

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

**MEMBERS PRESENT**

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

**ABSENT**

Judy Siegel

**ALSO PRESENT**

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 7:05 PM.**

**ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DENISE BIRMINGHAM, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR FEBRUARY 4, 2014. ALL IN FAVOR, APPROVED.**

**ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DENISE BIRMINGHAM, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR FEBRUARY 19, 2014. ALL IN FAVOR, APPROVED.**

**H.A.S.C.**

Special Use Permit

Parksville Road

SBL: 12-1-26.1

Zone: RD #2014-0001

32 hearing notices were sent, 20 green cards back, 10 outstanding and 2 returned.

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

Robin Green states that she understands the staff bunks are going to be torn down and replaced and would like to know if they are going to be the same size and height, if there will be any change to the grade and will the number of occupants and water usage stay the same.

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

Randy Wasson, Engineer appeared for this matter. 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 there were some minor changes made to the site to make the distances between the buildings to meet the fire separation requirements. Mr. Wasson explains that the building will be located in the same location and will have the same occupancy and water usage but they will be slightly larger in size.

Chairman Dowe advises the Board that the 239 review has not been received from the County and this matter cannot be acted upon until it is received. This matter will be put on the April agenda.

**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. Cobb advises that he submitted the most recent plan as the Board requested. Board member John Van Etten advises Mr. Cobb that page 2 of the plan is missing. Mr. Cobb advises that he will be sure to get that page put back in the plans. Mr. Savad explains that at this point he has his DEC permits in place, the storm water report has been approved and the sewer treatment plant has been approved. Mr. Savad advises the Board that he would like the Board to schedule a public hearing for the April meeting. Attorney Garigliano advises that at this time it appears that this matter can be scheduled for a public hearing.

**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. Attorney Garigliano advises that at this time this matter is not ready for a public hearing and that the Board needs to know that the Town is going to take on the additional sewer usage. Mr. Savad advises that they have submitted a petition to the Town Board. Mr. Savad explains that they if the petition is denied then they will have to go back to package sewer plant. Mr. Savad advises that some changes were made to the HOA to take out the package sewer plant.

**Janky, LLC**  
**Special Use Permit**  
**1658 Briscoe Road**  
**SBL: 44.-1-47**  
**Zone: SC #2014-0003**

Steve Kalka appeared for this matter. Mr. Kalka advises that his clients would like to put a 33' X 28' free standing steel canopy supported by two columns over their existing pad and gas pump island at their convenience store which is located on Briscoe Road in Swan Lake. Mr. Kalka advises that a fire suppression system will be installed and the gasoline dispensers will be updated to accept cards. Mr. Kalka explains that he has sent copies of the application and correspondence to Marcia Fink in the County and to NYSEG. Mr. Kalka explains that after review by Marcia Fink it was determined that some slight changes need to be made. The canopy will be slightly smaller and there will be a single column between the island and the underground tank. The canopy will now be 24' X 20'. Board member Vince McPhillips asks Mr. Kalka if he has received a letter from NYSEG because he spoke to the engineering department at NYSEG and advised that they are not going to give a right-of-way for the canopy because it is located directly under the electric lines. Mr. Kalka advises that he has been in contact with NYSEG and has forwarded pictures to them.

A brief discussion continued and it was determined that the Board would like a letter from NYSEG regarding the canopy being located under the wires.

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

**ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY DENISE BIRMINGHAM, THE BOARD UNANIMOUSLY DECLARES A NEGATIVE DECLARATION ON THE JANKY, LLC SPECIAL USE PERMIT.**

This matter will be sent to the County for 239 review and will be scheduled for a public hearing at the April meeting.

**Robin-Ann Realty**  
**Special Use Permit**  
**185-203 Old Loomis Road**  
**SBL: 35.-1-67**  
**Zone: R-1 #2013-0034**

Phil Dropkin, representative for Robin-Ann Realty appeared for this matter. Mr. Dropkin advises that he is present for a special use permit and site plan approval for a private memorial garden. Mr. Dropkin explains that the paperwork was originally submitted for a 3 lot subdivision and a special use permit but they are now just asking for approval of a special use permit. Mr. Dropkin advises that it is a 67 acre parcel located on Loomis Road in the R-1 zoning district. Mr. Dropkin explains that there is a 3 acre parcel which is octagonal shape located on top of a mountain where the applicant would like to have

constructed a private cemetery for family use. He explains that it will be accessed through the existing paved driveway and that there is a maintenance building and a barn also located on the property. He also advises that there is a ball field and a tennis court located on the property, which are not in use at this time.

