

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
May 4, 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.

ON MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DEAN FARRAND, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR APRIL 6, 2010 AND APRIL 20, 2010.

PUBLIC HEARING:

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

Fourteen notices were sent, 10 received, four outstanding.

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

No one appeared.

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

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, eight received, two outstanding.

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

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

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

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

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

Mike Meisner appeared. He stated that Camp Agudah has been there for over 60 years with Meir Frischman as Director for over 30 years. He posed the question of how long the homeowners were there and did they not realize a Camp was there when they purchased their property. He also mentioned a neighboring property where the lawn has not been mowed in five years. Mr. Meisner then mentioned the very substantial amount of money the Camp has spent in this area with contractors, electricians, engineers, etc. over the years in building. He stated that care was being taken with the trees and that the current driveway cut is temporary for construction purposes only and that when they were done going in and out with large trucks the permanent new drive would be more towards the Camp itself, not directly in front of the Darby residence.

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

PUBLIC HEARING:

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

Eleven notices were sent, 10 received, one outstanding.

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

No one appeared.

ON A MOTION MADE BY LYNN DOWE AND SECONDED BY RAY KELLY, THE PUBLIC HEARING WAS CLOSED. ALL IN FAVOR. APPROVED.

PUBLIC HEARING:

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

Twelve notices were sent, 10 received and two outstanding.

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

No one appeared.

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

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

Tom Ward and applicant Edwin Wood ("Woody") appeared for this project. A short discussion was held wherein it was determined that Tom Ward had also sent five copies of the plans to the Town of Rockland for their review and records. The 239 review had been received from County Planning. County Planning recommended approval. It was determined that the applicant has met all requirements.

**ON MOTION BY JOHN VAN ETEN AND SECONDED BY RAY KELLY, APPROVAL
OF THE SPECIAL USE PERMIT WAS GRANTED WITH THE CONDITION THAT
"LANDS OF THE STATE OF NEW YORK" BE REPLACED WITH "LANDS OF DEE
DEE'S COTTAGES, LLC" ON THE SITE PLAN. ALL IN FAVOR. APPROVED.**

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

Meir Frischman, the Director, appeared for this project. Attorney Garigliano questioned the drafted map marked "Option C" received in the Planning Board meeting packets, saying he would like to have seen Options A and B. Meir said he'd never told his architect to do three, only what the Board asked of him at the last meeting and that

Options A and B would not have met those requirements. A question was raised as to whether or not the Board discussed an L-shape configuration to the buildings' placement at the last meeting, consensus was that yes they had as well as a two and two configuration. It was determined that the two and two configuration was more workable as far as screening went and there should be some kind of evergreen plantings. Attorney Garigliano said he thought the two and two configuration was better and much easier to screen because when there are no leaves on the trees, you're going to see the ends of the buildings, therefore some type of evergreen type barrier between these buildings and the road. And the other thing he kind of liked about where they put the parking area is they left a lot of room for them. There won't be a loss of many meaningful trees in that area and could put in some trees to provide a barrier. Lynn Dowe said when he went by he noticed a problem with the screening because the power line was there, so it's not only the setback from the road, but also the setback from the power line, it would almost be the 35 feet. Attorney Garigliano said he would be concerned with any future trimming which would be allowed under the power company's easement which could make that even more visible. That is why the area that he would be focusing on is between the 90 and 100 contour lines on the map. Chairman Deutsch said that in the public portion it was mentioned about the angle of the driveway, ingress and egress and the way it was positioned. Meir said that as Mark proposed, they would adjust it to whatever. Meir said it was proposed. Attorney Garigliano said it was partly in and Meir agreed that yes it was but the pipe that's in there now was temporary and they had to put in another pipe. So they could move it just slightly to the right. Mike Meisner spoke from the back, but tape did not pick it up. It was determined that he is the excavator on this project. Attorney Garigliano said they wouldn't be able to put the trees back, and the driveway started may be temporary, but... Meir said there were very few trees there to begin with and he was going to put some screening in around the driveway anyway.

