

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
May 7, 2013**

MEMBERS PRESENT

Lynn Dowe, Chairman
John Van Etten
Denise Birmingham
Judy Siegel
Vincent McPhillips
Lydia Rolle

ABSENT

ALSO PRESENT

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

CHAIRMAN LYNN DOWE CALLED THE MEETING TO ORDER AT 7:09 PM.

**ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY JUDY SIEGEL,
THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR APRIL 2, 2013.
ALL IN FAVOR, APPROVED.**

John Van Etten explains that he has been asked by the Town Supervisor to relay to the Board members that the Town Board took no action at the Town Board meeting on the zoning so the current zoning map is still in place until further changes are made.

PUBLIC HEARING:

**Camp Yeshiva
Special Use Permit
Briscoe Road
SBL: 44.-1-35
Zone: RD #2013-0012**

23 hearing notices were sent, 19 green cards received, 4 outstanding.

Chairman Dowe asked if there was anyone from the public who had any questions or comments.

No one is present from the public.

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

**Kraut Bungalow Colony
Special Use Permit
Sunset Lake Road
SBL: 30.-1-27.2
Zone: R-1 #2013-0013**

4 hearing notices were sent, 4 green cards received.

Chairman Dowe asked if there was anyone from the public who had any questions or comments.

No one is present from the public.

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

**Camp Yeshiva
Special Use Permit
Briscoe Road
SBL: 44.-1-35
Zone: RD #2013-0012**

Attorney Garigliano reads SEQR into the minutes.

ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY VINCENT MCPHILLIPS, THE BOARD DECLARES A NEGATIVE DECLARATION ON THE CAMP YESHIVA SPECIAL USE PERMIT.

Attorney Garigliano requests permission from the applicant to allow the Planning Board Secretary to correct the building size on the application from a 20' X 40' building to a 28' X 60'. Mr. Wasson grants that permission. Changes made to application.

Randy Wasson appeared for this project. Mr. Wasson explains the project is to construct a shower building which will be behind a row of dormitories off the corner of the gym towards the rear of the camp. He explains that the building will be 28' X 60' in size and it will contain showers and a changing area to be used by the campers.

Attorney Garigliano advises that the 239 review from the County has not yet been received and the Board cannot act on the matter. Mr. Wasson explains that time is of the essence here and requests a special meeting to be scheduled.

Kraut Bungalow Colony
Special Use Permit
Sunset Lake Road
SBL: 30.-1-27.2
Zone: R-1 #2013-0013

Attorney Garigliano reads SEQR into the minutes.

ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY VINCENT MCPHILLIPS, THE BOARD DECLARES A NEGATIVE DECLARATION ON THE KRAUT BUNGALOW COLONY SPECIAL USE PERMIT.

Attorney Garigliano requests permission from the applicant to allow the Planning Board Secretary to add a trash compactor to the application. Mr. Wasson grants that permission. Changes made to application.

Randy Wasson appeared for this project. Mr. Wasson explains that this project is to install a 20' X 40 swimming pool with a stockade fence enclosure. He explains that the Board had requested at the last meeting that a compactor be installed in which they have added the compactor and a small detail to the plan.

Attorney Garigliano advises that the 239 review from the County has not yet been received and the Board cannot act on the matter.

Kelly Bridge Road Developers Corp
Special Use Permit
Kelly Bridge Road
SBL: 40.-1-1.1
Zone: RD #2009-0027

Attorney Garigliano advises that he started drafting a resolution and while doing so the Planning Board Secretary forwarded a letter that was received from Whiteman, Osterman

and Hanna Attorneys at Law, questioning the method by which the Board has handled the application. Attorney Garigliano explains that as the Board is aware this project did receive a Special Use Permit in 2008 for 95 units and there was a very substantial review prior to that happening. He states that the request is to simply change the configuration of the approved plan. He explains that by his reading of the 2011 Zoning Law changes mobile home parks are no longer allowed in the RD district. So this is an application if that zoning remains in place to modify a non-conforming use. He also advises that this project has received a building permit and they did start work there under their prior approval. Attorney Garigliano advises that he would like to research the case law referenced in the letter from the attorney before the next meeting.

