

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
April 7, 2009**

MEMBERS PRESENT

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

ABSENT

Denise Birmingham, Alternate

ALSO PRESENT

Mark Van Etten, Building CEO
See attached sign in sheet

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 3, 2009 WITH THE CHANGES AS NOTED.

Abraham Bierman
Special use Permit
245 Ferndale-Loomis Road Unit #50
SBL: 41.-1-9.8
Zone: RD

Chairman Diane Deutsch did the SEQR.

ON A MOTION BY JOHN VAN ETTEN SECONDED BY DEAN FARRAND A NEGATIVE DECLARATION WAS DECLARED ON THIS PROJECT. ALL IN FAVOR. APPROVED.

PUBLIC HEARING:

Twenty-two notices sent, 11 green cards received and four returned. Chairman Deutsch asked if there was anyone present from the public.

No one appeared.

MOTION WAS MADE BY DEAN FARRAND SECONDED BY JOHN VAN ETTEN TO CLOSE THE PUBLIC HEARING. APPROVED.

Solomon & Gitty Birnbaum
Special Use Permit
245 Ferndale-Loomis Rd Unit #39
SBL: 41.-1-9.8
Zone: RD

Chairman Diane Deutsch did the SEQR.

**ON A MOTION BY JOHN VAN ETTEN SECONDED BY DEAN FARRAND A
NEGATIVE DECLARATION WAS DECLARED ON THIS PROJECT. ALL IN FAVOR.
APPROVED.**

PUBLIC HEARING:

Twenty-two notices sent, 11 green cards received and four returned. Chairman Deutsch asked if there was anyone present from the public.

No one appeared.

**MOTION WAS MADE BY LYNN DOWE SECONDED BY DEAN FARRAND TO
CLOSE THE PUBLIC HEARING. APPROVED.**

Mark & Rachel Moskovits
Special Use Permit
245 Ferndale-Loomis Rd Unit #20
SBL: 41.-1-9.8
Zone: RD

Chairman Diane Deutsch did the SEQR.

**ON A MOTION BY JOHN VAN ETTEN SECONDED BY DEAN FARRAND A
NEGATIVE DECLARATION WAS DECLARED ON THIS PROJECT. ALL IN FAVOR.
APPROVED.**

PUBLIC HEARING:

Twenty-two notices sent, 11 green cards received and four returned. Chairman Deutsch asked if there was anyone present from the public.

No one appeared.

**MOTION WAS MADE BY DEAN FARRAND SECONDED BY JOHN VAN ETTEN TO
CLOSE THE PUBLIC HEARING. APPROVED.**

Code Enforcement Officer, Mark Van Etten rose and presented an aerial map he obtained from 911 of Sullivan County showing the roadways and units with the 911 numbers that are in existence. He explained that they are actual roads shown on the maps that the County is recognizing. He also went on to say: "Hillcrest Estates starts here and comes up through and comes out to the back to here and then comes around. These paths are recognized roads."

Chairman Deutsch: And that was one of the issues last time with Joe Irace's. It doesn't look right. So do these number correspond to the numbers that we have?

Mark Van Etten: No that's the big issue. They're using unit numbers and they do have 911 numbers that were never put into place on the individual homes. That's why its such a confusing mess when emergency services go to get in there.

The Board reviewed the aerial map along with the maps presented by Joe Irace.

Joe Irace: This map was traced from an aerial photograph similar to the one presented by Mark. 911 always comes up with new numbers so if someone hasn't sent a letter to the owners to put the numbers on their houses to reflect this...

Mark Van Etten: It was my understanding that 911 has done it several times and that's where we were at, that's why we are where we're at with this because they've ignored it. This road here is not even recognized, the one that they're actually using. The only one that's recognized is the one interior road, that makes no sense to me either, and that was one of the big conflicts.

Joe Irace: When 911 assigns addresses and numbers to people's houses they're always different from what they've always been in the past.

Chairman Deutsch: That road is showing its on the outside.

Mark Van Etten: If you look in the summer you can see there is a path. Those paths are in the interior. Either they have to recognize these roads, I don't think they recognize them because the gate was around the outside and the main entranceway for the homes were to the interior of the unit, the interior part. I wouldn't make a huge issue out of this except for the fact that they need to come into compliance with the roads, with the numbers on the homes and identify which roads that they wish to use as a community and possibly update the roads that if they're going to recognize interior roads then they need to update them for services. If they don't then...