Attorney Garigliano had a question about the lighting from the driveway and where they were shining. After a short discussion it was determined that the lights shone in the Darby's windows, directly across the street. John Van Etten asked if the driveway could be moved. Meir said yes. It was determined if it was moved it could be made worse. Options were moving it closer to the property lines of the neighbors across the road; putting screening on the other side of the road on the homeowners' side to block the headlights in the front; an S-curve and coming down along the property line reducing the dimension of the long piece, come along below the U-shaped bunkhouse and out, closer to the main camp eliminating the long run and give plenty of opportunity to screen the corner where the corner of the new driveway would come with some evergreen shrubs of some kind. Chairman Deutsch said she wasn't thinking of moving it so much as angling it differently. Mike Meisner said the reason for the location of what's there now is a temporary entrance and it's a larger culvert pipe to bring in 30 ton trucks with red shale and when they're done with that they will put a smaller pipe in and it will be 30 feet long and going up towards the camp away from the houses directly across the street, so that when the cars come down the lights will never hit on the neighbor's house. They will be angled up towards the entrance of Camp Agudah itself.

Chairman Deutsch said the Board would need a landscaping design showing something to buffer the buildings, that perhaps they could put in some evergreens, something that will be year round also just beyond the power line. Attorney Garigliano said they'd get the most benefit if they put it close to the house. Chairman Deutsch said the Board would need a Landscape page showing landscaping/trees as buffer for the houses to be built as well as the roadway going in. It should show what they are and where so that the driveway and houses are buffered.

Another issue Chairman Deutsch brought up was lighting. The lighting was pointed out to her on the maps. It is to be on the porches, shining straight down. There is a detail shown on the map on building #27. It is just a ceiling fixture in the porch ceiling. Attorney Garigliano said that if the Board was concerned that the Camp might put other outside lighting, they could certainly limit it to one ceiling fixture facing straight down in each of the porches.

Attorney Garigliano said that there was no reason for the walkway that leads to the units to be a 400 or 300 foot straight line. It could certainly meander a bit and block it from being seen from the road by some trees. Meir mentioned having carriages on the walkway. Attorney Garigliano said that he understood that but carriages were very nimble and can go around corners, the walkway doesn't have to be straight. If Meir was to put a curve in it and put a couple trees at the end, they won't be looking right in between the buildings.

Meir was asked about a sign shown in a picture given to the Board by Ann Hart. He was asked if it was a sign going up or was it there. Meir said that sign was there for the past five years, it's along-side the building in the picture. It's stored and just put up against there, it's laying on the ground in the picture, it gets nailed up during the summer and it's been there five or six years. It was determined that he takes it down and puts it up each year, the same sign.

Member John Van Etten said he would like to make a statement that he appreciates Meir Frischman's help, he has been very, very helpful in helping us to find a solution.. we do appreciate that. Dean Farrand seconded that.

It was determined that the Board needs the revised landscaping and the notes.

Attorney Garigliano said if the Board would like to act on it tonight they could. If they did he would suggest that they include a very clear statement in resolution requiring no issuance by the Town of a Certificate of Occupancy until there is a landscaping plan and landscaping is installed or financial security is posted with the Town. This isn't something directed at Meir Frischman, this is something directed at three other times the Board was promised trees. But if the Board is going to require that universally as a condition that a landscaping design be installed or financial security be posted, they have to do it across the Board. And a clear statement that no CO would be issued until the Board approves a landscaping plan and it's either installed or financial security posted.

Meir said he would appreciate it if they could do that.

ON MOTION BY JOHN VAN ETEN AND SECONDED BY RAY KELLY, FOR APPROVAL OF THE SPECIAL USE PERMIT WAS GRANTED SUBJECT TO THE CONDITIONS THAT THEY MOVE THE WALKWAY, INSTALL PROPER LANDSCAPING TO SCREEN THE BUILDINGS, MOVE THE DRIVEWAY CLOSER TO THE MAIN CAMP ITSELF AND ADD SCREENING THERE IN THE LANDSCAPE PLAN AND AS ATTORNEY GARIGLIANO POINTED OUT, DOWN LIGHTING ON THE PORCH, ONE CEILING FIXTURE NOT TO EXCEED 75 WATTS AND NO CERTIFICATE OF OCCUPANCY WITHOUT POSTING OF BOND FOR LANDSCAPING OR LANDSCAPING ACTUALLY INSTALLED AND APPROVING THE LANDSCAPING PLAN. ALL IN FAVOR. APPROVED.

