

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
May 17, 2011**

MEMBERS PRESENT

Lynn Dowe
Ray Kelly
Dean Farrand
John Van Etten
Peter Stettner, Alternate
Denise Birmingham, Alternate

ABSENT

Diane S. Deutsch, Chairman

ALSO PRESENT

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

ACTING CHAIRMAN LYNN DOWE CALLED THE MEETING TO ORDER AT 7:00 PM.

ON MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DEAN FARRAND, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR MAY 3, 2011 WITH THE CORRECTION ON PAGE 2 OF MARC TO MARK.

HASC, INC.

Special Use Permit

Old Route 17

SBL: 12.-2-1 & 12.-1-38.1

Zone: RD #2010-0028

Gary Silver and Randy Wasson appeared for this project. Sam Kahn was seated with the public.

Acting Chairman Dowe: the first thing on the agenda is Camp HASC. The purpose of this meeting is to review the revised plans for the bunkhouse buildings and let's see does everyone have the plan for that?

Gary Silver...a copy of the letter sent to the Assessor to merge the parcels along that side of the road.

Acting Chairman Dowe: Yes.

Randy Wasson: What we've done, at the request of the Board, is we've shown the existing building as constructed, the foundation as constructed, we've show the proposed second building which would actually be the one on the right as you look at the plan. That is not is not under construction at this point in time. And also a little bit lighter we showed the originally approved locations of those two buildings. So right now only the one on the left has been started and it has been slid down the hill about 60 feet from the original location. It's still about 25 % over the top of the original footprint, but it is 60 feet down the hill. It's also 117 feet to the nearest property corner. A little bit more from the lines themselves and as Gary just said we've already submitted a letter to the Assessor to combine all the interior parcels, I think there's five (5) of them and that would eliminate the lot line that runs right below or through those two buildings.

Gary Silver: Everything on the western side. On this same side. Merge all those into one.

Randy Wasson: And the building on the right we've gone a little bit further. We've shown an envelope for that building. We show the building 25 feet. I think away from the one that under construction now as a minimum and then we show a 20 foot envelope around that so they could move that building. If approved by the Board, they could move it up the hill 20 feet, down 20 or further to the north 20 feet, so it gives them a little room to play there when they stake it out if they're off just a little bit so we don't have this issue again.

Gary Silver: They're not intending to put up that second structure this summer, but are seeking approval. UNCLEAR. Also, I think Randy can just confirm to you, the question I know at the public hearing, I happened to be seated here for another client, was about a DEC stream. That body of water there is merely just drainage.

Randy Wasson: That's drainage, yes.

Gary Silver: Show them on the map where the DEC stream is located so they understand that.

Acting Chairman Dowe: it's on the other side of the property?

Randy Wasson: It's all the way at the other end of Highview Acres.

UNCLEAR

Randy Wasson: It's all the way at the left end of the drawing. It's not shown because it's up just beyond the end of the drawing, but Highview Acres has a little crown in the middle. There's a portion of it that drains towards the camp and there's a portion that drains back towards the village and that area that drains back to the village actually drains into that stream which flows across the highway and into Sisselman's pond. That is a regulated Class BT stream. The drainage that you see around the buildings between the baseball field and the buildings is just drainage; it's not a regulated stream.

Acting Chairman Dowe: It's just runoff?

Randy Wasson: It's just runoff, groundwater, whatever comes through there. It's caught in that stream and it kinda gets routed around as you see and they don't propose at this point to disturb that. It's just a drainage ditch, it's not a stream.

Acting Chairman Dowe: Randy, what are the heights of these buildings?

Randy Wasson: They would be on the downhill side; they'll be about two stories. The basement, they have full basements. They might be crawl space in some of it, but it is a concrete foundation. I didn't measure the height. I don't know whether it's six or eight feet high on the downhill end.

Dean Farrand: It's over eight. I stood next to it.

Randy Wasson: Well the forms might be.

Dean Farrand: Well the forms are over eight, so probably.

Randy Wasson: It might be eight. Yes. But I know they've got to bring some dirt back in there up against it 'cause they've got to get cover on the footings and so forth.

Dean Farrand: So two storied including the basement, or two stories above the basement?