Chairman Deutsch: Then the maps that have been submitted to the Board are incorrect.

Joe Irace: No, these roads, if you go, that's the main road. That 's like a paved road around the whole thing. Everything else is just a path that's used for walking or just gravel.

Mark Van Etten: Joe, that's the issue. 911 is recognizing those paths as roads.

Joe Irace: They're not physically there.

Mark Van Etten: They are there. If you go in the summer you will see that they are.

Gail Marshall: The swimming pool also has..

Chairman Deutsch: Gail, I'm sorry...

Gail Marshall: Okay

Chairman Deutsch: Okay, thank you.

Joe Irace: Well this is the first I'm seeing this 911 map. We tried to bring this as contemporary as possible by tracing an actual aerial photograph and getting in a couple weeks ago.

Mark Van Etten: Again Joe, that's what we've had to work with. What you produced is probably better than what we've had until we've gotten, until they've merged like three different programs to be able to come up with that one particular map.

Joe Irace: Right, well it's bigger issues. The individual homes we're working on, then there's the whole site that should come up to speed.

Mark Van Etten: It was brought to my attention at the meeting last night also that there's infiltration issues. I don't know which exact homes there are.

Chairman Deutsch: We have a letter.

John Van Etten: We have a letter and we're going to make that a condition.

Lynn Dowe: Just go with the 911 numbers.

Ray Kelly: They should renumber all the bungalows to the 911 numbers.

Lynn Dowe: Exactly.

Chairman Deutsch: Here's the letter. The letter from the Water Department.

The Board went on to discuss the distance between the buildings and the zoning regulation showing 25 feet between the buildings and the edge of the road.

Chairman Deutsch: On top, just to get aside from that, with regard to Hillcrest Estates, I think you all had in your packet the letter from Albert Picard the Supervisor of the Water Department, that there's a problem with the water flooding TAPE UNCLEAR.

John Van Etten: Anything we do would have to be conditional on that

Chairman Deutsch: Anything we do would have to be conditional on that being corrected.

John Van Etten: Problem is it makes it more non-conforming because the pre-existing, non-conforming

Chairman Deutsch: We can't do anything about it already exists, we just can't let it be worse.

Dean Farrand: They can put the back addition on, but they can't put the front one on.

Chairman Deutsch: Joe, this one is not yours right?

Joe Irace: #50 is not mine, it's Jack Tompkins and Al Adler.

Chairman Deutsch: And no one's here for that? No one's here for #50.

Joe Irace: I can report back to them.

Abraham Bierman
Special use Permit
245 Ferndale-Loomis Road Unit #50
SBL: 41.-1-9.8
Zone: RD

No one appeared for this project. Joe Irace said he would report back to Jack Tompkins on this issue.

Solomon & Gitty Birnbaum
Special Use Permit
245 Ferndale-Loomis Rd Unit #39
SBL: 41.-1-9.8
Zone: RD

Joe Irace appeared for this project. It was determined that the map met the requirements and the project was okay. Conditional on the water issue. Mark Van Etten asked if the correction should be done prior to the permit. Chairman Deutsch said yes she thought that has to be because that's the only leverage the Board has to have them fix it. John Van Etten agreed. There is a correction to the water issue being done at the development where this unit is located, Hillcrest Estates due to the letter received from Albert Picard of the Town of Liberty Water Department.

ON A MOTION BY DEAR FARRAND SECONDED BY RAY KELLY THE SPECIAL USE PERMIT FOR SOLOMON & GITTY BIRNBAUM WAS APPROVED CONDITIONAL ON THE WATER ISSUE BEING CORRECTED AS PER ALBERT PICARD'S LETTER. ALL IN FAVOR, APPROVED.

Chairman Deutsch: Joe, I don't know if you know about, you didn't get a letter from the Supervisor of the Water and Sewer Department and you can get a copy of the letter if you like, but apparently there's a lot of water going through a manhole there and its causing flooding in the sewer plant and it's an ongoing problem that they've been asked to correct before. This is for the community, so we're not going to be issuing any permits on any of these even when we approve them until that condition is corrected.

Jack Tompkins: NY Rural Water was up there this week. They ran cameras and they said they know it's an issue and I know that they are putting forms together to make the repairs necessary, they just needed to know what the repairs would be. So they came up this week and ran the cameras through the whole system and identified the problems

and I know that Mr. Eisen who is the head of the board is presenting it to the board this week. They know it's an issue and they know they want to take care of it.