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. Mr. Schwartz explained that he was waiting for a NYSEG engineer to return his call about the possible three-phase electrical work he would need for a 30 yard compactor. He also explained that the person he spoke with about purchasing a compactor told him how the odor would be quite offensive as it would only be emptied every two to three weeks as opposed to every week as now with his regular dumpster. Attorney Garigliano pointed out that 10 yard compactors were also for sale as well as 30 yard compactors and that the 10 yard compactors would only need 220 service, not three phase. Mr. Schwartz then said that would probably mean he would not need NYSEG's engineer. He is to check for more information about the compactor. Attorney Garigliano said the Board might grant him leeway as far as the compactor was concerned even if it took him until the beginning of the next season.

ON MOTION BY JOHN VAN ETEN AND SECONDED BY RAY KELLY, FINAL APPROVAL OF THE SPECIAL USE PERMIT WAS GRANTED WITH THE CONDITION THAT THE COMPACTOR BE INSTALLED AS SOON AS POSSIBLE BUT NO LATER THAN THE START OF NEXT SEASON. ALL IN FAVOR. APPROVED.

Swan Lake Gardens

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

Eli Ravitz appeared for this project. Attorney Garigliano said he thought Randy Wasson's letter of April 21st accurately described the changes. Dean Farrand said the

only thing wrong with it was Randy did not make the proper change with reference to the Section, he left it the same again in the notes. He made the change in the letter but not in the notes on the site plan, he's just referencing a Section that doesn't exist. It's not a major issue.

The 239 came back from the County saying there were no adverse community impacts however they would like to see a master plan. Attorney Garigliano said he thought a master plan for the site that shows all the proposed changes is in order and he doesn't think that the Board should entertain them back before them until they get one. The Board did tell them to go ahead with this now based on their time. It was agreed that Randy's letter addressed the master plan and Mr. Ravitz was asked if he understood not to come before the Board with two buildings at a time that the next time they come before the Board for this parcel, the Board wants to see a master plan. After a short discussion it was determined that all conditions have been met on this project. When the next set of buildings need removing and replacing, the Board requests that the whole project be shown as existing and proposed.

ON MOTION BY LYNN DOWE AND SECONDED BY DEAN FARRAND, FINAL APPROVAL OF THE SPECIAL USE PERMIT WAS GRANTED TO REMOVE 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), SUBJECT TO THE CORRECTION OF THE SECTION NUMBER ON THE SITE PLAN. ALL IN FAVOR. APPROVED.

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. Mr. Zeiger said that the last time they appeared before this Board they weren't happy with the landscaping, it was not adequate. They have since submitted a new plan showing additional screening that would be installed. Mr. Zeiger said there were also some comments at the public hearing and for a period of time afterwards, written comments. There were five or six letters written from this congregation including the Rabbi explaining why this particular synagogue is different from the existing synagogue, which is in walking distance and why the existing synagogue does not meet the needs of the congregation for this synagogue. It was explained by several members of that congregation by written comment in support of the synagogue. He'd also written an analysis on that subject as well and explained those issues. He's also made a submission explaining why all the criteria for a special use permit were satisfied. He said he would like all his letters, his two and all from the congregation to be part of the record. It was confirmed that the letters including the e-mails were in the file. He asked if the Board had any

questions. He thought the important thing to recognize was to recognize that the synagogue needs to be within walking distance to the population that it serves because the people can't travel. There have been discussions about putting it in different sections of the town but the people that would be looking to participate in the synagogue live near that vicinity, which is why the location is really the proper location for this.

Chairman Deutsch said that one of the questions she had was on their (Shaarei Beracha's) website. On the website, they talk about it as a learning center and having various classes and events and things like that.