Randy Wasson: Including the basement.

Acting Chairman Dowe: So is it going to be more than 20 feet?

Randy Wasson: More than 20 feet high? Uh, by the time you get to the peak of the building it would be, it would have to be, yeah.

Ray Kelly: Buildings can't be closer than the height of the buildings.

Acting Chairman Dowe: That's what I'm getting at.

Randy Wasson: Oh, well they may not be 25. We can move them a little further apart. We have room to do it in the envelope shown.

Acting Chairman Dowe: 20 feet is the minimum. If it's more than 20 feet, whatever the height of the building is should be the distance in between.

Randy Wasson: Okay. I think I've got 25.

Gary Silver: Let's make sure that you've got enough here because I see, this is...

Randy Wasson: I'm showing 25 on the enlargement in the top right corner.

Gary Silver: And it's only UNCLEAR 25 feet so if you're doing that, then you're meeting that requirement.

Randy Wasson: Oh yeah we're not going to have a nine foot rise on the roof.

Attorney Garigliano: Are there plans for the buildings?

Randy Wasson: Yeah, Mark has the plans.

Attorney Garigliano: Do you remember what the roof slope is?

Randy Wasson: I'll say, I'm thinking 5/12. Yeah I think it was 5/12.

Ray Kelly: The buildings aren't going to be closer than 35 feet apart are they? There's a 25 foot minimum between the footprint of the buildings and you're showing the buildings inside the footprints.

Dean Farrand: It's more than that, you're right.

Randy Wasson: Yup.

Gary Silver: Mostly just to clarify because I know it was an issue last time, about the construction road that the contractor put in that wasn't intended by the owner. The contractor did that. That is no longer there, they've filled it in, it's not being used, it's not intended to be used.

Acting Chairman Dowe: I looked at it this afternoon and I picked a good day to look at it because it was wet and it was muddy, there was no mulch, no seed, no silt fence. They really should do something.

Gary Silver: That is going in. He's not done, that's absolutely going in.

Randy Wasson: No he's not done, his machine is still there.

Attorney Garigliano: Randy, one thing I noticed as soon as I got this is unless it's somewhere else, is this the only plan? There's no dimensions on any of the buildings.

Randy Wasson: On the upper right?

SEVERAL TALKING AT ONCE: "nope", "I don't see any", etc.

Randy Wasson: I guess they got taken off, 'cause they were on the original plan.

Attorney Garigliano: And how big are they?

Randy Wasson: With the porches they're 52 x 90. That's unchanged from the original.

Attorney Garigliano: 52, that's the width?

Randy Wasson: Yes.

Attorney Garigliano: And that does not include porches.

Randy Wasson: No that includes porches.

Attorney Garigliano: Okay. And does the roof go over the porches?

Randy Wasson: Yes.

Attorney Garigliano: I'm trying to figure out how high they are for you. So they're 26.

Randy Wasson: So you've got 26.

Attorney Garigliano: 26 divided by 12 times 5.

SEVERAL TALKING AT ONCE

Randy Wasson: Yeah, 25, 26 it's going to be right there.

Attorney Garigliano: 27.

Gary Silver: I just made a note to add the dimensions to those buildings.

Acting Chairman Dowe: They didn't start the second building so we won't care where.

Randy Wasson: We can move that further away. It's easy to do.

Attorney Garigliano: And then the dimensions on the proposed house. There's nothing on it.

Gary Silver: They'll be added.

Ray Kelly: What about the topo lines, you have no elevations on them?

Randy Wasson: Yeah it's there, I'm sorry.

Ray Kelly: I don't have my glasses on.

Randy Wasson: Yeah, no neither do I. Well I do but I can't see.

Gary Silver: Those little black things are dimension numbers.

Ray Kelly: They're not in the blow up.

Randy Wasson: No we took them out to try and make it a little more clearer.

Gary Silver: Can you put the topos over the blow up.

Randy Wasson: Sure, yeah they came out a little small. I think they were on the original enlargement but I guess I was just trying to keep it clear for you.

Acting Chairman Dowe: Anyone else have anything?

Attorney Garigliano: (Referring to member John Van Etten) He has a whole laundry list.

