

**TOWN OF LIBERTY  
PLANNING BOARD MINUTES  
March 1, 2011**

**MEMBERS PRESENT**

Diane S. Deutsch, Chairman  
Lynn Dowe  
Ray Kelly  
Dean Farrand  
John Van Etten  
Peter Stettner, Alternate  
Denise Birmingham, Alternate

**ABSENT**

**ALSO PRESENT**

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

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

**ON MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DEAN FARRAND, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR FEBRUARY 15, 2011.**

**PUBLIC HEARING:**

**HASC, INC.**

Special Use Permit  
Old Route 17  
SBL: 12-1-26.1  
Zone: RD #2010-0028

Seven notices sent, seven green cards received.

Chairman Deutsch asked if there was anyone from the public who wished to comment.

NO RESPONSE FROM THE PUBLIC

**ON A MOTION MADE BY LYNN DOWE AND SECONDED BY JOHN VAN ETTEN, THE PUBLIC HEARING WAS CLOSED. ALL IN FAVOR. APPROVED.**

**Camp Bais Yaakov**

Special Use Permit  
Stanton Corners Road  
SBL: 46.-1-57  
Zone: RD #2010-0029

Ten notices sent, eight green cards received.

Chairman Deutsch asked if there was anyone from the public who wished to comment.

NO RESPONSE FROM THE PUBLIC

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

**Camp Agudath**  
Special Use Permit  
144 Upper Ferndale Road  
SBL: 29.-1-25  
Zone: RS #2010-0027 (1)

**Camp Agudath**  
Special Use Permit  
144 Upper Ferndale Road  
SBL: 29.-1-24.1  
Zone: RS #2010-0026 (2)

**A total of 18 notices were sent, with 14 green cards received and 4 outstanding for both parcels.**

Chairman Deutsch asked if there was anyone from the public who wished to comment.

**FRITZ MEYER APPEARED AND SPOKE:**

Here we are again. Can I pass these around? (1 page of photos of Camp Agudath). Just to give you a reminder of what's happened with Camp Agudath since 2002. Camp Agudath is a non-conforming use because in 1987 the Town Board with significant input from the community said they didn't want anymore TAPE UNCLEAR in a residential neighborhood. That means no more camps and other things. Like Laundromats and drug rehabs, grocery stores, a whole long list of things. So it's a non-conforming use and it's not likely to change. The Town Board is not going to support changing the residential zoning because it would be politically very bad for them. So as I reminded you last time, I'm going to tell you again, the highest court in New York said of non-conforming uses, and in fact it was Chief Judge Judith Kaye who said it, she wrote the appendix. She said and I quote: "the highest priority of zoning in New York State is the reasonable restriction and eventual elimination of non-conforming uses."

So we have the community saying we don't want them anymore on Upper Ferndale Road and we have the court saying you're supposed to regulate them, or rather restrict them and eventually get rid of them. We have the neighbors coming back here year after year saying please don't let them get bigger and yet they get bigger every year. Camp Agudath and other non-conforming uses. Well, you know you may think this is a good thing because...well first of all my estimation is that the pictures you're looking at have cost about, oh I don't know about \$70,000 worth of damage. The three main buildings, the three first buildings rather, that you're looking at there were constructed without public comment, without public hearing. They should have been. If there had been a public comment, public hearing, I know this wasn't your fault it didn't happen. We could have possibly convinced you to take measures such as moving these buildings to another part of the camp where they would not have had such a large impact on the community. We weren't given a chance to speak. I know that it wasn't your fault. I think it was probably some former official's fault. Nonetheless, that's the history of this camp.

Building #4. Everybody knows what happened. There was a public hearing after the foundation was already poured and we didn't really have a chance to be of influence. Now my estimate, being a former real estate agent in Sullivan County, is that this has caused about \$70,000 worth of damage to the neighborhood. That's just property value itself. That also means damage to your town and my town and the school district and the county because these people who own these homes in the neighborhood can have their taxes lowered because the houses are no longer worth as much as they used to be. You may say, well those buildings created some jobs and people sold the materials and that is absolutely true. So they made money. The money will never go to the Town. The money will never go to the school district because the Town and the school district don't collect sales tax, they don't collect income tax, they only collect property taxes and those buildings have damaged the property tax value of the homes in the neighborhood.