Mr. Zeiger said that he hadn't seen the website and he didn't know what events, but the synagogue has congregational meetings.

Chairman Deutsch read from a page of the website: "...workshops, educational courses, experimental programs..." She then asked Mr. Zeiger if it was a business that they're running with hours that they're going to be having things going on that would be not what a regular synagogue would be doing?

Mr. Zeiger said he didn't know that any of these things were contrary to what a regular synagogue does. The synagogue he belongs to has almost every evening adult education classes, classes for the students, speakers, musical Cantors that would entertain with a religious background and all that is part of a synagogue.

Chairman Deutsch, said right, but there are only five (5) parking spaces at this site and on Shabbes they will not be using the parking spaces because they will all be walking but at other times for what they're planning to do in this building, her question was is the parking going to be sufficient. Mr. Zeiger said he believed it would be because most of the people attending would be in walking distance. They would have to be to get there on the Sabbath and the synagogue is really directed at a particular sect of the Jewish population because of their language and their history, their tradition which really is going to be geared towards this so he expected that they would not have any significant other people that are not part of this group that would be participating in the events.

Dean Farrand said in one of Mr. Zeiger's letters it was stated that the synagogue was clearly not limited to these folks, in fact it outreaches to anyone of the Jewish faith. Mr. Zeiger said "which is in any synagogue". Dean said "of course, of course". He said he wasn't passing a judgment on that but the fact is that everyone has been talking of this as being a synagogue and the website, which all the Board members have read, clearly sounds like a seven-day activity with all sorts of accessory functions which may or may not go on and may or may not be limited to a population that lives up here somewhere in the area, the Board has never really gotten an idea where these people are living, part of the year. He thought Diane's point was very valid, Mr. Zeiger may be able to say that on a Sabbath they are not driving but on every other day of the week they certainly can and the Board is not even remotely going to look at having cars parked all up and down Briscoe Road because people decide it's a rainy day and they may want to go to

the educational class and then there's going to be cars parked up and down Briscoe Road.

Mr. Zeiger said they would only be permitted to park where parking was permitted, either inside the parking lot or on allowable on-street parking, no different than anywhere else.

Chairman Deutsch said there was no on-street parking. Mr. Zeiger said there must be on-street parking somewhere in the vicinity, they may have to walk two or three blocks. Chairman Deutsch, said there's none, unless you were way down by the park across from the Stevensville, but they're not going to walk that far.

Mr. Zeiger said he didn't expect to have this mass influx of people. Chairman Deutsch said that when they looked at the website, that was the question that came up. Attorney Garigliano said his question after looking at the website was how did they open in the summer of 2009? And have the construction underway? He said to Mr. Zeiger, "you didn't look at this?"

Nancy said the website information was received from the Rabbi in his e-mail.

Attorney Garigliano said that by looking at the website, it opened more questions than it solved. He said he had no idea about the parking in that area, and asked Chairman Deutsch if there were "no parking" signs there. Chairman Deutsch said there were no "no parking" signs but generally, there are no shoulders to park on and it's all private property up there. Attorney Garigliano said he thought it was certainly something that he would require them to have or reimburse the Town for adding a bunch of "no parking" signs around so we don't end up with that as a problem. The enforcement is an issue unless there's a sign that says "no parking".

Dean Farrand said he would like to get a better understanding of what the exciting divine workshops and educational courses were. Attorney Garigliano said he was interested in the experimental programs. Dean said he wanted to know what that means and what it means to the neighborhood. He thought that up until, speaking only for himself, until he read the information on the website he was not conceiving of a seven-day a week activity in the middle of a residential neighborhood and he thought that the people that were not at the meeting that live in the neighborhood were not thinking that it was a seven-day activity. Mr. Zeiger said he was not in a position to answer those questions, but he would certainly ask the Rabbi.