Chairman Deutsch: Good.

Jack Tompkins: I'm only saying what I know, that the private owner should be affected. Bierman's porches are off the house, so they're a danger the way they are.

Chairman Deutsch: You're a little bit late and we did your public hearing first. Since you're here. We've basically decided that it's bringing the porches closer to the road increases it's already not in compliance with the zoning regulations and it just makes it worse. We also asked for dimensions, which we didn't get. And also distances which we didn't get. So we need that but it looks like even when you do supply that information that we're not going to be able to do the front porch, only the back.

Jack Tompkins: Yeah, cause the front is not coming any closer out anyway, it's not going to be expanded.

Chairman Deutsch: Well that's not how it looks on the drawing.

Dean Farrand: It shows it on the drawings doesn't it?

John Van Etten: This dimension here is coming closer to the road than this, so that increases the non-conformance and we're not allowed to approve that. We can approve the back part.

Joe Irace: Is that a reconstruction or that brand new proposed, its not clear it doesn't say.

John Van Etten: Existing is in dark blue and proposed is the striped.

Jack Tompkins: and what is the back set you need here?

Several members at once: 25 feet.

Jack Tompkins: Okay.

Chairman Deutsch: So, you're going to need to bring us what we asked for before which are the dimensions of the proposed additions and the distances between the structures and from the road.

Also on the other two, whether we approve it or not, we're not going to allow permits to be issued until the basic problem is corrected, with the water.

Abraham Bierman
Special use Permit
245 Ferndale-Loomis Road Unit #50
SBL: 41.-1-9.8
Zone: RD

Jack Tompkins appeared for this project. After some discussion, (SEE ABOVE) it was determined that the front of Unit #50 would be too close to the road and was denied. The Board also requires a new map showing the measurements of the existing unit and the proposed construction as well as the distances between the units and the distance to the road. This project will be brought back for the May 5th meeting.

Mark & Rachel Moskovits
Special Use Permit
245 Ferndale-Loomis Rd Unit #20
SBL: 41.-1-9.8
Zone: RD

Joe Irace appeared for this project. It was determined that the map met the requirements and the project was okay. Conditional on the water issue.

John Van Etten began a motion to approve.

Ray Kelly: Corrected or at least being addressed to being corrected. To be corrected completely or at least that they're taking to correct it. It may take time.

Mark Van Etten: I'll only enforce what the Board tells me to enforce.

Dean Farrand: It's been a while.

Mark Van Etten: It's been on-going.

Chairman Deutsch: For a very long time from what I understand.

Dean Farrand: I think corrected should stay in the motion, it's been years.

ON A MOTION BY JOHN VAN ETTEN SECONDED BY LYNN DOWE THE SPECIAL USE PERMIT FOR MARK & RACHEL MOSKOVITS WAS APPROVED CONDITIONAL ON THE WATER ISSUE BEING CORRECTED AS PER ALBERT PICARD'S LETTER. ALL IN FAVOR, APPROVED.

Chairman Deutsch: Regarding the numbering.

John Van Etten: Can we enforce 911 compliance on the individual owners.

Dean Farrand: No we can't.

Mark Van Etten: I may suggest that those interior roads are at best inadequate and Joe you may agree or disagree with that, for fire safety, the exterior perimeter loop road, the road should be identified. Um, so the numbers may be 911 should look at it again and

update it. That was my suggestion possibly to the 911 center when I got that map, I was in a very much disbelief about how they'd done. And maybe a letter by you, Joe, or by your clients with their authorization, have them come out and take another look at it before we renumber everyone. Because they are using unit numbers which is inadequate anyway and make sure that what they're doing there is the right numbering system and maybe change some of those road names that are not available anyway when you get in there. That would be the most logical thing that I would think of.

Joe Irace: Does the owner of the corporation have that map there?

Mark Van Etten: The picture? They do not Joe. That was a derivative of a meeting I had with 911 center on another issue and I asked if they could come up with a picture for me because we have some great concerns and they merged with their magic in the computer merged three different programs to be able to come up with that, which works very well.

Joe Irace: I don't see why that would be a problem if that map was given to the land owners and say please post these numbers on your buildings and made signs on the road names. I don't see why that would be an issue at all.