So, now we have a fifth illegal building, that's building number 5 there. A Laundromat. And it really doesn't matter whether Mr. Garigliano can move it with one of his tractors or not, size isn't relevant, what's relevant here is the use and it's a Laundromat. And the Laundromat is not a house so it's not a principal permitted use. It's not an orchard or a stable, so it's not anything that's listed as a special use, and it's not a porch or a deck, so it's not an accessory use. If it's not any of those uses, it has to be a prohibited use. He may say well that's just part of his business. Well can I build a Laundromat next to my house? I'm across the street. No, of course I can't. Why should he have a camp that's not supposed to be there because of what the community said they want. Why should he have more rights than me. It doesn't make any sense. I don't think this Board has the authority to allow the camp to build a prohibited use.

Additionally, you have another case going on right now that's very similar on Route 52. Mr. Gary Miller has a tree service business. It's a non-conforming use. He wants to add a custard stand, which is a prohibited use. You told him he must get a variance. Alright. I hope he gets the variance. I think nobody's against it. It would be good for the neighborhood, but you told him he has to get one. The camp wants to do the same thing. It's a non-conforming use that wants to add a prohibited use, the Laundromat, and you said he doesn't need a variance. Now, I realize very well that law is a matter of interpretation. But when you continually interpret your law to that it benefits non-conforming uses such as the camp and it works against the interests of homeowners of the neighborhood and hurts their property values, you're beginning to look like you have a bias. And certainly when you have a situation where two people, or two groups want to do the exactly the same thing and you tell one of them he has to do it the hard way and the other one can do it the easy way, well then your decisions are beginning to look a bit arbitrary and capricious.

Obviously, I don't think you should approve these permits, but if you do, you have the ability to say as a condition, there should never be another expansion there than can be seen anywhere on the road, or in the neighbors' windows. You have the ability to do this even if some future Board overturns you, let the future Board worry about that. Let this Board be the first Board to take a step in the right direction. Thank you.

Chairman Deutsch asked if there was anyone from the public who wished to comment.

**ANNE HART APPEARED AND SPOKE.** She also requested that the entire contents of her letter she will be reading be put into the minutes. Here it is:

March 1, 2011

To The Town of Liberty Planning Board

I request that the entire contents of this letter be put into the minutes.

I am here tonight to voice my objection once again to the continued expansion of Camp Agudah as represented by these new applications for Special Use Permits.

Under current zoning, Upper Ferndale Road is in a Residential Settlement Zone, determined in 1987 by the community and enacted into law by the Town. In 2008, with substantial input from the community, the Town adopted and updated Comprehensive Plan. As a result of that plan, a revised hierarchy of district intent was drawn, reaffirming that Upper Ferndale Road is to remain zoned a residential area. When this new regulation is enacted into law by the Town Board, and we know that will be sometime soon, it will designate Upper Ferndale road as being in an R1 District, Low Density Residential. Based on this, it is clear that the Town and the residents of the community intend, and the Comprehensive Plan codifies this, that this area remain residential rather than become increasingly institutional or worse as a result of the continued expansion of the camp.

Camp Agudah will continue to be a non conforming use operating within the zone, requiring a special use permit for any building activity it wishes to undertake.

As a non-conforming use it is subject to (84-29) –

It is the purpose of this section to limit the injurious impact of non conforming uses and/or structures on other adjacent properties within a particular district and the community as a whole.

Under current code, Chapter 84-27, Standards and Criteria, states that

Uses specified as special uses under District Regulations of this Chapter shall be permitted only after review and approval by the Town of Liberty Planning Board pursuant to the express standards and criteria set forth below:

A) The proposed use shall be in harmony with purposes, goals, objectives and standards of the Town of Liberty Comprehensive Plan, this Chapter and all

other regulations of the Town of Liberty.

B)The proposed use in the proposed locations shall not result in either a detrimental overconcentration of a particular use within the Town or within the immediate area.

C)The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking..., or other matters affecting the public health, safety and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the Comprehensive Plan, this Chapter, or any other plan, program, map or ordinance of the Town of Liberty or development.

You might think that the addition of another shower facility, and an additional gazebo and the expansion of a laundry room erected without any permit at all are small projects which in no way will harm the character of the neighborhood or have an adverse effect on the neighbors. I disagree. Each new project, however small, results in a negative cumulative effect on the neighborhood, further eroding property values, the town and school's tax base, and the quality of life of the residents who live there.

