

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
MAY 6, 2008**

MEMBERS PRESENT

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

ABSENT

Jon Sutherland

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 7:05 PM.

ON MOTION MADE BY LYNN DOWE AND SECONDED BY PETER STETTNER, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR APRIL 1, 2008.

PUBLIC HEARING:

**Steven Boniface
Pine Bush Equipment
Special Use Permit
NYS Route 52
SBL: 30.-1-100
Zone: SC**

5 notices were sent, 5 green cards were received.

Chairman Deutsch asked if there were any comments or questions from the public.

No one appeared.

ON MOTION BY DEAN FARRAND AND SECONDED BY LYNN DOWE, THE PUBLIC HEARING WAS CLOSED.

Alphonse Mecurio appeared for this project. The 239 review was received and was discussed by the Board. The Board has received a letter from the Town of Fallsburg asking for a deed restriction with regard to the sewer. Al is to prepare a draft of same and present it to the Board at the next meeting along with cut sheets on the landscaping and lighting for the project. To appear at the June 3, 2008 meeting.

PUBLIC HEARING:

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

7 notices were sent, 7 green cards were received.

Chairman Deutsch asked if there were any comments or questions from the public.

No one appeared.

ON MOTION BY DEAN FARRAND AND SECONDED BY PETER STETTNER, THE PUBLIC HEARING WAS CLOSED.

Larry Sutter of Wasson Engineering and Samuel Kahn appeared for this project. The 239 review was received and was discussed by the Board. Chairman Deutsch asked what types of animals were to be in the petting zoo. Sam Kahn said poultry and sheep. It was then explained that the gazebo would be 20 X 40 feet near the kitchen and that there would be an entrance into the gazebo from the kitchen side of the gazebo which would be paved. The purpose of the gazebo being for autistic children that cannot tolerate the noise generated in the kitchen/dining room.

Code Enforcement Officer Mark Van Etten brought up the fact that he has granted Camp H.A.S.C. a building permit for a renovation/repair on building #31, where they are adding an awning. It was decided to include that renovation/repair into this Special Use Permit.

Ray Kelly asked if there were going to be some type of roll up panels for rainy weather. Sam Kahn said they wouldn't be out there in rainy weather. Attorney Garigliano asked if there would be screening. Sam Kahn said yes.

Larry Sutter said that in compliance with the comments from the last meeting a note was added that the utility services equal the village water and septics from prior trailers and that the Department of Health has jurisdiction over the petting zoo. He looked at the letter which was received by Sam Kahn; cc'd to the Board and said contents of the letter were a matter of course.

Ray Kelly asked if the gazebo would be on ground level. Sam said yes and that it would be blacktopped and sealed. Attorney Garigliano said with a rubber/tennis sealant. Attorney Garigliano said that they must determine the number of animals for the petting zoo and that in future if they wanted to expand, they would have to come back before the Board.

Chairman Deutsch asked if there was anything else. Larry Sutter asked for approval. Lynn Dowe said he had no problem with it. Attorney Garigliano said that someone would need to be responsible for checking on the fencing, the entry improvement and the type and number of animals. It was decided it would be Code Enforcement Officer Mark Van Etten's responsibility since he would be monitoring the building permit.

Attorney Garigliano read SEQR into record.

MOTION WAS MADE BY RAY KELLY FOR NEGATIVE DECLARATION ON SEQR, SECONDED BY LYNN DOWE. ALL IN FAVOR. APPROVED.

The Board discussed the project further and it was decided as follows: 1. The covered entry to building #31 should be added to the plan and the project; 2. The screening/fencing shall be expanded to be located around the gazebo; 3. A limit of not more than five (5) sheep or goats (large animals) and ten (10) poultry shall be allowed for the petting zoo; and 4. The structure petting zoo will no larger than 20 X 36 and these dimensions should be shown on the building with a notation on the map;

When all of the above appears on the maps, they will receive full approval.