Mark Van Etten: Okay but is that... an opinion if you take later take a look at that picture with the road names and see if you agree with what is written there and then you can have a conversation about it.

Joe Irace: What's a real road versus a trail?

Mark Van Etten: Yeah, because I really feel that there are some issues with the 911 if you get the fire chief, the Swan Lake fire chief, I think he'd have some real issues with it.

Joe Irace: If they got in there with emergency vehicles.

Mark Van Etten: He couldn't get out. The footages are long enough to where you'd have to have cul-de-sacs and some stuff so there'd be some upgrades that would need to be done when you have that loop which may be accessible which would be in my opinion smarter and more economically feasible for the 911.

Joe Irace: Just a big over loop around the whole thing.

Mark Van Etten: But again the Board would have to second whatever I'm thinking.

Joe Irace: Okay, I'm just not sure.

Chairman Deutsch: Well there's really not a motion that we can make on that. It's just kind of a suggestion that you guys get together and try and fix this problem.

Mark Van Etten: We did this years ago and it didn't go anywhere.

Chairman Deutsch: Well maybe we have to redress it, but you're also saying that the 911 numbering, they may be incorrect. It doesn't make sense for us to make a motion on that. They need to take another look at that.

Joe Irace: It's a suggestion for safety. I think they would adhere to it if you proposed it that way. When the ambulance showed up they'd know where to go.

Mark Van Etten: And that's happened. I would suggest that the next time you're on-site, either the fire chief, myself and 911 representative meet on site so they can really get to the bottom of it.

Joe Irace: And get the owner there. The whole owner of the place.

Mark Van Etten: Yes, thank you. Thank you Board.

Joe Irace: We'll have one of our people report back to you in regard to this manhole flooding issue.

Chairman Deutsch: Okay, or that will hold you up.

Kevin & Jayne Reiman
Lot Improvement
Neversink Road
SBL: 23.-1-38 & 44.2
Zone: RD/RS

John Galligan appeared for this project. After a short discussion and looking at the new map with corrections, it was determined that the applicant has met all requirements.

ON A MOTION BY DEAN FARRAND SECONDED BY RAY KELLY THE LOT IMPROVEMENT FOR KEVIN & JAYNE REIMAN WAS APPROVED. ALL IN FAVOR, APPROVED.

Mr. Galligan will bring the maps and mylar by the office of the Secretary of the Planning Board for signature.

Carl L Hartman
2 Lot Subdivision
Denman Road
SBL: 37.-1-29.7
Zone: RD

Carl Hartman appeared for this project. After a short discussion with Mr. Hartman it was determined that the upper portion of the existing driveway was not 50 feet wide and should be reconfigured to be so. He will make the measurement 365 feet instead of 365.47 feet. Mr. Hartman will bring the new map back in time for the next meeting.

Camp Yeshiva
Special Use Permit
Swan Lake Road / County Route 55
SBL: 44.-1-35
Zone: RS

Randy Wasson appeared for this project. The applicant is to submit a new application with fees for a new special use permit. This project will return for the May meeting provided the applicant has done so and Randy is to provide correctly scaled drawings.

Michael Moriggia
Special Use Permit
State Route 55
SBL 44.-1-54
Zone: SC

Sean Parks appeared for this project. A discussion was held with regard to the closeness of the road to the proposed apartments, the apartment configuration and change of usage of the building. The requirements of all are to be discussed at the next meeting. Sean was asked to move the two parking spaces from the front to the back. Mark Van Etten asked what Mr. Moriggia is doing with the cars. It was stated by several of the Board members in unison that Mr. Moriggia is maintaining 18 cars. The next issue discussed was the recreation area. Chairman Deutsch asked that a walkable path to the open recreation area be shown on the map and just what was going to be in the recreation area should be clarified, IE grass, swings, picnic tables, etc. Member Dean Farrand said there should be more detail for the apartments on the plan. Mark Van Etten brought up the point of exterior lighting. Member John Van Etten reminded Sean that it would need to be shoe box style lighting. Chairman Deutsch asked for landscaping as well and for the specifications for the used car area be shown on plans with extra whatever else they will be doing.