John Van Etten: I guess to start is there going to be any exterior lighting on these buildings?

Randy Wasson: I believe all the lighting is all underneath the soffits.

John Van Etten: It's all going to be pointing down, shoebox kind of fixtures and that sort of thing? High hat style?

Randy Wasson: Yes.

Dean Farrand: Sticking with the lighting for a second. Is there going to be lighting on this side and here?

Randy Wasson: None on the back.

Dean Farrand: There shouldn't be any need for it back here.

Randy Wasson: No.

Dean Farrand: And there shouldn't be any need for it over here. And there shouldn't be any need for it over here.

Randy Wasson: No just over top of the porch deck in the ceiling of the overhang there.

Attorney Garigliano: And to make that clear, that porch deck faces the softball field?

Randy Wasson: It's on three sides. There's a six foot porch on the two long sides and a 10 foot porch, covered deck on the side towards the ball field.

Acting Chairman Dowe: Where's the porch on this first building?

Randy Wasson: it's a wrap-around. It's that white strip that goes around the building on three sides.

Dean Farrand: So this is the porch deck right here.

Randy Wasson: Yes. Six feet.

Dean Farrand: You are going to have lighting here.

Randy Wasson: In the ceiling, down, on the decks. Recessed lights. Standard soffit lights. For a porch.

Acting Chairman Dowe: Are they on all night?

Randy Wasson: I would assume they probably are. Sam would you like to comment on that?

Sam Kahn: They'll be on all night. If someone needs to get out.

Randy Wasson: The nature of the campers and the staff, they have to get out.

SEVERAL TALKING AT ONCE

John Van Etten: An issue that was raised to me by some of the people nearby is that of external speakers on buildings and things like that.

SEVERAL TALKING AT ONCE – UNCLEAR

Attorney Garigliano: Are there any external speakers anywhere else in the camp?

Sam Kahn: There are external speakers in UNCLEAR

John Van Etten: Okay. Is the applicant familiar with the Town noise ordinances? Some of the neighbors complained to me that these loudspeakers are on at midnight and after.

Sam Kahn: I don't think so. There is no loudspeaker on the outside unless it's a major emergency. There's never a loudspeaker on at night.

Gary Silver: What is the latest a loudspeaker will be used, absent an emergency?

Sam Kahn: The latest is 5, 6 or 7 o'clock. There may be some indoor music somewhere, but there are never loudspeakers at night.

TAPE UNCLEAR – PERSON TOO FAR AWAY TO HEAR.

John Van Etten: Some of the public's comments from a prior public hearing, lets me know that TAPE UNCLEAR – LOT OF EXTERNAL NOISE

John Van Etten: Can I speak up, sure. One issue is the drainage and we had just spoken about that. I was there tonight myself as other people were. And there was a lot of silt. The lower pipe with the two black plastic pipes going across the roadway that was installed was actually half- way or more full of silt. That silt is going down across the drainage ditch on the neighbors property I presume and down across and I believe back to the applicant's property, but there is quite a bit of silt in that little ditch.

Randy Wasson: It hasn't gotten worse since they've done the grading.

John Van Etten: With all due respect, it looked pretty fresh to me. I mean there was some in there I'm sure when I was in there before.

Randy Wasson: Well we're not going to argue the point.

John Van Etten and several other members: There needs to be seeded mulch.

SEVERAL TALKING AT ONCE

John Van Etten: Another thing the public had asked was whether or not the road would be permanent or not. I would assume that road would be taken out.

Sam Kahn: Yes.

John Van Etten: And not used in the future, is that the applicant's position on that still?

Gary Silver: It is no longer to be used as a road. That was never the applicant's intent that was the contractor doing the work that did it for his convenience.

Attorney Garigliano: Okay, let's just clarify that. Not that anything is a problem, just so we're clear. Never to be used means after the buildings are built or never to be used means after tonight, or never to be used means...

Gary Silver: He is not using it. He has no intent. I can't tell you that in ten years from now he might not come back to the Planning Board.

Attorney Garigliano: We're not talking about 10 years from now.

Gary Silver: No, it's not being used. It's being obliterated. It is being turned back to what it was. That's why he's seeding it.

Attorney Garigliano: Today?

