

**TOWN OF LIBERTY  
PLANNING BOARD MINUTES  
April 6, 2010**

**MEMBERS PRESENT**

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

**ABSENT**

**ALSO PRESENT**

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

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**CHAIRMAN DEUTSCH CALLED THE MEETING TO ORDER AT 7:13 PM.**

**ON MOTION MADE BY DEAN FARRAND AND SECONDED BY JOHN VAN ETTEN,  
THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR MARCH 2, 2010.**

**OLD BUSINESS:**

**Shaarei Beracha, Inc. f/k/a Aron Suleymanov**  
Special Use Permit – Information Only  
1463 Briscoe Road  
SBL: 45.-4-1.2  
Zone: RS #2009-0030

Attorney for the applicant, Jay Zeiger, appeared for this project.

Chairman Deutsch: First on the agenda is Shaarei Beracha, Inc. Special Use Permit Public Hearing. We're going to open the Public Hearing. Is anyone here from the public that would like to make any comments on this matter? This is regarding the Special Use Permit on 1463 Briscoe Road.

Chairman Deutsch: Can you please state your name?

Nicholas Tutini: Sure, Nicholas Tutini, I'm representing my partner Donald Doviak at 1450 Briscoe Road. Alright, the proposed, the proposal that they want to do, basically it is kitty-corner from our property. It's always been stated as a residential all these years, tax, residence. We can't afford any more. I'm sure my neighbors will stand and I'm sure they'll have something to say themselves. We can't afford anymore to cover for anybody else. And if it's a tax exempt thing, then business, being it's an INC of some sort, we're not zoned for businesses in that section of Briscoe Road as far as I was told when we moved up here 20 years ago, so otherwise that's what we have to say about it.

We're carrying and carrying and our taxes are going up and up and we don't have the public services for what we're paying in taxes. We have no garbage, we have no city gas. That's all run by and we won't get city gas up in our neck of the woods either if they approved the natural gas. Basically, that's what I have to say.

Chairman Deutsch: Thank you. Anyone else?

Natalie Marx: I feel that we have a synagogue right in town. And it's ludicrous to think that we can pay for another one. We have one that is a mile or so away. It's not fair to the taxpayers.

Chairman Deutsch: Thank you. Can you please state your name.

Mr. Mir: I agree. I'm at 1491 Briscoe Road. There is already a synagogue within a mile down the road. We don't need another.

Nancy Levine: I don't live on Briscoe Road, but I spend a lot of time there. I'm from Swan Lake Renaissance. There is a lovely synagogue in Swan Lake. Certainly within walking distance. The president of the synagogue lives right behind where they want to put this one. I pay \$8,000.00 a year for one acre, a house on one acre of land and we have enough tax exempt properties in Swan Lake. We certainly don't need any more, especially when there's a synagogue within walking distance. I mean I can certainly understand if they had to walk into Liberty, but they don't. They walk to Swan Lake and I really don't see the need to have another one there.

Chairman Deutsch: Thank you.

Guido Pichi: I'm in Swan Lake, 1357. I agree with her and all the others.. We've got enough. We're all over taxed. The government. They're over taxing us. I mean we don't need anything further. It's ridiculous. I mean like she says, there is a synagogue there. If it's a tax free organization, I'm all for it. I mean, what am I saying? No, if they're willing to pay their taxes like all of us. I come from the city. Pay the taxes. Pay the taxes and I'm all for it. None of this give away, tax free, tax free. That's it.

Chairman Deutsch: Anyone else? Anybody else on this matter? I forgot to ask how many sent and received.

Nancy Saucier: Thirty were sent, 23 received and seven outstanding.

Chairman Deutsch: Okay. Last call. Anyone else have any comments.

Jay Zeiger: Diane, I don't know if you want me to address any of these comments.

Chairman Deutsch: Not in this portion.

Jay Zeiger: Okay, I'll be given an opportunity later?