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

**ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY VINCE McPHILLIPS, THE BOARD UNANIMOUSLY DECLARES A NEGATIVE DECLARATION ON THE ROBIN-ANN REALTY SPECIAL USE PERMIT.**

A brief discussion continues and it is determined that a new site plan will be submitted and this matter will be scheduled for a public hearing at the April meeting.

**Alumatech Designs  
Special Use Permit  
433 Harris Road  
SBL: 41.-1-35.2  
Zone: IC #2014-0004**

John Lavelle and George Alpert appeared for this matter. Mr. Lavelle advises that Mr. Alpert owns a business called Alumatech Designs which is currently based down in New York City and he is considering moving his operation to the Town of Liberty. Mr. Lavelle explains that the building that Mr. Alpert has in mind is a 6,000 sq. ft. structure located on 6 acres on Harris Road and that he is proposing no changes to the exterior of the building or to the grounds. He explains that he will be renovating the interior of the building for his use. Mr. Alpert explains that he owns an aluminum manufacturing business where they manufacture doors, windows and specialize in custom work. He advises that he has been in business for close to 30 years and because of the economy he would like to move his business to the area. Mr. Alpert passes pictures of some of his custom products around for the Board to see. Mr. Alpert advises that he currently has 5 employees.

A brief discussion continued and it was determined that Mr. Alpert needs to submit a more detailed site plan to move forward and that the 2 lots should be combined into 1 lot.

**Jeff Yaun / Stacy Yaun  
Lot Improvement  
Lake Marie Road  
SBL: 39.-1-37.6 & 37.8  
Zone: RD #2014-0005**

Donald Viele, Land Surveyor appeared for this matter. CEO Van Etten advises the Board that Jeff Yaun has an expired permit for an in ground pool that does not have the required fence installed. Mr. Viele advises that he was not aware of the violation. Mr. Viele explains that there was a garage that was constructed that was encroaching on another parcel. Mr.

Viele explains that what they did was to take a little bit of land from Jeff's property and gave it to the adjoining property to fix the encroachment. The property line will be moved about 60 feet to solve the encroachment problem. 0.93 acres from 39.-1-37.8 will be combined with 39.-1-37.6 to create a 5.24 acre parcel.

A brief discussion continued regarding the violation and CEO Van Etten advises Mr. Viele that a letter of intent from Jeff stating that the fence will be installed when the weather breaks would be sufficient enough.

**ON A MOTION MADE BY JOHN VEN ETTEN AND SECONDED BY DENISE BIRMINGHAM IT IS DETERMINED THAT THIS IS A LOT IMPROVEMENT SUBJECT TO THE BUILDING INSPECTOR BEING SATISFIED THAT A FENCE WAS INSTALLED AROUND THE POOL. ALL IN FAVOR.**

**Jeff Yaun / Tori Hendrix  
Lot Improvement  
Lake Marie Road  
SBL: 39.-1-37.1 & 37.8  
Zone: RD #2014-0006**

Donald Viele, Land Surveyor appeared for this matter. Mr. Viele explains that to put the pool on the parcel that CEO Van Etten was speaking of in the previous matter the existing property line would have to be taken out to create one big parcel. 2.31 acres from 39.-1-37.8 will be combined with 39.-1-37.1 to create an 11.85 acre parcel.

**ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DENISE BIRMINGHAM IT IS DETERMINED THAT THIS IS A LOT IMPROVEMENT SUBJECT TO THE BUILDING INSPECTOR BEING SATISFIED THAT A FENCE WAS INSTALLED AROUND THE POOL. ALL IN FAVOR.**

**ON A MOTION BY JOHN VAN ETTEN AND SECONDED BY VINCE McPHILLIPS, THE MEETING WAS ADJOURNED AT 8:16PM.**

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

  X   Approved as read.