NEW BUSINESS:

Omnipoint Communication, Inc
Special Use Permit
6986 State Route 17
SBL: 7.-1-3
Zone: SC

Jeffrey Davis of Hiscock & Barclay in Syracuse appeared for this project. He said that Omnipoint Communication was also known as T-Mobile. He explained that they want to put a galvanized steel 130 foot mono-pole tower up behind the I-86 Diner in Parksville. He showed an overlay map showing the coverage before and after such an installation. He said they would be happy to do the balloon fly-over photography and advertise when they would be doing so in the local paper. He asked for suggestions as to where the Board members thought photos should be taken. Several suggestions were made, among them: the top of Revonah Hill Road, Old 17, Cooley Road, Short Avenue, Lennon Drive, Breezy Hill Road and all surrounding area. Lynn Dowe asked Jeffrey if they did "pine tree" mono-poles. Jeffrey said yes they did and they need to be in the right location to look good and he would bring computer generated photos depicting

both plain and "pine tree" poles for the Board to see. Chairman Deutsch said that on the top t-bar with the antennae on it, they are showing just one, is he anticipating more than one? Jeffrey said that the likelihood of this being used by other people is high. Chairman Deutsch asked what then would the tower look like in all probability. Jeffrey said he would provide a couple photographs with a full co-locatable tower. They will take as many photos as possible. Jeffrey will notify the Planning Board Secretary when they are going to do the photos so if any Board members want to ride along. They will try to get done in the next couple weeks and get on another agenda.

Jon Sutherland
Lot Improvement
77 Somewhere In time Lane
SBL: 6.-1-1 & 6.-1-3
Zone: RD

Jon Sutherland appeared for this lot improvement. He explained the drawing that was passed out to the members, exchanging 0.12 acre of lot 2 to become part of lot 3 and 0.12 acre of lot 3 to become part of lot 2. Due to the fact that the surveyor had a death in the family, the final map was not ready. It should be in the next week or so.

ON A MOTION BY LYNN DOWE SECONDED BY DEAN FARRAND THE LOT IMPROVEMENT FOR JON SUTHERLAND WAS APPROVED AND WILL BE SIGNED AS SOON AS THE FINAL MAPS ARE PRODUCED. ALL IN FAVOR, APPROVED.

INFORMATION ONLY:

Gladys Hyzer
Information Only
236 Cattail Road
SBL: 4.-1-3.1
Zone: RD

George Fulton appeared to find out what the Board's feelings were about possibly subdividing the above referenced property. He said he has a client who's family bought this piece in about 1964. It was Gladys Hyzer who has recently passed away. It was a 13 acre parcel. Since 1964 they have cut out two pieces, all family. The parcel on the Cattail Road which is 3.2 is Richard Hyzer Jr. The piece in the back which is 3.3 went to a daughter. They had a trailer on that piece for quite a few years and some family problems and wound up losing it for taxes and it was recently bought again at the tax sale. What they did over the years, Mr. & Mrs. Hyzer had three daughters and they had three trailers down in the back. George has done a little sketch so the Board could get a little feeling of what things looked like. Chairman Deutsch asked when the subdivision was done? George said it was done about 1986. Chairman Deutsch asked how was it approved without any frontage? George said he had no idea. The two pieces were both cut out in 1986 for Richard Hyzer and for the daughter down in the back. Over the years the existing trailer shown on lot three is a daughter that lives there and has since about 1986. On lot 2 there was a trailer there, that daughter has moved out of the area. There is still an existing garage. The piece next door was sold in 1986 and is also the piece that went for taxes. It's kind of a complicated issue. When the original 13 acre parcel was bought it was bought from the Kopilack parcel next door. Mr. Kopilack reserved a right-of-way to go down through the property, so the 50 foot wide right-of-way shown was cut out for the last lot that went for taxes. Kopilack also has the right to

use that road to go through to his lands. Mr. Hyzer is concerned that his daughter winds up with a piece of property that is deeded in her name because she has been living there all these years and at the same time, even though the other daughter has moved out of the area, he would like to set aside a piece for that daughter, which would be lot 2. Being so complicated, George felt he should come to the Board first and discuss generally what they have. It is pretty much as private shale driveway going down to the trailer on lot three. There is no cul-de-sac area provided for now. He doesn't know if it is necessary or how the Board feels. John Van Etten asked if he was going to have the right-of-way for lot too also. George said that the right-of-way now leads to the piece that was sold for taxes, they have a 50 foot right of way that exists now.