Chairman Deutsch: Yeah, we're going to include, we've received by e-mail several other people's opinions on this which I'll read into the record:

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From: A2442@aol.com

To: n.saucier@townofliberty.org

Subject: Synagogue Application

Date: 4/1/2010

As the President of the Swan Lake Synagogue located at Stanton Corners (opposite the Post Office and Presidential Estates), I have been made aware of the fact that an application has been filed to allow the use of property located at 1463 Briscoe Road, Swan Lake, NY as a synagogue. I am further advised that the Board is scheduled to hear and act upon this application on Tuesday, April 6, 2010.

Due to the fact that the Passover holiday continues through April 6, 2010, I did request that the hearing on this application be deferred to the next meeting of the Board. I was informed that others have made a similar request and that the policy of the Board is to proceed with the hearing on the application but that any submission in writing would be considered by the Board.

The Swan Lake Synagogue questions the need for an additional Synagogue in this particular area of the Swan Lake community. Presently there are no less than two Synagogues servicing this particular area of the Swan Lake community, the first of which is the Synagogue in Town known as the Swan Lake Synagogue, of which I am the President. The second exists very near the proposed new Synagogue and is located on Briscoe Road near the intersection of Redwood Lane (formerly Maple).

Thank you for your anticipated consideration of this view.

Avrom R. Vann  
President  
Swan Lake Synagogue

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From: Ernest Mayerfeld [ernjud@msn.com]  
To: n.saucier@townofliberty.org  
Subject: test from Liberty  
Date: 4/1/2010

As Chairman of Congregation Ezras Achim of Briscoe Road Inc., I question the need for an additional Synagogue in the area. Unfortunately I cannot attend the the meeting of Tuesday April 6 due to the Passover observance.

Sincerely,

Ernest Mayerfeld  
1455 Briscoe Road  
Swan Lake, NY 12783  
( 917 435 0381 )

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FAX:

April 2, 2010

Att: Ms Nancy Saucier, Secretary  
Town of Liberty Planning Board

RE: the public hearing scheduled for April 6<sup>th</sup> 7:00 PM considering approval of a special use permit for a synagogue.

Responding to the above I wish to enter my objection for such on several levels. There already exists a synagogue almost directly across the road from the applicants address.

As an owner of neighboring property I am concerning about the traffic and congestion it would create, therefore, what need is there for another in such close proximity.

I am very familiar with the area and my neighbors, there are very few Jewish people on our road to begin with and since there is one synagogue already, what purpose would another serve except the above mentioned problems.

FOR OBVIOUS REASONS I WOULD PREFER TO REMAIN ANONYMOUS. I WANT TO AVOID NEGATIVE REPERCUSSIONS BECAUSE OF MY OBJECTION TO THIS MATTER.

ANONYMOUS

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From: ok613@aol.com  
To: n.saucier@townofliberty.org  
Subject: meeting for application  
Date: 4/2/2010

I am a homeowner in Swan Lake and I was told by a friend that one of my neighbors have requested application for a synagogue. I find it disturbing that an application for a synagogue to be heard on a Jewish Holiday when no observant Jew may attend and further many of us are away for the holiday of Passover and therefore did not get the mailing at all and would not be aware of the meeting. I was told by one of my friends but I too did not get the mailing which is probably waiting for me when I return home.

Mrs. Vann.