Several Board members agreed that they would need that issue clarified. Dean Farrand said there was one letter that stuck out to him from the many that came from the public. There were a lot of things in it. The one letter that sticks out to him that was completely different from the rest was from Cora Edwards and it says that she was allowed access to the interior of that building by the construction company. Dean said he'd been by that building at least 10 times in the last two weeks and never had anybody say he could go inside after he saw this letter. Cora Edwards claim is that there is a kitchen downstairs,

bathrooms downstairs, some unidentified rooms downstairs and a kitchen and a bathroom upstairs and some unidentified rooms upstairs. Dean said he knew very clearly that the Board and Mr. Zeiger spoke of this project not being a multi-use building. And then Cora Edwards went further, because the gentleman that let her in was actually the Rabbi or the son of the Rabbi, Dean didn't remember the exact wording of the letter, but it is in the file. The Rabbi's statement to her was that the building was for him and his son to stay when they come up here. Dean said we had that very clear question. In fact, Mr. Zeiger wrote the Board a letter stating that they were not going to pursue that. Mr. Zeiger said they were on record that it was not a residential use. Dean Farrand said it worries him that he has a neighbor go there and see that and then put something like that in writing. He is not interested in creating a compliance issue for Mark. Mr. Zeiger agreed and said they did not participate in that conversation. He didn't know who she (Ms. Edwards) spoke to. Attorney Garigliano said she spoke to the Rabbi's son. Mr. Zeiger said he didn't believe he saw this letter. Attorney Garigliano said it's part of what Nancy has in the file. There's two, father is A. Suleymanov (Aaron) and son is G. Suleymanov (Gabriel), she spoke to Gabriel and Gabriel told her the only people that were going to live there was Ma, Pa and the son.

Mr. Zeiger said that Gabriel was the one with whom he'd discussed the residential use with, there was something inconsistent and he will get an explanation.

Lynn Dowe asked what would be a reasonable distance for people to walk to this synagogue on the Sabbath? Mr. Zeiger said he didn't know. Talking about a long day of service, other holidays, back and forth all day, he didn't know what was reasonable. He said he'd walk to school, if he had to walk two miles he'd walk. If he had to, walk a quarter of a mile. Talking about not only men, but women, children.

Lynn Dowe said the second part of that question was how many members live within that walking distance at the present time. Mr. Zeiger said there would be at least ten, ten men. Chairman Deutsch said you'd have to have a minion. In order to have services you have to have at least ten men.

Lynn Dowe asked how many people it was supposed to hold maximum. Attorney Garigliano said 15. Dean Farrand said 15 was based off the parking space allowance. Attorney Garigliano said the seating was based on the floor plan. One room.

Chairman Deutsch said most of the questions arise from that website. From where they were originally talking for the capacity and the parking spaces needed, for 15 people, how many people would be expected to come to some of these classes and is it going to be beyond the capacity we already spoke of. Mr. Zeiger said they can't.

Chairman Deutsch told Mr. Zeiger to look at the website, that's what opened the door to all these questions that came up. He said okay, he would ask someone from the organization to come up next time on these issues.

Dean Farrand said he was thinking of asking him to do that because the website right now, at least for him, just magnifies the whole issue. There are only 15 people but when you read the letters that were sent by supporters of the project, he could add up 15 people just in those letters and that's not including the 10 men that have to be there. Attorney Garigliano said "and their 10 wives". Dean Farrand said he was concerned that they were going to have a stream of people up and down the Briscoe Road all day long. He said he didn't mean to sound disrespectful, he wasn't being disrespectful, but the capacity of the building and the few things he was learning to understand about this project, it seemed that Briscoe Road was going to have a lot of traffic. Dean said he drives that road very often and that is not a road where he wants to see people walking up and down the road, because they would find the ambulance parking out there. Dean said he didn't mean that to be disrespectful, that was a God's honest truth. That is a very quickly traveled road in the town of Liberty. And the numbers just don't add up, if we have to limit to 15 people in the building and we have to have 10 men and as Walter said, each man has a wife. Chairman Deutsch said "and children".

Mr. Zeiger said that very often wives and children are not there, it's the men that are there. Dean Farrand said that these are hard things to control. Attorney Garigliano said "after the fact". Dean said when an accident's happened and then there's a dead family because... Mr. Zeiger said they were very fair questions and he would ask a representative of the organization to come to a meeting.