After a bit of discussion it was determined that Mr. Hyzer wants to create a 3 lot subdivision. Chairman Deutsch said that he would be creating two more lots with no frontage. Ray Kelly said it would be two lots being serviced by the one 50 foot right-of-way. George agreed. George said the Board should understand that Mr. Hyzer would like to keep lot 1, however it's really not accessible unless he goes down the right-of-way because it drops right off a hill. So the Board would really be talking about the possibility of that large piece in the back also sharing in the use of the right-of-way. He wants to keep the back portion for hunting. If he doesn't keep that the front portion doesn't meet the Zoning requirements for area. Combining the two makes 4.8 acres, but it's a little unusual shape. There is not much room between the sewer system and the garage on lot 2. Dean Farrand pointed to a piece and asked if there was anything left on that piece. George said there was at one time, there's nothing left on it except that there is a number of discarded materials down in there that he was sure that someone would take a look at and see what's down in there, but it is a separate tax parcel and has been for any number of years. George said it's just a bit complicated trying to figure out how to make it work for the family. Ray Kelly said family was fine but what happens if one of them decides to sell off and it's not longer family. George said he understood, that's why he was before the Board. Ray Kelly said the Board hasn't let two lots be serviced by a driveway like that.

After some discussion it was determined that the neighbor Kopilack has road frontage on his property, but in the deed when selling the original 13 acres, he reserved the right to come across the right-of-way. It was determined because of the terrain up to five people would be using the 50 right-of-way (road). George said he was asked by Mr. Hyzer to come before the Board to see what they said, he didn't expect answers at this meeting, but maybe the members could take a look at it and give them some suggestions on what they could do. His primary concern was to get the daughter that is living on lot 3 a deed to her parcel and his other daughter get a parcel, keeping one for himself. No determination was made.

Poley Paving Office Project
Information Only
Twin Bridge Road
SBL: 36.-1-155 & 36.-1-131.1
Zone: IC

Derek Kelly and Steven Poley appeared for this project and explained that they wish to move the business to this parcel and also do a 4-lot subdivision somewhere down the road taking lots 1 and 3 and cut them up into an industrial park. They also plan to take parcel 36.-1-155 and add it to the above referenced parcel which would be a "lot improvement", split it then add it to lots 1 and 3. Lot 2 is what they show as the proposed Town Road on their preliminary drawing for the "4 lot subdivision". They are planning on building the road to Town specifications in the hopes of turning it over to the Town in the future, though no one knows if the Town will ever take it. They are before the Board to get ideas. Nothing on the map is set. They are proposing an office attached to a shop, the office would be 40 X 60 the shop would be 80 X 80. A separate cold storage building of 50 X 100 and then in the real steep area they will have an access road where they will put down in the bottom, crusher run, top soil and things like that they use and then up towards the top they propose a fuel tank area for fueling up the trucks and the storm drainage in the bottom corner. Lynn Dowe asked if this would be their primary location. Steven said correct, they are in the top of Liberty right now. He said that not shown on the drawing was the fact that they will be purchasing the lot next door (37.-1-6.7) which is 10.60 acres so the entire parcel will be about 30 acres to act as a buffer between neighbors. There was a short discussion on where the railroad was located, where the dog food place is, what lot the dump used to be on. They were asked if they were looking to make it into one acre parcels in lots 1 and 3. Sean said yes they would probably further subdivide it unless there's an opportunity to do something with somebody that doesn't need to subdivide it and will access off of upper Twin Bridge Road. Chairman Deutsch asked if there were any other thoughts. She asked about the water and sewer. Sean said that part of the property was in the Town Water and Sewer District. He pointed out where he thought the line was. He said they've already discussed it with John Schmidt, the Town Supervisor, Albert Picard of the Water Department and Ken Klein, Town Attorney about moving the water district so they don't have to bring water there. Apparently it's easier to give water to an area in a Town than it is to take it away so it has to go up through several other steps before they make it official. Actually there's no water on that side of the road, from the Route 17 bridge over, they either have to bring it across the bridge or go under Route 17. Chairman Deutsch, said that for now then, it would have to be well and septic. She asked if they were thinking of going to one acre with well and septic on each. Sean said he didn't know, it would depend on if someone approaches them that wants two acres, three acres or a whole piece, that would determine what they did with it. They are looking to close on the properties at the end of April, then they will come back to the Board with a set of plans and hope to get some kind of approval. Chairman Deutsch said she would want to take a closer look if they're talking well and septic on one acre parcels. They will show that lots 1 and 3 will perk, they've already done on lot 4 where the shop will be. The well on the proposed map is just proposed at this point. After the Board had a short discussion it was determined that they might not approve any one acre subdivision of the parcel, they would be really difficult to get through, and that Sean and Derek should go with what they have at the moment.