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From: ntutini@localnet.com  
To: n.saucier@townofliberty.org  
Subject: PROPOSED SYNAGOGUE  
Date: 4/5/2010

I Nichlos Tutini Homeowner at 1450 Briscoe Rd Swan Lake NY 12783, am sending my VOTE and OPINION on said matter of this proposed Synagogue at 1463 Briscoe Rd Swan Lake NY 12783. First my Vote is "NO". I a TAX PAYING citizen am TOTALLY AGAINST ANY TAX EXEMPT Orginazations being placed anywhere in my Taxed area of Sullivan County. I don't likely speak of any specific religous persuasion. This goes for anything that is TAX EXEMPT or is given any kind of break on taxes, because it may be supposedly a religous orginazation. This is the time to put an end to such things in this County and Country. We the Tax Payers are BURDENED MUCH MUCH to MUCH as it it and cannot afford to carry any longer the pressure and continued burden. I would attend the meeting scheduled on April 6th 2010 7pm, but as it is I Have to make a living, which puts me out of State at that time. Also I would like to bring to your attention for this kind of thing to be brought up at this time of year when other TAX PAYING home owners might not be present for this meeting is outrageous!! I Thank you for taking the time to read this and I would appreciate any and all comments you may have sent back to me at [ntutini@localnet.com](mailto:ntutini@localnet.com) Sincerely Nicholas Tutini

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From: campione72@aol.com  
To: n.saucier@townofliberty.org  
Subject: 1463 briscoe road  
Date: 4/5/2010

To whom it may concern I will not be able to attend the meeting for the synagogue at 1463 briscoe road ,but if I could say NO to having it that would be the vote my family would/will vote ,we are not in favor for having another synagogue/shule as there is one at one of these numbers 1432,1434,1436,briscoe road I dont see a number on it but it is the 3rd building from 1428 briscoe road and 3 buildings before 1444 briscoe road many thanks and you can contact me at 845-292-0112 Frank,Doreen,Ashlee, and Mario Campione .  
04/05/2010

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FAX:

From: Mary Haboush  
Owner at 1483 Briscoe road, Swan Lake, NY 12783

To: Attention: Nancy  
Town of Liberty Planning Board  
Fax # 845-292-2562

I DO NOT APPROVE OF CONVERTING THE FIRST FLOOR OF 1463 BRISCOE ROAD INTO A SYNAGOGUE.

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Chairman Deutsch: If there is no other comment we will close this portion.

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

Chairman Deutsch: Why don't we just continue with this before we go on to the next one.

Jay Zeiger: Obviously, I was disappointed to hear some of these comments. At first in response to one of the gentlemen, this is not a business, this is a religious organization which will be owning the property. It's not operating as a business, it's operated.

Nicholas Tutini: Well it says incorporated.

Chairman Deutsch: Excuse me, I want to say something. The public portion is over where everyone was given an opportunity. I know you might have more things you might want to add, but that portion is over, so I'm sorry, but I can't entertain any more public comment.

Jay Zeiger: In any event, it's intended to be operated as a synagogue as our application makes clear. In terms of the zoning for the property, the property complies with zoning and complies with all the requirements for a site plan. In response to the several comments that there's already an existing synagogue, I would say that is already, if you wanted to open up a fast food restaurant across the street from McDonalds, then the response is not there's already a fast food restaurant, we don't want two in town. We're entitled to be a synagogue. If there isn't enough people that

are going to come to service at synagogue, then we won't be able to stay in business and it'll close and my client will be back to seek something else. But right now the fact that there is others, it could be 10 others, we can be 11. One thing that part of the charter of this organization is that it's intended to serve Russian speaking Jewish people and that would distinguish it from the existing synagogues in the same way that religious people, although they're all Jewish per se and they all go to a synagogue, the fact that one synagogue exists and serves a sect of the Jewish religion, this is intended to serve a different sect and a different community of people. And in terms of the comments about tax exempt and not paying taxes, well you know, frankly, that's a New York State law and whether they do or they don't pay tax is really not something for the Board to consider and New York State made a public policy that religious organizations do not pay tax and this is not seeking anything that is not part of New York State law. Although a synagogue itself does not pay tax, the members of the community and the people that service it do pay tax and if there's a synagogue with services for this particular sect of the Jewish religion, then that could result in an increased population of people because there would be a temple that would serve their needs and that would bring people, taxpayers and homeowners. Looking at it in isolation, yes, taxes may not be paid by this organization, but it services people that do pay taxes just like every church and every other synagogue in the community. Anyway, taxes should not be even discussed as part of our site plan application. We need to look at if we're zoned correctly, which we are. Do we meet the criteria for a site plan, which I believe we do and whether there's another synagogue or others as far as I'm concerned, it's irrelevant to this determination and tax is certainly not relevant. I think I've addressed some of the public comments and want to point out to the Board that the County has reviewed our application in the 239 and they've determined that there was no significant County concerns about this. They did make some recommendations. I think we complied with all of those recommendations that they've made. No residence and we've eliminated the request for a residence. They asked that we consider parking and that was considered by the Board and we satisfied the Town requirements for parking. There was also some vegetation and buffer. We already have that on our site plan. It's actually right in front of the parking area, the vegetation which is shown.

