

**TOWN OF LIBERTY  
PLANNING BOARD MINUTES  
FEBRUARY 4, 2014**

**MEMBERS PRESENT**

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

**ABSENT**

**ALSO PRESENT**

Barbara Garigliano for Walter Garigliano, Town Attorney  
Mark VanEtten, CEO  
See attached sign in sheet

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**CHAIRMAN LYNN DOWE CALLED THE MEETING TO ORDER AT 7:00 PM.**

**ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY JUDY SIEGEL, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR DECEMBER 3, 2013 WITH TWO MINOR CHANGES. ALL IN FAVOR, APPROVED.**

**ON A MOTION MADE BY JUDY SIEGEL AND SECONDED BY JOHN VAN ETTEN, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR JANUARY 7, 2014. ALL IN FAVOR, APPROVED.**

**CHAIRMAN DOWE ADVISES THAT HE IS GOING TO MAKE A SLIGHT CHANGE TO THE AGENDA TO ACCOMMODATE ENGINEER RANDY WASSON.**

**H.A.S.C.**  
Special Use Permit  
Parksville Road  
SBL: 12-1-26.1  
Zone: RD #2014-0001

Randy Wasson, Engineer appeared for this matter. Mr. Wasson explains that H.A.S.C. is located on Old Route 17 in Parksville. Mr. Wasson explains that the camp would like to take down 2 of their existing buildings and replace them. Mr. Wasson advises the Board that the buildings will be located in the same location and will have the same occupancy but

they will be slightly larger in size. Mr. Wasson advises that the site plan shows the location of where the 2 buildings are, one is near the main entrance and the other is off Revonah Hill Road. Mr. Wasson advises that there will be no change to the water, sewer, driveways or anything of that nature.

A brief discussion continues regarding the height of the buildings and the distances between buildings. It is determined that this matter will be sent to the County for 239 review and will be scheduled for a public hearing.

**ON A MOTION MADE BY JUDY SIEGEL, SECONDED BY JOHN VAN ETTEN, THE BOARD DELARES THEIR INTENT TO BE LEAD AGENCY ON THE H.A.S.C. SPECIAL USE PERMIT. ALL IN FAVOR. APPROVED.**

**ATTORNEY BARBARA GARIGLIANO READS SEQR INTO THE MINUTES.**

**ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY JUDY SIEGEL, THE BOARD UNANIMOUSLY DECLARES A NEGATIVE DECLARATION ON THE H.A.S.C SPECIAL USE PERMIT.**

**Darrin Edelglass  
Special Use Permit  
3319 State Route 52  
SBL: 33.-5-13  
Zone: SC #2013-0019**

**ATTORNEY BARBARA GARIGLIANO READS SEQR INTO THE MINUTES.**

**ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY VINCENT McPHILLIPS, THE BOARD UNANIMOUSLY DECLARES A NEGATIVE DECLARATION ON THE DARRIN EDELGLASS SPECIAL USE PERMIT.**

18 hearing notices were sent, 15 green cards back and 3 outstanding.

Chairman Dowe advises the Board that the 239 review was received from the County and they recommend disapproval. Chairman Dowe explains that the County is concerned with the amount of cars on the site and no buffer zone by the pond.

Chairman Dowe asked if there was anyone from the public who had any questions or comments.

Mary Sue Green from White Sulphur Springs. Mrs. Green explains that there has always been a garage in that location but there has never been that many cars on the site. She explains that there are 20 – 30 cars there. She advises that she has pictures to share with

the Board. She explains that if he wants to get to the back of the property he goes down their driveway and across the grass of his property. She advises that she feels there are too many cars and that traffic is blocked when he gets vehicle deliveries.

Holly Fink who resides next door to the location explains that when she looked out her kitchen, dining room and living room windows tonight she counted 17 cars on her side of the building alone, that is not counting the other side or the front. She advises that these vehicles have been there for some time now. She explains that when there are box trucks or delivery trucks parked along the road it makes pulling onto Route 52 very dangerous because you cannot see if there are any oncoming cars. She advises that she feels that the unlicensed vehicles parked along Route 52 are also a hazard.

Joyce Teed represents the White Sulphur Springs United Methodist Church. She explains that she feels that it is a very congested area between the Church and Louis & Sons. She advises that when cars are being unloaded there are times when the road is blocked for 5 minutes at a time and there are times when there is only 1 lane traffic going through the main part of town. She explains that all of the congestion is not always Louis & Sons there are times when the church has a large number of people attending and there are cars parked along Route 52. She explains that when there is a snow storm and Louis & Sons needs to plow they park the cars all over along Route 52 and even across the street in the church parking lot. She advises that no one wants the business shut down but it is very important to have a reasonable number of cars there.

Rafael Velez who resides at 4, 6, and 8 Shore Road explains that he is an adjoining property owner and that he is very concerned about the pollution that is being caused from all of the cars. Mrs. Velez also expresses her concerns about the fumes and the pollution from the cars.