Since 2000, nineteen building permits have been issued for the Camp, according to documents received through a foil request. Many of these permits were not special use permits, which is another, very negative, issue entirely.

- 10/2000 – Renovations to Bunk house #4
- 4/2001 – Activity Center
- 6/2001 – new roof system and interior renovations (kornfeld)
- 9/2001 – Dorm and bathroom addition, bunk #5
- 9/2002 – bedroom addition onto staff house
- 11/2002 – Synagogue
- 10/2003 – Bunk house
- 3/2004 – Gym building
- 4/2006 – Shower House
- 9/2006 – Addition for staff housing (to replace housing destroyed by fire
- 11/2006 – replace kitchen/dining hall destroyed by fire (phase 1)
- 12/2006 – to construct a building to replace building destroyed by fire
- 1/2007 – add to kitchen/dining hall destroyed by fire (phase 2)
- 3/2008 – addition to existing synagogue
- 6/2010 – new duplex staff house

As I have stated to this Board on three other occasions, today's Camp Agudah is larger, more intrusive and more detrimental to the character of this neighborhood than it was before these continued expansions. Because of the segmented manner in which these requests have been presented for review and approval, there has been no overall review of the total cumulative adverse impacts that these projects have had on the neighborhood. Death by a thousand cuts, one might say.

We are at, if not already over, a tipping point for the neighborhood, where the Camp will dominate the neighborhood character, and there will be an even more rapid slide in property values. This is the result of these numerous additions over time. It is now time to restrict these expansions and protect the property values, quality of life and general welfare of the conforming properties on Upper Ferndale road and the surrounding community. Camp Agudah's property rights should not supercede the property rights of the conforming uses in the neighborhood and thereby become our property wrongs. Its continued expansion does exactly that.

I have more specific objections to these applications as well.

When granting one of the few special use permits for expansions of camp properties in December of 2006, one of the conditions of that permit was that there was to be "no increase in campers or staff with ambient levels understood to be 613 = campers and 231 – staff/spouses so long as those amounts don't exceed the information mark Van Etten receives from the Health Department."

Frishman claimed last year that with the addition of four more duplex buildings, those totals would not be exceeded. Now he wants a fourteen stall shower house. Why? I didn't hear any of the board asking that question at the last few meetings. Certainly there should be enough shower capacity in the already existing buildings to bathe the same or fewer people. At the January meeting, Mr. Dowe asked about screening so the neighbors would see as little as possible. He was told no, we wouldn't see it. That is inaccurate. Based on the plan the immediate neighbors will most certainly be able to see the building. From our houses, the view is "better" than from the road. Will this shower house have lights that are on 24 hours a day which will shine into our bedroom windows like those from that building across from # 125 which was built without a special use permit?

If these buildings are built, the requirement should be that we do not see or hear them at all.

Before so many trees were taken down last year to build the driveway to the four new buildings, we could hardly see the gazebos. Now they are in clear view at all times of the year. Several trees have come down since last summer, and the view is getting clearer all of the time as more trees continue to fall.

I have several comments with regard to the laundry facility that was built last year without a permit and is now an existing violation. That facility has lights which burned all night long into our front bedroom window once it was built. Those lights were stronger than the four "allowed" front porch lights on the duplexes which also burned all night long and could be seen from our front bedroom windows. I can only imagine how unpleasant lights burning all night long will be from an even larger building.

At the December Planning Board Meeting, Ms Deutsch and Mr Farrand stated that they had a "problem" with the building having been built without a permit. I have a problem with that as well. I also have a problem with the comments Frishman made in explanation.

In response to ms Deutsch saying "And that being said, we have a problem with you building it without a building permit."

Frishman said "I will apologise. I came to apologise. It wasn't built the size I wanted to build it. It was one of those things that you had to do. I had eight families there with an average of children and they wouldn't want to carry the laundry back and forth. It was a situation I had no choice I had to do it I did not intend to it wasn't you know, I knew I had I was wrong but I figured I would come back here and get the right size building. I would apologise for it and explain my circumstances. It's all I can do. I usually don't do that. That's the way it is. People who do laundry could understand. It wasn't something I wanted to do but under the circumstances I had to do it. If there would be some sort of fast track where I could ask for a permit & do it I would. I wasn't trying to hide these things because my intention was to come in and get a bigger building eventually.