Attorney Garigliano: I went back out there in light of the County's comments on the landscape buffer and I'm not sure that it's something that was just not observed the first time or that when I was out there in February, there might have been snow around the place because I remember it wasn't plowed when I was there. I'm not sure when you were there. But the one comment I have is that I think we should, the existing shrubs that are there certainly don't qualify as a vegetative buffer. In some cases not the healthiest looking and even though they show on the site plan as being these substantial bushes,

Jay Zeiger: I'm told they're three feet high, but I haven't seen them.

Attorney Garigliano: They're three feet high and four inches wide.

Chairman Deutsch: They're very sorry looking.

Attorney Garigliano: You know, Jay, we don't mean to tag team you, it's just when we were out there, this is very close to the road, there was a huge snow bank there and I think it's something that the Board needs to take another look at. I know my

observation was far different when I was out there now than it was in February. I know you went back out as well.

Dean Farrand: I was out there, it doesn't qualify for shrubs.

Jay Zeiger: What's something that you would find acceptable.

Attorney Garigliano: Well I think, you have a professional design team, just bring something back with suggestions and we'll look at it, but these look far different here than they do in the field. I mean you can drive by on your way out tonight and you can see.

Jay Zeiger: I went when there was snow.

Chairman Deutsch: And actually, I thought that that was proposed because it's not what exists.

Attorney Garigliano: They're not there, they're not in that configuration and one of them is about that big around with all of its branches and leaves.

Chairman Deutsch: And we did cover the parking space issue.

Attorney Garigliano: It complies with the parking requirements under the Code.

Chairman Deutsch: Okay, in light of the...

Attorney Garigliano: It's up to you guys, but I would like to see them do something.

Chairman Deutsch: I definitely would because it's been our experience if we just make it contingent, it doesn't seem to get done.

Jay Zeiger: Okay, we can submit something to you on landscaping. And is it that you're only looking really in this area of the parking? Or are you looking far beyond that.

Attorney Garigliano: I think you need to be careful in terms of the areas of where you propose and what you propose because of the site distance.

Chairman Deutsch: And something attractive.

Attorney Garigliano: We were all there in February and it certainly looks far different today with that big snow bank gone than it did in February. It actually looked better in February.

Chairman Deutsch: In light of the public hearing, do we have to do something?

Attorney Garigliano: No we have 62 days after the public hearing and we can ask Jay to extend that.

Chairman Deutsch: I'm talking about the SEQR.

Jay Zeiger: I think you did SEQR last...

Chairman Deutsch: We did SEQR but we didn't have public input.

Attorney Garigliano: So you want to rescind your NEG DEC and re-do SEQR and check the box that says there's public controversy?

Chairman Deutsch: I think that we have to.

Attorney Garigliano: I'm happy to do whatever you want. I'm not sure that unless you're going to change it, the question isn't whether or not there "is" controversy, the question is whether or not there's "likely" to be. Your answer to that question was no because you didn't think there would be. You can change it, if you want, it doesn't matter.