Camp Bais Yaakov

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

The map is before the Board again for re-approval and signing now that the condition that the roads be shown on the maps and a note as to what they are made of has been met.

ON A MOTION BY DEAN FARRAND SECONDED BY RAY KELLY THE SPECIAL USE PERMIT FOR CAMP BAIS YAAKOV WAS RE-APPROVED NOW THAT THE CONDITION HAS BEEN MET AND THE MAPS WILL BE SIGNED. ALL IN FAVOR, APPROVED.

William G Foster
Lot Improvement / Resigning
Heinle Road
SBL: 43.-1-9 & 10
Zone: AC

This map is brought before the Board again for re-approval because the filing time-line has run out.

ON A MOTION BY RAY KELLY SECONDED BY DEAN FARRAND THE LOT IMPROVEMENT FOR WILLIAM G. FOSTER WAS RE-APPROVED. ALL IN FAVOR, APPROVED.

**ISSUES PRESENTED BY
MARK VAN ETEN, CODE ENFORCEMENT OFFICER:**

**Hebrew Academy for Special Children
H.A.S.C.**
Special Use Permit
Parksville Road – CR # 176
SBL: 12.-1-26.1, 38.1
12.-2-1
Zone: RD

This matter is before the Board for an opinion requested by the Code Enforcement Officer, Mark Van Etten. Randy Wasson is also here on this project. They want to put a fire escape on the outside of the building which is more substantial than the one originally there. They would also like to utilize all three floors and not just two floors as they are currently. Mark's question wants to know if the Board is okay with these two issues. The Board members all agreed that there were no issues regarding this matter that needed to come before the Board. The changes will proceed through the Building Department.

Camp BNOS
Special Use Permit

Ferndale-Loomis Road
SBL: 36.-1-23.2
Zone: RD / RH

Mark Van Etten brought this matter up as Meir Frischman brought in a plan to him that showed that they were adding a bump out addition for a small Torah scroll storage onto the Synagogue. Did the Board want this to come back before the Planning Board or shall he just proceed with Meir and the building. The Board discussed it briefly and it was determined that they would let this pass "this time", but in future, "any" additions on "any" property by "any" applicant would need to come back before the Planning Board. A letter will be sent to Meir Frischman stating such decision.

Camp Gan Israel
Special Use Permit
Old Route 17
SBL: 12.-1-9
Zone:

Mark Van Etten brought this issue before the Board. He said that Camp Gan Israel started building the two bridges in question before receiving any approvals either from the Planning Board or DEC. According to him, DEC gave Camp Gan Israel tickets. Now the DEC has issued permits but Camp Gan Israel hasn't come before the Planning Board.

The letter from the DEC to Camp Gan Israel reads as follows in part:

"On January 2, 2009, a Protection of Waters Permit for the installation of an 11 feet by 5 feet by 30 feet long open bottom steel box culvert for a service road crossing of a sub-tributary to the Little Beaverkill and a pedestrian footbridge downstream from the service road on."

In accordance with the request written on your behalf by Glenn L Smith, dated February 4, 2009, the above permit is hereby modified to authorize the installation of a precast concrete abutments (installed in the dry) supporting a 13.6 wide by 18 foot long steel beam and concrete deck slab bridge for the service road crossing a shown in the plans now in the Planning Board file by Glenn L Smith Engineering, entitled "Road and Footbridge Stream Crossing Plans," Revision 2, dated February 3, 2009.

All other terms and conditions remain as written in the original permit."

After what Mark had to say, the Board said this issue should come before the Planning Board.

ON MOTION BY RAY KELLY SECONDED BY DEAN FARRAND THE MEETING WAS ADJOURNED AT 9:45 PM.

Respectfully submitted,
4/7/2009

Nancy Saucier, Planning Board Secretary

The foregoing represents unapproved minutes of the Town of Liberty's Planning Board from a meeting held on April 7, 2009 are not to be construed as the final official minutes until so approved.

Approved as read