Gary Silver: Yes. That's going to be done. The reason it's not done now is because of the rain.

Dean Farrand: One final question on that. I think the real question is when is it going to be done? Because quite frankly, it's been "going to be done" for almost a month now. So I think one of the things that has to be answered is a date when it has to be done.

Attorney Garigliano: That was kinda my point.

Dean Farrand: Yeah, I'm just going to be blunt about it. We want a date.

SEVERAL OTHER MEMBERS TALKING AT ONCE

Randy Wasson: At this point we just have to wait for it to dry out before it can be done. You just can't get in there; you'll make a bigger mess.

Dean Farrand: I understand that, I understand that.

Gary Silver: Sam, if the weather cooperates and it dries up, can you have the mulching, the seeding, the silt fence done by June 7th, when hopefully they'll schedule a public hearing for?

Sam Kahn: Yes.

Acting Chairman Dowe: I don't know if I agree with that because we're having another public hearing on the 7th. If the neighbors come in and say that before anything happened there was shrubs, trees, it was completely screened and now it's not, they pretty much have a clear view of that building with only the foundations poured. When it gets 16 feet higher, they're really going to see it, where we may want trees in there not just grass.

Gary Silver: Well he can still do the grass and mulch now. You still want grass in there.

Attorney Garigliano: Throw a little annual rye in there and tighten it up.

Gary Silver: Yeah, whatever you want. They could use something just over here, I'm not sure. Maybe here perhaps, some sort of shrub line. Maybe here something. Sam understands the situation. The camp is willing to do what is necessary to satisfy the neighbors. That's not going to be a problem.

Dean Farrand: I'm pretty sure that we're going to ask for some sort of tree screening. We've done it before and this situation screams for it.

Attorney Garigliano: You know, one of the...I think that definitely based on the public hearing we're going to need some screening, there's no question. Because some of the findings that the Board needs to make for allowing the expansion of a non-conforming use as a special use would mandate that. At least by my reading, you guys agree?

Dean Farrand: Yup. Absolutely. So we're at least going to get some rye grass in there to pull the soil still by the June 7th meeting. So we're still being straight, we're looking at this same kind of hard date on the screening of trees, not just that it will get done, but that it will get done by a certain time frame.

Gary Silver: Yes, we understand that.

Dean Farrand: Well, in the past we've not done that and it's come back to jump us.

Attorney Garigliano: We may want it bonded too.

Randy Wasson: Yeah I don't know if they could do the trees at that time.

Dean Farrand: I'm not suggesting you do the trees by June 7th. I'm not suggesting that at all.

Gary Silver: They're going to tell us what kind of trees they want and where they want them.

Randy Wasson: Okay, fair enough.

Gary Silver: They're going to have to say they want something here and something here and I'm sure they'll be happy to suggest to us what kind of trees they want.

Randy Wasson: We'll figure something out.

Gary Silver: He's just looking for like rye grass and some sort of mulch and a silt fence to prevent any more erosion by June 7th.

Acting Chairman Dowe: Correct.

Dean Farrand: You got it.

John Van Etten: One other question I had, the proposed 20 foot wide driveway so that you can get fire trucks in and things like that. Looks like it went down across the property and disappeared into something that was approximately 8 to 10 feet wide.

Dean Farrand: The driveway that runs behind the buildings.

Randy Wasson: The shaded one there on the right?

John Van Etten: Right, it went down and joined up with a much smaller pathway or something.

Randy Wasson: Oh no, that's the road cut that we've been talking about.

John Van Etten: Okay.

Randy Wasson: Which is going to stop basically as we show it there.

Gary Silver: You mean meeting up with the structure.

Randy Wasson: If you were there tonight you saw the excavator.

John Van Etten: Nope, I've confused you. On the other side. I realize the existing road is going to go away. On the other side where that access to those two buildings now connects.

Attorney Garigliano: Which shows on the large site plan but doesn't show on this site plan.

John Van Etten: Right, and it comes down as a 25 foot wide thing and right here, it hooks into a small size.

Gary Silver: UNCLEAR...it changes in size.

Attorney Garigliano: Right here it goes into a 9 foot wide driveway.

Randy Wasson: Well, yeah which I think just bends right around, there's a gate right there that comes up next to the swimming pool.