Jay Zeiger: I would beg to differ that there's public controversy. I mean the controversy you heard is not that this project standing alone is terrible, the controversy is that we don't want a synagogue here, there's another one down the road. This entity will not be paying taxes. It doesn't go to the nature of the project or what we're doing.

Dean Farrand: I would beg to differ and I read it too last month, the special use. In the first place this is not a permitted use, it's a special use permit which allows the Board to take in many other considerations. And I'll re-read those considerations since some of these folks brought them up.

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. The location chosen shall not be one which is better suited or likely to be needed for uses which are permitted as a matter of right in the District.

This is a primarily residential district, there are small lots, so I think the fact that there are other synagogues within walking distance, we need to take into consideration. The other part of this, and it's always bothered me and I've been clear about it, is that it serves 15 people, this is not serving the community, it's serving 15 people. It's a very small church. I think, again, the synagogue, at least what I know, the synagogue right down the road is nowhere near capacity. So we're adding another synagogue when we have places of worship that can easily accommodate these people.

Then the last one is: "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," ...it's a crucial thing in a special use permit that the Planning Board is allowed to look at and make a decision based on that alone if we choose. And obviously we're hearing from the neighborhood that their opinion is that this will change the character of the neighborhood. You can take away all the tax, I agree with you, the tax issues are not an issue that this Board can or should address, but the other issues, the underlying issues that I think that they're saying is that this is a neighborhood, it would adversely affect their neighborhood. So I think again, I said that last time and I'll reiterate it again this time.

Chairman Deutsch: I know on the last one that we did we also made a note that the neighborhood character was primarily residential.

Attorney Garigliano: That's on the SEQR, we noted that last time.

Chairman Deutsch: I know. We didn't note, because of course we didn't know because of the way we have to do public hearings now, we didn't note that there was a community controversy.

Attorney Garigliano: I don't think we're disagreeing that there were public comments. What I'm not sure of is of whether or not you have an obligation or even "should" be going back and re-looking at a question like "is there likely to be public controversy", which is a crystal ball, forward-looking question, after the fact. If you want to go through and do that it's okay with me, it's easy. If somebody makes a motion to rescind the NEG DEC, then you're going to re-do the public hearing if you do that because then you will have done SEQR after the public hearing.

Chairman Deutsch: We'd have to do a public hearing again?

Attorney Garigliano: The State law according to the Court of Appeals in the case involving this Planning Board says that your public hearing has to be “after” SEQR and I can’t believe for a moment that the intent of that statute is that you would go through and answer that question a second time in a different way and start the process again. But, again, it’s up to the Board. I have no definitive opinion on the subject.

Chairman Deutsch: Okay, I’m going to get everyone’s opinion on it.

John Van Etten: I think we should rescind it. Far more than any other.

Chairman Deutsch: Lynn, your opinion?

Lynn Dowe: I need more time to think about it, before I make a decision.

Attorney Garigliano: I’m also not sure how it fits in with the 62 day time limit in which to render a decision. If you’ve already closed the public hearing.

Chairman Deutsch: You’re next.

Denise Birmingham: Instead of rescinding it, can we amend it?

Attorney Garigliano: I don’t know the answer. The question is whether or not on the moment you did SEQR you anticipated, it says “is there likely to be controversy” . it’s based upon what you thought at the time, not what you think down the road. It’s your SEQR, not the public’s SEQR or the applicant’s SEQR, it’s this Board’s SEQR.

Dean Farrand: It doesn’t necessarily change the outcome of..

Attorney Garigliano: It may change it procedurally.

Chairman Deutsch: But not...

Attorney Garigliano: I can’t definitively tell you an answer without looking. I may not be able to tell you after I look.

Dean Farrand: No, I guess I wasn’t clear on what I was saying. If we left it as a NEG DEC, it obviously has no impact on what our final decision is.

Attorney Garigliano: No.

Dean Farrand: ‘Cause we can say our final decision is based off of the following information.

Attorney Garigliano: Right.