Attorney Garigliano said the biggest thing was the conversation Gabriel had with the neighbor that sent the letter. He thought Mr. Zeiger should get Gabriel to a meeting so Mr. Zeiger wasn't becoming Gabriel's Rabbi and to get him to talk directly on the record and tell the Board that he's not going to live there so we don't have an enforcement issue later. Mr. Zeiger said he'd written a letter to the Planning Board based upon representations that were given to him by Gabriel. Attorney Garigliano said the Board understands but they need to resolve it. Chairman Deutsch said Gabriel would be the person that should come. Mr. Zeiger said the Gabriel's father is the prime Rabbi, but Gabriel has been his prime contact. Chairman Deutsch said Gabriel was the one that made the statement to the neighbor. Mr. Zeiger said "allegedly made the statement". Attorney Garigliano said he raises an issue. He also said he had a control issue here. Was Mr. Zeiger willing to extend the Board's time to act on this application to gather this additional information since the public hearing was closed? Mr. Zeiger said "yes".

It was determined that for the next meeting in June, this would be put on the agenda and if for some reason Gabriel couldn't come, as in some type of conflict, to let Nancy know. Mr. Zeiger said they would extend then until 15 days after Gabriel appears at a meeting? Attorney Garigliano asked "how about one meeting after Mr. Zeiger tells us we're not extended anymore?" Mr. Zeiger agreed. To clarify, Mr. Zeiger said, so if Gabriel comes in June, then the application is extended until the July meeting. Attorney Garigliano agreed.

Chairman Deutsch asked if there were any other comments or thoughts or ideas regarding the plan that the Board received. Attorney Garigliano said he thought the

landscaping plan was good. John Van Etten agreed. Chairman Deutsch asked what about the question of lighting. It was determined that it had been addressed but needed to have a note placed on the map. Talk then shifted to the height of the shrubs, five feet minimum, seven feet on center.

Ray Kelly said he should talk to Mark about the educational center and the code requirements. Mr. Zeiger said he would speak about it but typically with a synagogue it is not only that they go and pray and leave there's typically education and study is a part of it but that they would speak on it.

Ray said there would still be safety issues. Mark said if the downstairs is going to be used the only way out is in the back underneath the deck, they would have to show the sidewalks and stuff that come up to the front parking lot, the egress. Chairman Deutsch said it changes the whole dynamic of the project. Attorney Garigliano said that they'd already said they weren't using that. Chairman Deutsch said "if it's going to be used for classrooms". Attorney Garigliano said he wasn't sure it can be used for classrooms that's all. It only has a single means of ingress and egress down there. Mr. Zeiger said the planning was not for classrooms it's study rooms, like a meeting room. Like tonight they were having a Planning Board meeting, tomorrow there would be Court.

Ray Kelly said, "yes but originally they said they were only using the one level." Mr. Zeiger said their only plan was to use the main level. Dean Farrand said he thought it was "real" important that Gabriel came to the meeting and talked to the Board face to face because they were just going to keep going around, around and around and he didn't think it was a fair place to put Mr. Zeiger. Mr. Zeiger said he hoped that Gabriel would come as well as his father Aaron.

Camp Adas Yereim
Special Use Permit
365 Revonah Hill Road
SBL: 18.-1-6
Zone: RD #2010-0012

Bill Sattler and applicant, Israel Weingarten appeared for this project. He said back in February, the Board approved Camp Adas Yereim for a bunkhouse for 90 children and they had specified a building size of 90 x 40. They found out that with New York State Department of Health and adding bathrooms and things like that, that size building is not going to meet their needs. So they are back before the Board with a new building, a larger building, a much more aesthetically pleasing building. Really two separate buildings under one common roof. The size of the building is combined, each one is 40 by 97 including covered front porches and there is a 10 foot walkway in between, so 90 by 97 with two counselor quarters.

Attorney Garigliano said it's slightly under 8,000 square feet instead of slightly under 4,000 square feet. It's about double.

