

**TOWN OF LIBERTY  
PLANNING BOARD MINUTES  
SPECIAL MEETING  
February 21, 2013**

**MEMBERS PRESENT**

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

**ABSENT**

Peter Stettner, Alternate  
Lydia Rolle

**ALSO PRESENT**

Mark Van Etten, Building CEO  
Charles Barbuti, Supervisor  
Walter Garigliano, Town Attorney  
See attached sign in sheet

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**CHAIRMAN LYNN DOWE CALLED THE MEETING TO ORDER AT 7:30 PM.**

**Adas Yereim**

Special Use Permit  
Revonah Hill Road  
SBL: 18.-1-6  
Zone: AC #2013-0007

Bill Sattler of Adler Engineering appeared for this project. Mr. Sattler explains that he is appearing in front of the Board as a follow up to the meeting held on February 5<sup>th</sup> which Israel Weingarten attended. Mr. Sattler explains that they are still seeking approvals to use the basement of the newly constructed Shul as classrooms and for the replacement of the “white house”. Mr. Sattler explains that the approval was granted for the replacement of the “white house” but has since expired and they would like a continuation of the approval. Mr. Sattler presents new maps to the Board showing more detail on the replacement of the “white house” and explains that nothing has really changed it’s the same size building and the same dimensions off the road as per the current zoning law.

After a brief discussion Attorney Garigliano advises that the parcel is located in the AC zone and the request is not permitted in that zone. Attorney Garigliano explains that it was permitted under the prior zoning but the 2 year approval has expired and the zoning was changed in April

of 2011 and it is no longer a permitted use. Mr. Sattler tells the Board that he will advise his client of this and get back to the Board.

**Weitsman & Son of Liberty, LLC**

Special Use Permit

Sheehan Road

SBL: 18-1-31 & 18-1-36.2

Zone: IC #2011-0021

PLANNING BOARD MEMBERS, JOHN VAN ETEN AND DENISE BIRMINGHAM RECUSED THEMSELVES FROM THE FOLLOWING PROJECT BEFORE THE BOARD.

Attorney Howard Rittberg and James Tofte of Delta Engineering appeared for this project.

Attorney Garigliano advises the Board that there has been a lot of activity involving the design of the road, the location of the road and the ownership of the road which has involved review by the Board's Engineer Glenn Smith. He is completely aligned at this point in his views of the ownership and the rights to the use of the road with the applicant's engineer. Chairman Dowe advises the Board that Highway Superintendent Tim Pellam, Town Supervisor Charlie Barbuti and the Town Board members are also satisfied.

Mr. Tofte explains to the Board that the only major change to the maps is the road. Most of the changes that were incorporated were involving the road way. Mr. Tofte explains that they had asked the Town how to address the road issue and after numerous meetings with Town Engineer they came up with the scenario where they would, within the existing road section itself, offer some improvements to the existing road for their use. He goes on to explain that down below on the property, there was presently a 33' wide easement that they had from the "paper street" of Sheehan Road to their property and they are now negotiating and came to a verbal agreement with Callanan Industries that they would deed over an additional 17' so that there would be a 50' swath of right-of-way approximately 220' feet in length from the end of Sheehan Road to the property. He explains that Sheehan Road would then be complete to their property once all of the legal right-of-way stuff is done and at that time the Town would accept the road based upon the construction and it would be maintained under ownership of the Town. Discussions continued in length about the right-of-way, the roadway and the construction of the road.

Mr. Tofte explains that after Glenn Smith's last review they did add a number of things at his request. He advises that they added typical well section details and erosion controls. Mr. Tofte also presented to the Board some imagery of what some of the buildings will look like. Mr. Tofte goes on to describe the materials used in the construction of the buildings.

After a brief discussion Attorney Garigliano advises that this matter will be scheduled for a public hearing at the March meeting. Attorney Garigliano advises that SEQR will be done at the March meeting and then the project will be sent for 239 review along with the public comments.

**ON A MOTION BY JOHN VAN ETTEN AND SECONDED BY JUDY SIEGEL, THE MEETING WAS ADJOURNED AT 8:05 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 February 21, 2013 are not to be construed as the final official minutes until so approved.

\_\_\_ Approved as read.