Denise Birmingham: Okay.

Attorney Garigliano: We don’t have to do anything with it tonight, we can reserve your right to take a look at it at the next meeting and I can do some research between now and then and the applicant’s lawyer can send me any authority he can find between now and then.

Dean Farrand: I would prefer we do that. I don’t think the public comments are going to change if we have another public hearing, I think they’re going to be pretty much the same.

Chairman Deutsch: I agree with that.

Attorney Garigliano: I agree, but I’m not so sure that if you rescind the SEQR based upon the Court decision in Kittredge vs. Town of Liberty.

Dean Farrand: Then we’d have to go through the whole process again.

Attorney Garigliano: And I’m not so sure you can do that because the public hearing is closed I think they could walk in in 62 days and get the default approval from the Town Clerk so I think you’re potentially putting yourself in worse shape, but I want to look.

Chairman Deutsch: Okay.

Attorney Garigliano: They’re going to come back with a landscaping plan anyway and whatever action you want to take on the short form EAF you can take it next time.

Chairman Deutsch: Okay, so you'll look and check.

Attorney Garigliano: I'll look.

Chairman Deutsch: Peter, did you have anything to add.

Peter Stettner: No I go with that.

Chairman Deutsch: All right, so then that's what we'll do, so Jay if you have anything to add you'll get it to us.

Attorney Garigliano: If you have any authority, Jay, on that issue, then send it to me. I'm going to look but I suspect that it's something that there's not going to be a lot of info on. The world has changed post-Kittredge. We all thought we knew what we knew, but now we know we don't.

Chairman Deutsch: Okay.

John Van Etten: One thing, should we point out to the public or anyone that we accept written comments up to seven days after, it's in our Code.

Chairman Deutsch: Certainly, we can do that.

Dean Farrand: We have done that in the past.

John Van Etten: We accept written comments up to seven days after the close of the public hearing.

Nancy Saucier: You all know my e-mail address and fax number.

One of the Public: How about the people that are not here, the snowbirds.

Chairman Deutsch: They have the same seven days.

Nicholas Tutini: Were they sent to Florida or wherever they go? Certified letters?

Chairman Deutsch: You can check with Nancy tomorrow if you have any questions on to who it was sent and where it was sent.

Attorney Garigliano: They are sent to the last known address on the tax rolls, that's where they have to be sent.

Nicholas Tutini: Not to PO boxes in Swan Lake, 'cause I know my neighbors.

Attorney Garigliano: Maybe.

Chairman Deutsch: You can check with Nancy.

Attorney Garigliano: We have to move on.

Chairman Deutsch: We have to move on to other matters, if you have any questions, call Nancy's office tomorrow.

Nicholas Tutini: Any specific time?

Nancy Saucier: I'm there from 8:30 am to 4:30 pm Monday through Friday.

Jay Zeiger: Thank you very much.

Chairman Deutsch: The next matter is a public hearing for Lucy Wilbur.

**Lucy Wilbur**  
Lot Improvement  
87 Elk Point Road  
SBL: 16.-1-7.1 & 7.2  
Zone: RD #2010-0001

Robert Wilbur appeared for this project. There was a short discussion about the revised map.

**ON MOTION BY JOHN VAN ETEN AND SECONDED BY DEAN FARRAND, APPROVAL OF THE LOT IMPROVEMENT WAS GRANTED. ALL IN FAVOR. APPROVED.**

**PUBLIC HEARING:**

**Lucy Wilbur**  
2 lot Subdivision  
87 Elk Point Road  
SBL: 16.-1-7.1  
Zone: RD #2010-0002

Robert Wilbur appeared for this project. There was a short discussion about the revised map and a conclusion was reached that it complied with requirements for a subdivision.

