

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
April 20, 2010**

MEMBERS PRESENT

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

ABSENT

Denise Birmingham, Alternate

ALSO PRESENT

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

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

PUBLIC HEARING:

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

Ten notices were sent, seven received, three outstanding.

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

Fritz Meyer read a letter concerning his opinion against the project.

Jane Neufeld read a letter concerning her opinion against the project.

Rev. Carl Stiglich, Sr. read a letter concerning his opinion against the project.

Anne Hart read a letter concerning her opinion against the project.

Martina Zayas read a letter concerning her opinion against the project.

Ann Boyd spoke of her opinion against the project

All letters referred to above are in the Planning Board file.

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

Meir Frischman, the Director, appeared for this project.

After a short discussion on the public's concern about the Camp's ability to expand, Attorney Garigliano referred to the Zoning Law below:

(84-32) – Changes and Additions

F Extension onto Other Properties of Record in the Same Ownership. The use may only be expanded or extended onto a new property of record, if that property is immediately abutting to the existing location, the properties were both under the same ownership as of the effective date of this Law, the owner has clearly exhausted the alternatives available for expansion on the existing property, and the use is not one which has been altogether prohibited as a new use under this Chapter.

It was determined that the expansion was allowed. It was also determined that the Camp should place an evergreen screen up along the road to obscure the view from the road of the proposed buildings. That there would be plenty of room to do a staggered double line of evergreen trees. Meir Frischman is to speak to his architect, John Horton, and have him revise the drawings.

It was pointed out by member Lynn Dowe that Chapter 84-32 of the Zoning Law states that expansion is allowed after “the owner has clearly exhausted the alternatives available”. Several different configurations were discussed including the reversal of the parking and the buildings behind the evergreen screening. It was determined that the four proposed buildings would be placed in a different area. Further discussion determined that the site plan would be revised extensively requiring another public hearing.

A second public hearing will be held for this project on May 4, 2010. Meir Frischman will have John Horton revise the site plan with the buildings in a different location having the buildings line up going back into the Camp's property away from the road. They are to provide a whole site plan showing the entire Camp with the buildings named and/or numbered and to have a note on the plan stating that lighting for the four proposed buildings is to be in the alcove/entryway overhang only on each new proposed building. Ray Kelly asked if they were to be single story buildings. Meir Frischman said yes, they were.

OLD BUSINESS:

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

Joseph Schwartz appeared for this project. They are proposing a new 26 x 80 classroom building with an 8 x 80 porch. The building will contain four classrooms side by side and be located south of building #35 and east of building #34. The proposed classroom building will be numbered as building #37.

Attorney Garigliano read SEQR.

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

A public hearing is to be scheduled for May 4, 2010. Project to be sent for 239 review with County Planning. Mark Van Etten CEO brought it to the Board's attention that the 12 x 70 porch on the gym which was approved originally in April of 2008 and re-approved on April 6, of 2010 was not approved "with" the gym. It would need approval by the Board also. Attorney Garigliano questioned Mr. Schwartz as to how the garbage was being handled at the Camp now. He explained to Mr. Schwartz that the Town has been asking all Camps as they come before the Planning Board to place compactors in their camps to alleviate the issue of the attraction of bears and other animals.

The engineer for this project, Randy Wasson, is to revise the site plan showing the 12 x 70 porch on the gym, the proposed classroom building showing it's measurements and the 8 x 80 porch and the location of a trash compactor.

Swan Lake Gardens
Special Use Permit
207 Stanton Corner Road
SBL: 46.-1-53.3
Zone: RD #2010-0005

Randy Wasson appeared for this project. The project concerns removing units 12, 13, 37 & 38 and replace with building F containing units 1 & 2 (F-1, F-2) and building I containing units 1 & 2 (I-1 & I-2). Discussion was held about the location of the buildings concerning the setback and space requirements. It was determined that building I should be moved east and F shall be moved until it meets distance between building requirements.

Attorney Garigliano read SEQR.

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

A public hearing is to be scheduled for May 4, 2010. Project to be sent for 239 review with County Planning. Randy Wasson to revise site plan to show the buildings to be removed as shaded, readjustment to the location of buildings F and I, clarification of the laundry building and the addition of a packer for garbage.

NEW BUSINESS:

Dee Dee's Cottages, LLC
Special Use Permit
Old Liberty Road
SBL: 5.-1-36.1
Zone: RD #2010-0011

Tom Ward and applicant ("Woody") appeared for this project. It was explained that the Woody wishes to construct a 72 x 36 barn and paddock to shelter and contain horses for trail riding in conjunction with the existing farm market operation as an additional attraction to promote agriculture / tourism. Woody was asked how many horses he was planning on having on site. He responded six, five for riding and one for pulling a wagon. After a short discussion it was determined that the applicant would need to set aside 11 acres for the project according to:

Zoning Law 84-20 H Stables, riding academies and keeping of animals

(4) Commercial stables and riding academies – A commercial stable and/or riding academy shall not be established on less than ten (10) acres of land and shall require a Special Use permit. An additional one (1) acre of land shall be required for each horse in excess of five (5) and no stable building shall be erected within 150 feet of any property line.

Town of Rockland is to be notified so that they are aware that part of their Town property is burdened with the paddock. Tom Ward is to revise site plan according to the above-referenced code and show the flood plain and flood way as being more defined.

Attorney Garigliano read SEQR.

ON A MOTION MADE BY RAY KELLY AND SECONDED BY DEAN FARRAND, A NEGATIVE DECLARATION WAS DECLARED ON THIS PROJECT. ALL IN FAVOR. APPROVED.

A public hearing is to be scheduled for May 4, 2010. Project to be sent for 239 review with County Planning.

ON A MOTION BY LYNN DOWE AND SECONDED BY JOHN VAN ETEN, THE MEETING WAS ADJOURNED AT 9:05 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 20, 2010 are not to be construed as the final official minutes until so approved. X Approved as read