Chairman Dowe also puts into the record that written comments were received within the 10 day period following the public hearing.

Attorney Garigliano advises that the public hearing has been closed and that the project will be placed on the June agenda.

Yeshiva Kavunas Halev
Special Use Permit
252 Ferndale Loomis Road
SBL: 36.-1-23.4
Zone: R-1 #2013-0015

Chris Brunjes from Adler Engineering appeared for this project. Mr. Brunjes explains to the Board that the current lot is 10.8 acres in size which consists of seasonal dwellings located on the corner of Ferndale-Loomis and Route 55. He explains that all of the occupied structures are on the main parcel on the northern side and it does have a synagogue and classroom located in the woods out of sight. Mr. Brunjes explains that his client is proposing the construction of a new 20' X 24' classroom near the synagogue in the woods, as being so close to the main road they want a more calm area with fewer distractions for the kids. He explains that during an on-site inspection of the facility Bill Sattler found some items that he feels also needs to be taken care of such as a wooden path that leads to the synagogue area needs a non-slip surface applied and that there is a collapsed building that was severely damaged due to fire that needs to be removed.

After discussions regarding the proposed structure, existing unsafe structures, emergency access ways to these structures and installing a garbage compactor it is decided that if new plans are submitted that this matter will be scheduled for a public hearing at the May 21st meeting.

Mazel Tov Properties, LLC
(Shlomo Tewel)
Subdivision
Cooley Road
SBL: 2.-1-13.1
Zone: RD #2013-0016

Mazel Tov Properties, LLC
(Shlomo Tewel)
Special Use Permit
Cooley Road
SBL: 2.-1-13.1
Zone: RD #2013-0017

Randy Wasson appeared for this project. Mr. Wasson explains that this property is the old Arrowhead Ranch on Cooley Road. Mr. Wasson explains that what he is presenting is just a sketch and just a concept now but the applicant would like to get 22 lots in a conservation subdivision. Mr. Wasson explains that there are several buildings there that are in poor shape and the proposal would be to get rid of all those buildings and the mess that is there from the recent fire. Mr. Wasson explains that they are showing 22 lots under the conservation subdivision regulations they should be about an acre and a half with some being a little more and some with a little less. Mr. Wasson advises that there will be some central common facilities including a community building and a couple of swimming pools. The lower half of the site will be left undeveloped with the exception of a possible 40 room motel building with parking. Mr. Wasson explains that the roads would be built to Town specs but they would be privately owned. The water supply would be individual wells and septic's for each house.

A discussion continued about lot sizes and open space areas and Mr. Wasson advises that he will speak to his client, make any necessary revisions and submit new plans.

Lipsker Duchman Diamond Inc.
Special Use Permit
1405 Horseshoe Lake Road
SBL: 43.-1-18
Zone: RD #2013-0018

Perry Meltzer, Attorney appeared for this project. Mr. Meltzer explains that this bungalow colony has been in existence for many years and they are in front of the Board seeking site plan approval for some additions and alterations that have already been made to some of the units. Mr. Meltzer explains that he is aware that the submitted plans do not fully

comply with all of the requirements and that he has spoken to the engineer and revisions will be made to the plans.

CEO Van Etten advises the Board that there is a huge garbage pile in the back of the property that has not been cleaned up. Mr. Meltzer advises that there is a 40 yard dumpster on site for the cleanup of the garbage.

A short discussion continued and Mr. Meltzer advised the Board that he plans to have a new site plan submitted for the June meeting.

There was a brief discussion regarding a special meeting which will be scheduled for May 21, 2013 at 6:00 pm.

There was a brief discussion with the Board and CEO Van Etten regarding Green Acres Cottages.

ON A MOTION BY JOHN VAN ETTEN AND SECONDED BY JUDY SIEGEL, THE MEETING WAS ADJOURNED AT 8:40 PM. ALL IN FAVOR. APPROVED.

Respectfully submitted,

Tammy Wilson, Planning Board Secretary

The foregoing represents unapproved minutes of the Town of Liberty's Planning Board from a meeting held on May 7, 2013 are not to be construed as the final official minutes until so approved.

 X Approved as read.