

**TOWN OF LIBERTY  
PLANNING BOARD MINUTES  
April 5, 2011**

**MEMBERS PRESENT**

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

**ABSENT**

Walter F. Garigliano, Town Attorney  
Mark Van Etten, Building CEO

**ALSO PRESENT**

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 MARCH 1, 2011 WITH THE CORRECTION ON PAGE 10 OF THE NAME CHANGE FROM JOE DEROSCHER TO JOHN DEROSCHER.**

**PUBLIC HEARING:**

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

Twenty-five notices sent, 21 green cards received, one returned and 3 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 JOHN VAN ETTEN, THE PUBLIC HEARING WAS CLOSED. ALL IN FAVOR. APPROVED.**

Glenn Smith, PE and Joel Rosenfeld - Camp Director, 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. New maps were presented showing the Zoning line, the 80x100 proposed building turned 90% with the bathroom in a better position nearer the sewer line, the required sprinklers and the 12 x 20 porch. Map also shows second egress on building 3A/3B formerly known as building 20 and the interior roadway conforming to the state requirement of 20 feet by having an eight foot paved center with six feet on either side with crushed stone, this interior roadway is to be used for emergency vehicles only. Lynn Dowe asked what material the trusses would be made of. They will be 80 foot steel trusses. The lighting now shows colonial posts. The Board asked that they be changed to shoebox lighting to prevent light pollution. It is to be made clear that for this one time only the second egress on building 3A/3B will be less than the required 25 feet to the interior roadway to allow for the safety requirement of having a second egress on the building.

**ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY DEAN FARRAND, APPROVAL OF THE SPECIAL USE PERMIT FOR CAMP GILA 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. After a short discussion it was determined that the file was complete and all requirements had been met.

**ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY LYNN DOWE, APPROVAL OF THE SPECIAL USE PERMIT FOR CAMP BAIS YAAKOV WAS GRANTED. ALL IN FAVOR. APPROVED.**

**Gary Miller**  
Special Use Permit  
342 Route 52  
SBL: 32.-1-14  
Zone: RS # 2010-0008

Leon Barrera appeared for Gary and Christine Miller. This project had been sent to the Zoning Board and has returned with a Resolution granting a use variance. The Board spent some time looking over the map. After a short discussion it was determined that a new map will need to be done showing the floor plan with greater interior detail, especially the bathroom location, egress to the outside as well as to the residential area of the building. The Board wants to see a business plan showing the hours of operation. They want to see the lighting shown on the map and what signage will be used keeping in mind the limitations on signage. This is to be brought back for a public hearing at the next meeting, May 3, 2011. Chairman Deutsch read and completed the SEQR.

**ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY DEAN FARRAND A NEGATIVE DECLARATION WAS DECLARED. 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

Chaim Rapaport appeared for this project. He passed out new maps showing the dimensions of the proposed additions for decks and sunrooms. A short discussion was held about the state definition of sunrooms wherein the Board agreed with said definition. The distance to the property borders was also discussed and Zoning Law 84-24, D, 7, which reads as follows:

All structures shall be separated at least twenty (20) feet from each other and setback a minimum of seventy-five (75) feet from the perimeter boundaries of the development. A planting strip may be required where the property line is not wooded.

This means that the additions for buildings 15-16, 1-2-3 and 20 will need to have their additions restructured to be no closer than the existing non-conforming distance. Mr. Rapaport said he would see that it was done.

The definition of a sunroom was also discussed and 2010 Residential Code of New York State, Chapter 2 – Definitions, Section R202, which reads as follows:

“SUNROOM. A one-story structure attached to a dwelling with a glazing area in excess of 40 percent of the gross area of the structure’s exterior walls and roof.”

Several of the Board members agreed with that definition.

Chairman Deutsch read and completed the SEQR.

This project is to be sent for 239 review and a public hearing scheduled for May 3<sup>rd</sup>.

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

**Camp Rayim, Inc.**  
Special Use Permit  
263 Breezy Hill Road  
SBL: 5.-1-1  
Zone: RD #2011-0006

Bill Sattler and Moshe Rosner appeared for this project. They want to put up an 85 x 100 building on the location of the paved basketball court. It is to be used for a shul until such time as it would be possible to re-build the now collapsed shul. At that time it will be converted to an indoor basketball court. After a discussion by the Board, Bill Sattler and Mr. Rosner it was determined that since the timeline to opening for the summer season is so short the Board will hold a special meeting on April 19<sup>th</sup>. This will allow for review of a new map, sending it out for 239 review and perhaps scheduling a public hearing for May 3<sup>rd</sup> if the map changes are met. The changes are as follows: Enforcement of the 25 feet from the roadway and 28 feet from the new gym, the dimensions need to be shown – including height, lighting, bathrooms, egress and a floor plan, interior road should be marked “interior road” and the map should be cleaned up – taking away all previous proposals, markings, etc.

#### **GROSSMAN TIRE LLC and VILLAGE OF LIBERTY**

After a short discussion the Board determined that they would do a memo to the Village of Liberty with their suggestion that Code Enforcement Officer, Mark Van Etten do an inspection for any and all debris annually of the Town’s portion of the project with Village Code Enforcement Officer, Pam Winters’ assistance if need be for access to the Town portion.

#### **Resolution**

The Board members have tabled discussion on the Resolution until the May 3<sup>rd</sup> meeting so that they can get feedback from Attorney Garigliano.

**ON A MOTION BY DEAN FARRAND AND SECONDED BY JOHN VAN ETEN, THE MEETING WAS  
ADJOURNED AT 9:00 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 April 5, 2011 are not to be construed as the final official minutes until so approved.

  X   Approved as read