**ON A MOTION MADE BY JOHN VAN ETEN, SECONDED BY DENISE BIRMINGHAM, THE PUBLIC HEARING WAS CLOSED. ALL IN FAVOR. APPROVED.**

Chairman Dowe asks Mr. Edelglass to address some of the public comments. Mr. Edelglass explains to Mrs. Green and Mrs. Fink that he is in front of the Board to get the allotment of cars that will be properly allowed by the Board and if they take a look at the pictures presented that they will see that the tracks on the grass do not come from his property. He advises that he and Mr. Green have had their problems in the past and that he is not trying to make an issue but everybody parks along Route 52 between the post office and store and on Sundays the people attending church park along Route 52 and even park in the Louis & Sons parking lot. Mr. Edelglass apologizes that there are times when the road is blocked by a tow truck delivering a car but he advises that he and his employees always try to direct traffic to prevent any problems. Mr. Edelglass expresses that his door is always open if anyone has any concerns they can feel free to come and see him or call him to discuss the problems. Mr. Edelglass advises that there are no longer box trucks parked on the property because of the issue of them blocking the sight distance to pull onto Route 52.

A discussion continued between the Board members and Mr. Edelglass regarding the amount of cars on the lot, the customer parking area and the necessary planting that needs to be done.

**ON A MOTION BY JOHN VAN ETEN, SECONDED BY JUDY SIEGEL, THE SPECIAL USE PERMIT FOR DARRIN EDELGLASS WAS APPROVED WITH THE FOLLOWING CONDITIONS: A PLANTING PLAN BEING SUBMITTED AND APPROVED BY THE CHAIRMAN, THERE ARE TO BE NO CARS PARKED IN FRONT OF THE BUILDING AND THERE IS A LIMIT OF A MAXIMUM OF 30 CARS TO BE PARKED ON THE LOT. PLANNING BOARD MEMBER VINCE McPHILLIPS BEING OPPOSED.**

**White Sulphur Homes**  
Subdivision  
White Sulphur Road  
SBL: 38.-1-43 & 34.12  
(OLD) Zone: AC / RS      (NEW) Zone: AC    #2006-0038

Paul Savad, Developer / Attorney and Rob Cobb, Engineer appeared for this matter. Mr. Savad explains that they were on for preliminary subdivision approval on November 6, 2012 and the last map was dated June 13, 2012 in which time Attorney Garigliano learned for the first time that the Town Board had rezoned the property and zoned out their proposed use. After a time Local Law #4 of 2013 was passed which grandfathered the subdivision provided that final subdivision approval was granted by December 31, 2014. Mr. Savad explains that he came back 2 months ago and was under the assumption that there was a public hearing scheduled for this evening but after reading the minutes from the last meeting it accurately says that “Mr. Garigliano advises Mr. Savad that since there are numerous maps for this subdivision that it should be clarified as to exactly what map is being used before the public hearing can be held”. He explains that Mr. Cobb sent the cover sheet for the maps that are being used but it was a misunderstanding and now he knows that the Board wanted a full set of the maps not just the cover sheet. Chairman Dowe advises Mr. Savad and Mr. Cobb that it has been a long time since anyone on the Board has seen a map and Mr. Garigliano asked for you to clarify what maps was being used because there are so many maps already in the file and there are also new members on the Board who have not seen the maps at all. Mr. Cobb explains that he did not realize the Board wanted new maps submitted but thought they just wanted it clarified as to what maps were being used.

After a brief discussion it was determined that new maps will be submitted for the March meeting and possibly scheduled for a public hearing for the April meeting.

**Lake Marie Homes**  
**Subdivision**  
**Lake Marie Road / NYS Route 52**  
**SBL: 35.-2-7**  
**(OLD) Zone: RD / SC (NEW) Zone: SC #2006-0039**

Paul Savad, Developer / Attorney and Rob Cobb, Engineer appeared for this matter. Mr. Savad explains that they had agreed with the Town Board and the Planning Board that they were going to wait until the spring of 2014 when the Loomis Plant would be ready to receive them and if it is not ready then they can go ahead with a package sewer plant. The HOA offering plan that they previously submitted had assumed the cost of putting in a package sewer plant. What then happened was the zoning was changed and they are now grandfathered in and now the Town Board will accept their petition to be included in the Loomis Plant which has the capacity to take them on. Mr. Savad explains that the HOA offering plan has been updated and the cost for the sewer plant has been taken out.

A very brief discussion continued and it was determined that the Board would like new maps submitted for review before the March meeting and a public hearing may possibly be scheduled for the April meeting.

**Information Only:**  
George Alpert d/b/a Alumatech Designs

No one appeared for this matter.

Chairman Dowe asks if there is anything else that the Board needs to discuss.

Supervisor Barbuti wanted to remind the Board members that there will be a joint meeting held at the High School Auditorium on February 10, 2014 at 7:00 pm for a presentation from Muss Development.

Town Board member Dean Farrand advises the Board members that they must notify the Planning Board Secretary when they have taken a training class.

**ON A MOTION BY JOHN VAN ETTEN AND SECONDED BY JUDY SIEGEL, THE MEETING WAS ADJOURNED AT 8:30PM.**

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 February 4, 2014 are not to be construed as the final official minutes until so approved.

X Approved as read.