These are some of my problems with that statement:

"It wasn't built the size I wanted to build it." *Plans for more expansion continue.*

"It was the kind of situation I had no choice I had to do it." *The neighbors, the law and the process doesn't matter.*

"I knew I was wrong but I figured I would come back here and get the right size building. I would apologise for it and explain my circumstances...because my intention was to come in and get a bigger building eventually." *He assumes he can get what he wants no matter what the process is, or if he is in violation. The*

*code doesn't matter. The Planning Board doesn't matter. The neighbors certainly don't matter. Only continued expansion matters.*

*"People who do laundry could understand." I do laundry and I don't understand. There are other ways to accommodate a situation other than to build a building without a permit. Same day service, pick up and delivery is a wonderful option, and less costly than building a building. The mothers would surely be happy if they didn't have to do the laundry at all! Alternately, there are Laundromats in town who could use the business.*

*"If there would be some sort of fast track where I could ask for a permit & do it I would." A non-conforming use does not and should not EVER qualify for any kind of fast track permit, under any interpretation of town code.*

(When you discuss the resolution later in this meeting, I would advise you to keep in mind that these types of requests will most likely multiply and the Planning Board could potentially open itself and the Town up to legal action because of how waivers may and may not be granted. You could be developing a very slippery slope for yourselves.)

I also believe that the New Showers and Laundromat should be considered a prohibited expansion under 84 31 G because they are a new use at the camp and are uses which are prohibited in this district.

He also stated at the same meeting "I have attended these meetings many times. I don't want to. Other people have done things." *Act First and Apologise later seems to be the way things are done in Liberty.*

At the January Planning Board meeting, on the subject of water and sewer capacity, Frishman stated "You know me, I always build for growth."

And, with the Permission of the Planning Board for all of these building projects and all of the ones to come, the neighborhood will be allowed to deteriorate, the value of our homes further diminished, the tax base lowered, and our property rights dismissed. The larger picture showing the overall effect on the neighborhood will continue to be ignored, violating the spirit and the legal obligation to follow the Comprehensive Plan.

The camp is in violation of the last special use permit issued for the four duplexes. A condition of that permit was that there was to be landscape screening for the new buildings and the driveway. The minutes of the Planning Board meeting where final approval was granted (which was after the certificate of occupancy was issued), do not indicate when the landscaping was to have been completed. When I inquired in the office, I was first referred to the minutes, which I had already read and which did not indicate a date. I was then referred

to Mr. Van Etten who told me he believed it was to have been done “before fall”. Fall came and went, and finally in November trees were installed by the buildings. During installation, one existing tree was knocked down and another was pushed into a leaning position, which could come down at any time. Landscaping was not installed by the driveway. Frishman recently referred the Planning Board to the minutes when he claimed that the second round of landscaping was to have been completed in Spring 2011. Unfortunately, there is no official record of the deadline, but the violation exists, nonetheless.

There are other violations at the camp which can be seen from the road such as the size of the Camp’s own sign, the size and presence of the Kleinberger Construction sign, (84-17 A) and the remnants of a bus in the parking lot. (NYS Uniform Fire Prevention and Building Code, Section 302.8 “no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled.” Or, 84-9 D, the town junkyard law. Not to mention the buildings which were built without going through the special use permitting process.

By my count, that is five violations that I can see from the road, not including the buildings. And yet, you seem poised to approve these permits regardless of the violations. There are some teeth in the code with regard to penalties which could be imposed, but it seems that no penalties have been imposed. Two of you have a “problem” with the construction of the Laundromat, but what will you do because of the “problem”?

Is this the message you would like to give to everyone who cares to pay attention? “Go ahead, do what you want, we’ll bless it after the fact and let you do it again.” That seems to be the message some people are getting, and in my opinion, that isn’t a message that is in the best interests of the Town of Liberty, its residents and its taxpayers. Many people have told me that they don’t bother to come to these hearings because it makes no difference what they say. They feel that the decision has already been made, and the residents’ property values and quality of life doesn’t matter to those who make the decisions. I would appreciate it if you would prove them wrong.