Bill said the look is going to be much nicer than the square box they had before. Chairman Deutsch asked if he had a rendering. Bill said, no not yet. The shaded area is the actual living space and what's not shaded will be open just covered with a roof. So the center hallway would be for emergency egress and ingress. Chairman Deutsch asked how many people. Bill said that mathematically 144. Attorney Garigliano asked if that would be the maximum permitted occupancy load? Bill said yes, but they figured if they're going to go bigger to anticipate some growth. They were not sure if this could be considered a continuation of the previous approval or starting over again. Chairman Deutsch said no. Bill said if it's going to be starting over again, in the interest of saving time and trying to get something in this year, the ask if the Board will help them get half of the building done and they would design it in such a way that they could mirror the other half once they got that approval and it would still look like one building.

Attorney Garigliano asked if they had the map that the Board approved back in February. Bill said yes. Mark Van Etten said he did review it because they did submit a set of plans for him to review. The building's footprint is larger than...Attorney Garigliano said half of it isn't. Mark said yes, they only submitted half of it, he assumed that what they wanted was to build half of it and then next year would be the other half of the building. Attorney Garigliano said that the approved building he believed from his notes, was 40 x 90. Bill said that would be plus two counselor quarters. Half of the building is actually smaller, there are only building one counselor room. Israel Weingarten spoke up and said the original was 40 x 90 plus an 18 x 24 on two sides on the two corners for the counselor quarters which was excluding from the 40 x 90 with additional square footage. According to the math, not exact, but it comes out to be that if they were to build now half it would be within the square footage with the two counselor quarters, but they are only building one. Attorney Garigliano asked Israel what the size of the counselor quarters last time. Eighteen by 24 was Israel's response. He also said to count 3,600 square feet plus the 18 x 24 which is four hundred and something, which comes out to 4,000 square feet. If you figure what they have now it's 40 x 97 plus the 18 x 24, but part of the 97 x 40 is 12 foot of covered porch which is 12 x 40 covered porch. So it is not really living space but covered porch. Israel said from what he understands is determined as needing approval by the Planning Board. SEVERAL PEOPLE TALKING AT ONCE

Chairman Deutsch said one at a time, we're having several conversations at once and we can't have that. She said she was trying to get clarification. It's not exactly half, it's a little be more than half? Attorney Garigliano said "no". Bill said "five foot more". Chairman where they want to make the line where they would build half, but it's not half. Attorney Garigliano said, okay let's get the calculation right just so we have it right, it should just be math right? He said he believed what was approved was 4,424 square feet. Let's see what Mark has. Mark said "this is what was approved, 40 x 90 plus two 16 x 16's. Attorney Garigliano said these aren't 16 x 16 they're 18 x 24's according to them, which is what we just asked. Mark said that according to the map I pulled out of Nancy's file, that's where I got this, the approved. Attorney Garigliano said that what was there before was 16 x 16. That's what I pulled off the map.

SEVERAL PEOPLE TALKING AT ONCE.

After further discussion it was determined that the half of the building shown on the plans nearest the gym was to be built first. It is to be moved back so that it is 25 feet from the roadway to the porch and 30 feet from the gym. The half being built at this time is to be 40 x 97 which includes a 12 by 40 porch with one 18 x 24 counselor quarters.

ON MOTION BY JOHN VAN ETTEN AND SECONDED BY RAY KELLY, FINAL APPROVAL OF THE SPECIAL USE PERMIT TO BUILD HALF THE PROPOSED BUILDING THAT HALF BEING 40 X 97 WHICH INCLUDES A 12 BY 40 PORCH AND ONE 18 X 24 COUNSELOR QUARTERS, WAS GRANTED SUBJECT TO THE CORRECTION OF THE MEASUREMENTS ON THE SITE PLAN. ALL IN FAVOR. APPROVED.

ON A MOTION BY DEAN FARRAND AND SECONDED BY JOHN VAN ETTEN, 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 May 4, 2010 are not to be construed as the final official minutes until so approved. X Approved as read