**ON MOTION BY JOHN VAN ETEN AND SECONDED BY DEAN FARRAND, APPROVAL OF THE 2 LOT SUBDIVISION WAS GRANTED. ALL IN FAVOR. APPROVED.**

**NEW BUSINESS:**

**Robert Head**  
Lot Improvement  
429 Willi Hill Road  
SBL: 38.1-31.2 and 31.3  
Zone: AC #2010-0007

Joseph Woods LLS appeared for this project. After a discussion with several Board members about the location of the well and septic, the need for a location map and the notation for filing, it was decided that this should be done as a subdivision. Mr. Woods is to bring it back when it is mapped out as a 2 lot subdivision showing the locations of the well, septic, buildings and also showing the location map, zoning table, notation for filing and the old/original map.

**Gary Miller**  
Special Use Permit  
3412 State Route 52  
SBL: 32.-1-14  
Zone: RS #2010-0008

Gary Miller appeared for this project. He explained that he went to the Town Board meeting on April 5<sup>th</sup> with CEO Mark Van Etten and that the Town Board might be changing the location of the zoning lines and when they do he will then be in the SC zone wherein an ice cream stand would be a permitted use and he would not need to go before the Zoning Board for a variance and then the Planning Board for a Special Use Permit. Attorney Garigiano verified with CEO Van Etten that when that Mr. Miller's zone changes then Mr. Miller would only need a Building Permit. CEO Van Etten concurred.

**Agudath Israel of America (Camp Agudath)**  
Special Use Permit  
Upper Ferndale Road  
SBL: 29.-1-25  
Zone: RS #2010-0009

John Horton appeared for this project. A discussion was held that explained that the staff buildings were needed to house the teachers and their families for the new student campers that would be coming up from Lakewood, New Jersey. Apparently Camp Agudath's camper base has changed due to the exodus from Brooklyn to the Lakewood, New Jersey area. Meir Frischman, the Director, is planning on moving the school up to the campground, teachers with their families included. This project will be sent for 239 review and a public hearing is to be scheduled at a special meeting to be held April 20, 2010 at 7:00 pm.

Attorney Garigiano read SEQR.

**ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY RAY KELLY, A NEGATIVE DECLARATION WAS DECLARED ON THIS PROJECT. ALL IN FAVOR. APPROVED.**

**Green Acres Cottages Inc. / Samuel Goldberger**  
Special Use Permit  
20 Denman Road  
SBL: 30.-1-90.3  
Zone: SC #2010-010

Lisa Edwards of Kelly Engineering appeared for this project. A discussion was held and it was determined that a new site plan would be needed showing the location map, the zoning table and to have the building #5 marked. The revised map should also show

the existing and proposed buildings. There should also be a garbage packer shown and in an enclosed area.

**Camp Yeshiva**

Special Use Permit  
Swan Lake Road / County Route 55  
SBL: 44.-1-35  
Zone: RS #2010-0006

After a short discussion it was determined that a new map should be presented showing the zoning table, location map and all the buildings showing numbers, especially the classroom they were approved for last year. Chairman Deutsch said that if they can bring in the maps by Monday, April 12<sup>th</sup>, they could be heard at the special meeting on April 20<sup>th</sup>. The secretary of the Planning Board will notify Mr. Schwartz of Camp Yeshiva of this information.

**OLD BUSINESS:**

**Camp Yeshiva**

Re-approval of Special Use Permit approved on 4/1/08  
Swan Lake Road / County Route 55  
SBL: 44.-1-35  
Zone: RS #2008-0012

After a short discussion it was agreed to re-approve this project for another six (6) months.

**ON MOTION BY JOHN VAN ETEN AND SECONDED BY DEAN FARRAND, RE-APPROVAL OF THE SPECIAL USE PERMIT WAS GRANTED. ALL IN FAVOR. APPROVED.**

**ON A MOTION BY JOHN VAN ETEN AND SECONDED BY DEAN FARRAND, THE MEETING WAS ADJOURNED AT 9:10 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 6, 2010 are not to be construed as the final official minutes until so approved.  X  Approved as read