We have a comprehensive plan, a legal document which cannot be ignored, and which, among other things, provides a guide or “frame of reference to ensure that decisions support the desires and aspirations of its residents.” In the section on Housing, the first objective is to “Maintain the rural quality of life for Liberty residents.” The district intent is to have this remain a residential area. Our code states that the proposed use shall be in harmony with purposes, goals, objectives and standards of the Town of Liberty Comprehensive Plan, this Chapter and all other regulation of the Town of Liberty.

If you do allow these expansions, the right thing to do would be to restrict them in such a manner that there is NO impact on the neighborhood and only allow them to be built after all of the violations have been cleared up. What you should do before approving these expansions is to make a complete review of how the total, segmented development of Camp Agudah has already affected the neighborhood. You should do this for every future request for expansion, no matter how small. Zoning is designed to protect property rights and the code we currently have is strong enough and has enough teeth to protect taxpayers property rights if the Planning Board has the will to “do the right thing.”

Thank you.

Anne Hart

Chairman Deutsch asked if there was anyone from the public who wished to comment.

**JOHN DEROSCHER APPEARED AND SPOKE:**

I just recently purchased a home in the community at 115 Upper Ferndale Road and I now join Anne and Fritz and now see since I live directly across from this camp. Just recently since October there have been numerous workings going on there. We could hear the construction going on. And now it's going to be my fight because as a young adult with a young family, I'm trying to establish myself in the community. To hear this and to hear that my property is going to be lowered by the decisions that you, Board, are going to make, I recommend that you take time to think about your decisions. Especially in the state of the economy the way it is now. I prefer that you think long term, not short term with your decisions and I do pray for you gentlemen and ladies to make the right decision. Thank you.

Chairman Deutsch asked if there was anyone from the public who wished to comment.

**COLIN FREDIS APPEARED AND SPOKE:**

I am a real estate broker from Fallsburg. TAPE VERY FAINT AND UNCLEAR...my customers look to buy houses near places like this camp and when it comes time for the sale, I will be very glad to help you. TAPE UNCLEAR...I'm sympathetic to some of your comments...TAPE UNCLEAR AND FAINT...as far as property values, I can guarantee they are not lowered because of a study by the county...TAPE UNCLEAR...if the synagogue is open and I'm sure it's open to the public who can walk down the road on Saturday is welcome and it increases the value of the property on the road...TAPE UNCLEAR...the noise and the lights maybe, but not the value of the property.

Chairman Deutsch asked if there was anyone from the public who wished to comment.

NO RESPONSE FROM THE PUBLIC

**ON A MOTION MADE BY DEAN FARRAND AND SECONDED BY LYNN DOWE, THE PUBLIC HEARING WAS CLOSED. ALL IN FAVOR. APPROVED.**

**Samuel Goldberger / Green Acres Cottages Inc.**

Special Use Permit  
20 Denman Road  
SBL: 30.-1-90.3  
Zone: SC #2011-003

Fifteen notices sent, fourteen green cards received and one outstanding.

Chairman Deutsch asked if there was anyone from the public who wished to comment.

NO RESPONSE FROM THE PUBLIC

**ON A MOTION MADE BY LYNN DOWE AND SECONDED BY DEAN FARRAND, THE PUBLIC HEARING WAS CLOSED. ALL IN FAVOR. APPROVED.**

**HASC, INC.**

Special Use Permit  
Old Route 17  
SBL: 12-1-26.1  
Zone: RD #2010-0028

Sam Kahn Randy Wasson appeared for this project. 239 review was received by County Planning stating that the proposed action will have no adverse intercommunity impacts and this was a matter for local determination. After a short discussion it was determined the file was complete and the Board is happy with the proposed parking.

**ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY DEAN FARRAND, APPROVAL OF THE SPECIAL USE PERMIT FOR HASC, INC. PARKSVILLE ROAD/OLD ROUTE 17 WAS GRANTED. ALL IN FAVOR. APPROVED.**

**Camp Bais Yaakov**

Special Use Permit  
Stanton Corners Road  
SBL: 46.-1-57  
Zone: RD #2010-0029

Yosef Newhouse appeared for this project. 239 review was received by County Planning stating that the proposed action will have no adverse intercommunity impacts and this was a matter for local determination. After a short discussion it was determined that the Zoning table and topography needed to be added to the map. This project will be back for April's meeting.