ON A MOTION BY DEAN FARRAND, SECONDED BY PETER STETTNER, THE BOARD GRANTED "CONDITIONAL" APPROVAL OF THE SPECIAL USE PERMIT WITH THE CONDITIONS AS FOLLOWS:

- 1. THE COVERED ENTRY TO BUILDING #31 SHOULD BE ADDED TO THE PLAN AND THE PROJECT;**
- 2. THE SCREENING/FENCING SHALL BE EXPANDED TO BE LOCATED AROUND THE GAZEBO;**
- 3. A LIMIT OF NOT MORE THAN FIVE (5) SHEEP OR GOATS (LARGE ANIMALS) AND TEN (10) POULTRY SHALL BE ALLOWED FOR THE PETTING ZOO; AND**
- 4. THE STRUCTURE PETTING ZOO WILL NO LARGER THAN 20 X 36 AND THESE DIMENSIONS SHOULD BE SHOWN ON THE BUILDING WITH A NOTATION ON THE MAP.**

ALL IN FAVOR. APPROVED.

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

Yosef Newhouse appeared for this project. Dean Farrand asked to discuss building #18. Attorney Garigliano asked Yosef if it was where the water supply building is located. Yosef said yes. Attorney Garigliano said that Yosef would have to go to the Zoning Board of Appeals since the proposed building would not comply since the width between buildings would be compromised. Chairman Deutsch is to write a letter to Yosef about it not complying.

Dean asked what size the mobile home they would be replacing the existing one at #38. Yosef originally thought it might be either 16 X 60 or 48 X 24. Yosef said that they settled on one that was 48 X 24. He was told to have George Fulton change it on the map with the new dimensions of the mobile home and to also show the dimensions to the edge of the property. This project will be going to the Zoning Board of Appeals.

52 Liberty Inc.
Special Use Permit
1885 Route 52
SBL: 30.-1-76.1
Zone: IC

The Board was in receipt of a letter from Glenn Smith, Town Engineer, with his review on the conditions from the conditional approval given at the April 1, 2008 meeting. All conditions have been met except that someone will need to check on the paving of the parking lot and whether or not it will be bonded.

No one appeared at this meeting.

Camp BNOS
Special Use Permit
Ferndale-Loomis Road
SBL: 36.-1-23.2
Zone: RD / RH

Meir Frischman appeared for this project. The purpose of this project is to build a 24 X 25 addition on one of the staff houses encompassing two bedrooms and a deck, to house a staff member and her mother with Alzheimer's whom she cares for. The Board discussed it and since it will need to be done for the start of the summer season this year, the Board has agreed to have a special meeting and do a public hearing on this project on May 20, 2008 at 6:30 pm.

Cranesville Block Co.
Special Use Permit
1794 State Route 52
SBL: 30.-1-27.4
Zone: RD

Steve Dowe appeared for this project. He pointed out the exact location of the proposed silo on the map, stating that they would like to put it there as there is already a heavy-duty concrete foundation/pad there in place. That spot would also keep the silo from being visible from the road. The silo would be 25 Feet high and 9 feet in diameter. It would hold a recycled substance used in their business called "mica silica", which is becoming more popular because it is recycled and the public are looking to go "green". Attorney Garigliano asked that he provide a blow up of the area in question showing the proposed silo and the setbacks, adding that the setbacks in an SC zone are 10 feet. Steve will also bring pictures.

Chairman Deutsch asked if there were any questions. Code Enforcement Officer Mark Van Etten asked if there would be any chemicals used in the silo. Steve said no, only dry material. This project will return at the June 3, 2008 meeting.

Gene Primavera

Information only
Lot Line Change
Cooley Road
SBL: 8.-1-3.2
Zone: RH

No one appeared for this project.

**Dwayne Labagh
Josh & Jenna Schwartz**

Information only
Subdivision
White Sulphur Road
SBL: 42.-1-15.1
Zone: AC

Dwayne Labagh appeared for this information session. He wants to give his daughters each a lot and possibly one for his son. There is 1000 foot frontage on the road. Attorney Garigliano explained that the Town only allows one (1) flag lot per parent parcel. He could do that on the left side of the property and perhaps a 200 and 300 foot frontage for two more lots on the right. He explained to Mr. Labagh that there were lots of options and that he should go to a surveyor and a surveyor could help him figure out how he wants to do a fourth lot. Mr. Labagh thanked the Board for their time.

ON A MOTION MADE BY PETER STETTNER AND SECONDED BY JOHN VAN ETTEN THE MEETING WAS ADJOURNED AT 8:00 P.M.

APPROVED _____ **N. Saucier**