Judy Siegel
Lydia Rolle

ABSENT

Peter Stettner, Alternate

ALSO PRESENT

Mark Van Etten, Building CEO
Charles Barbuti, Supervisor
See attached sign in sheet

CHAIRMAN LYNN DOWE CALLED THE MEETING TO ORDER AT 7:01 PM.

ON A MOTION MADE BY JOHN VAN ETEN AND SECONDED BY DENISE BIRMINGHAM, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR DECEMBER 4, 2012 WITH TWO MINOR CHANGES. ALL IN FAVOR, APPROVED.

Irving & Joyce Sazoff
Lot Improvement
Loomis Road
SBL: 35.D.-2-1
Zone: R-1 2013-0001

George Fulton, Land Surveyor appeared for the project. Mr. Fulton explained that this is a straight forward lot improvement. They are adding 0.53 acres from the LeRoy parcel to the Sazoff's present parcel which contains 0.60 acres. Mr. Fulton explains that the lot improvement leaves 1.20 acres in the existing LeRoy parcel which has access on three Town roads. Mr. Fulton also explains that Mr. Sazoff was very happy to be able to acquire this land as he has had a problem with the driveway above the Regina property for quite some time and this solves that problem, he can actually move the driveway over on his own property. Mr. Fulton explains that there won't be much difference in appearance.

Chairman Dowe advises that the project appears to meet all the standards of a lot improvement.

Denise Birmingham reads SEQR into the minutes.

ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY JUDY SEIGEL, THE BOARD DECLARES A NEGATIVE DECLARATION ON THE SAZOFF LOT IMPROVEMENT.

ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY DENISE BIRMINGHAM, THE SAZOFF LOT IMPROVEMENT WAS APPROVED. ALL IN FAVOR. APPROVED.

Shelley Realty Corp.

Special Use Permit
Harris Road
SBL: 36-1-117
Zone: IC #2013-0002

Allen Frishman of Regional Planning and Permits appeared for this project. Mr. Frishman explains that after his application was brought into the Building Department it was discovered that the zone line separates two of Shelley Realty's properties so it is in an IC zone and the determination by CEO VanEtten was that it is a permitted use and did not need Planning Board approval. Mr. Frishman explains to the Board that the project does not meet the setback requirements so he will be presenting the matter to the Zoning Board. Mr. Frishman advises the Board that there was a change because the applicant decided that instead of replacing the garage in the same location which is what was previously approved, the applicant would like to keep that area open in case he ever wanted to expand the tank farm. So after reviewing the property it was decided for various reasons to put it on the other parcel.

Chairman Dowe advises the Board members that he discussed this matter with CEO VanEtten and he agrees that with the parcel being located in the IC zone Planning Board approval is not required. He explains that his concern is that there used to be a right-of-way that went through the property and he does not want the building to be placed in the right-of-way. Mr. Frishman explains that he will have Land Surveyor, Jim Severing do the research and if the right-of-way exists he will have it put on the site plan.

Green Acres Cottages Inc.

Special Use Permit
Denman Road
SBL: 30.-1-90.3
Zone: SC #2013-0003

Allen Frishman of Regional Planning and Permits appeared for this project. Mr. Frishman explains to the Board that the applicant would like to convert a previously approved sunroom into two bedrooms in unit 6A. Mr. Frishman advises the Board that the sunroom was constructed two years ago with a building permit. Mr. Frishman states that he has been in

contact with the NYS Dept. of Health because the sewer and water letter needs to be upgraded and approved. Mr. Frishman explains that there are not other impacts visually it is all internal.

There was a brief discussion regarding fire protection and access by the Fire Department and it was explained that water would be taken from the pool and the river that is located near Twin Bridge Road.

There was also a brief discussion about the construction standards in such a conversion. It was explained that everything has to meet the building code.

Denise Birmingham reads SEQR into the minutes.

ON A MOTION MADE BY JOHN VAN ETEN, SECONDED BY DENISE BIRMINGHAM, THE BOARD DECLARES A NEGATIVE DECLARATION ON THE GREEN ACRES SPECIAL USE PERMIT.

At the request of the Board the matter will be sent to the County for 239 Review and will be scheduled for a public hearing for the February meeting.

Swan Lake Hills
Special Use Permit
Stanton Corners Road
SBL: 46.-1-53.3
Zone: R-1 #2013-0004

Attorney Terry Forman appeared for this project. Mr. Forman explains that he is presenting the matter because Randy Wasson was unable to attend the meeting. CEO VanEtten advised that he would like to go on record to say that the property has existing violations. He explains that the owner or possibly the prior owner was served with a summons to come to court and did not show. Mr. Forman advises that there are new property owners and inquires about the violations. CEO VanEtten explains that the violations were illegal occupancy violations and there were also property maintenance violations such as electrical problems. CEO VanEtten explains that he has not yet issued the Certificates of Occupancy for the new construction because the applicants failed to follow the site plan and install the required garbage compactor. Mr. Forman advises the Board that the new owner does plan to have the required garbage compactor installed and plans to address all violations on the property. Mr. Forman explains that he has supplied a master plan of the project and the required compactor is located on the plan and that the applicants are willing to put money into an escrow account for such.

Vincent McPhillips advises Mr. Forman that there are a lot of electrical violations that must be taken care of. CEO VanEtten explains that he inspected the property after Hurricane Sandy and the electric company was called in on an emergency basis to disconnect the power.

Mr. Forman explains that he would like the Board to continue to review the application in spite of the violations, which the applicant plans to take care of. Mr. Forman explains that the new owners would like to finish phase 2 of the previously approved project which would consist of replacing 4 structures. Those structures would be L, M, N and P.

After a lengthy discussion and review of the newly submitted master plan of the property the Board has decided that the matter should be sent to Town Engineer, Glenn Smith for his review and comments.

Promise Ministries International c/o Peter Park

Special Use Permit

Scheibe Road (Town Road #17)

SBL: 25.-1-16.5

Zone: RD #2012-0015

Jacob Billig appeared for this project. Mr. Billig explained that he will be presenting the matter because Randy Wasson was unable to attend the meeting. Mr. Billig advises that he is present to update the Board on the project. He advises that Randy has prepared some responses in draft form to Glenn Smith's comments. Randy's comments will be submitted once they are in final draft. Mr. Billig explains that a traffic consultant has been hired to do a traffic study due to one of the major concerns from the public being the condition of the road. Adler Engineering will perform the traffic study and write a report to be submitted before the next meeting. Mr. Billig advises that the maps have been sent to the fire department for their comments. He also advises that the applicant has decided to downsize the number of campers from 160 to 100.

Chairman Dowe advised Mr. Billig that the board has requested a copy of the floor plans which have not yet been submitted.

Mr. Billig advises that they would like to have the traffic study and Randy's comments to Glenn Smith's letter submitted before the next meeting in which they would hope that the SEQR can be done and the second public hearing could take place at the March meeting.

ON A MOTION BY JOHN VAN ETEN AND SECONDED BY JUDY SEIGEL, THE MEETING WAS ADJOURNED AT 8:17 PM. ALL IN FAVOR. APPROVED.

Respectfully submitted,

Tammy Wilson, Planning Board Secretary

The foregoing represents unapproved minutes of the Town of Liberty's Planning Board from a meeting held on January 8, 2013 are not to be construed as the final official minutes until so approved.

X Approved as read.

1/8/13

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