**Camp Agudath**

Special Use Permit  
144 Upper Ferndale Road  
SBL: 29.-1-25  
Zone: RS #2010-0027 (1)

**Camp Agudath**  
Special Use Permit  
144 Upper Ferndale Road  
SBL: 29.-1-24.1  
Zone: RS #2010-0026 (2)

Meir Frischman - Director, appeared for both projects. 239 review was received by County Planning stating that the proposed action will have no adverse intercommunity impacts and this was a matter for local determination. After a brief discussion it was determined that CEO Mark Van Etten have the opportunity to go out to the camp and do an inspection to see about the alleged violations referred to in the public hearing and for him to report back to the Board. It was also determined that the map needs to have topography, a zoning table, a site location map and the dimensions of the buildings shown.

**Samuel Goldberger / Green Acres Cottages Inc.**  
Special Use Permit  
20 Denman Road  
SBL: 30.-1-90.3  
Zone: SC #2011-003

Lisa Edwards of Kelly Engineering appeared for this project. 239 review was received by County Planning stating that the proposed action will have no adverse intercommunity impacts and this was a matter for local determination. After a short discussion it was determined that the file was complete

**ON A MOTION MADE BY JOHN VAN ETEN, SECONDED BY LYNN DOWE, APPROVAL OF THE SPECIAL USE PERMIT FOR GREEN ACRES COTTAGES, INC. / SAMUEL GOLDBERGER AT 20 DENMAN ROAD WAS GRANTED SUBJECT TO A NOTE BEING ON THE FINAL MAP STATING THAT THE DECK CAN ONLY "EVER" BE A DECK AND NOT CONVERTED INTO ANYTHING ELSE. ALL IN FAVOR. APPROVED.**

**Camp Gila**  
Special Use Permit  
Route 55  
SBL: 36.-1-13  
Zone: RH/RD #2011-0004

Glenn Smith, PE and Joel Rosenfeld - Camp Director, appeared for this project. Glenn Smith explained that they wanted to create a 100 x 120 building footprint although the actual finished building might only be 80 x 100 with additions of bathrooms or offices. They also wanted to place a 12x20 addition for 6 beds to building #24 and to create a new access to the basement in building #20 as the CEO, Mark Van Etten told them they needed a second egress there. The Board requested that Glenn check on the zone line where RH and RD meet and show it on the map. The Board also pointed out that where Glenn had placed the proposed egress in building #20 would not be feasible because of the distance between buildings and perhaps he could see if another placement would work. Glenn agreed to check out the possibilities. He is also to show the proposed lighting and check the width of the driveway to see that it is full emergency width to within 100 feet of the buildings and that it will hold the weight of emergency vehicles.

Attorney Garigliano did SEQR.

**ON A MOTION BY JOHN VAN ETEN, SECONDED BY DEAN FARRAND, A NEGATIVE DECLARATION WAS DECLARED. ALL IN FAVOR, APPROVED.**

This project is to be sent to County Planning for 239 review and scheduled for Public Hearing for the April 5, 2011 meeting.

**Wes Illing**  
Information Only  
Parksville Priorities

Wes Illing said that he was advised to come to the Planning Board by the Town Supervisor, John Schmidt. After a presentation including maps, he was advised that he is a long way from appearing before the Planning Board and that he should first go to the Town Board and see what their views are.

**ATTORNEY GARIGLIANO LEFT FOR ANOTHER ENGAGEMENT.**

**Resolution**

The Board members discussed the proposed resolution. It was determined that the Board members would like to see language to the effect that "if a potential yes would be the answer to any one of the SEQR questions, if the SEQR were to be performed, then the option of a waiver would be prevented." The Board would also like to see language to the effect that the waiver could only be granted by a "super-majority vote". These two language options will be forwarded to Attorney Garigliano.

**ON A MOTION BY LYNN DOWE AND SECONDED BY DEAN FARRAND, THE MEETING WAS ADJOURNED AT 9:30 PM.**

Respectfully submitted,  
Nancy Saucier, Planning Board Secretary

The foregoing represents unapproved minutes of the Town of Liberty's Planning Board from a meeting held on March 1, 2011 are not to be construed as the final official minutes until so approved.

\_\_\_ Approved as read