John Van Etten: I think what we need is 20 foot wide access for fire trucks and things like that to that point. If that makes sense. Whatever you need to do to enlarge that.

Randy Wasson: I don't think that's a problem.

Attorney Garigliano: This is your ingress and egress, right here.

Randy Wasson: Yeah it hooks right here, that's where it comes in.

Attorney Garigliano: Yeah, but it's not shown here.

John Van Etten: Correct

Attorney Garigliano: It's turned off.

John Van Etten: Right.

Attorney Garigliano: But it shows there.

John Van Etten: Yup.

Attorney Garigliano: But what we're talking about is 20 feet wide and hooks into a 9 foot wide cart way.

John Van Etten: But make sure you have full access all the way down.

Gary Silver: You want 20 foot wide along...

Attorney Garigliano: It doesn't necessarily have to be 20 but it has to be more than what's there.

Dean Farrand: You gotta accommodate a fire truck.

Sam Kahn: You have the fire trucks coming from the main entrance. Usually the fire trucks come from here and go that way. This here when we built this was no access, just for children. No trucks going in there, no cars going in there. And from here, goes up here, which this is a nice woods UNCLEAR and goes up to here. UNCLEAR

Attorney Garigliano: Maybe you could tie it in that way. That would mean that you're doing this, not the way it's shown. Right?

Sam Kahn: Right. This was just shown here because the, to avoid UNCLEAR

Attorney Garigliano: You show this coming down to here. If you want it coming up to here, then you've got to show it, that's all.

John Van Etten: A lot of what I had, some of the issues are redundant and have already been addressed related to the roadway and things like that. But those were the major points.

Acting Chairman Dowe: Anything Peter?

Peter Stettner: No.

Dean Farrand: One of the questions. What is the additional population? Student population?

Sam Kahn: 30.

Dean Farrand: 30? I'm sorry I couldn't hear you.

Gary Silver: 30 additional campers.

Dean Farrand: 30 additional campers.

Sam Kahn: 30 additional people.

Gary Silver: Does that figure comprise all the campers and staff or UNCLEAR

Sam Kahn: Campers and staff.

Nancy: One building or both?

Sam Kahn: One building.

Attorney Garigliano: So it's 30 additional for this building. 30 additional for this building when it's built?

Sam Kahn: No, that was for the project, 30 people. What we did...

Attorney Garigliano: What about for this?

Sam Kahn: This is going to be a family.

TAPE UNCLEAR

Dean Farrand: So it's 30 additional people in this single building that you're putting up.

Sam Kahn: What we're doing is we're tightening down some congestion in some of the other buildings.

Dean Farrand: It's a part year operation, right, it's not full time, 12 months, it's a summer operation.

Gary Silver: Just to clarify for a second. Those two buildings when they're both built will still only result in an additional 30 people new people. Whether you put 10 and 10 and you move people from other buildings, whatever, but that's all it's going to result in.

Dean Farrand: Okay. That one's been answered, that one's been answered. Go back to the lighting for a second. What's the minimum requirement?

Attorney Garigliano: 60

Dean Farrand: 60 right?

Mark Van Etten: 60 watt outside each exterior building.

Dean Farrand: You're not going to go above that?

Randy Wasson: I don't think we have to.

Dean Farrand: At least on the side that's facing the neighbors. Though if it's going to be on all night long they don't have to think it's a full moon every night.

Mark Van Etten: I don't think there is one facing.

Dean Farrand: Yeah there is one facing.

Gary Silver: over here on this side of the porch, they'll have some soffit lights.

UNCLEAR

Gary Silver: so no more than 60 watt bulbs.

Attorney Garigliano: I had a question about the porch. Do they need to wrap around both sides of the building?

Randy Wasson: Yes. All the rooms exit to the outside.

Attorney Garigliano: Rooms that are easterly most in the buildings, where are the doors on those rooms?

Randy Wasson: Off the top of my head I don't know. I don't know which end of the room it's at. I know what you're saying, if we could shorten that.

Attorney Garigliano: if you could shorten, I would want you to shorten and minimize the exterior ingress and egress area as they relate to that residential neighborhood. If you can shorten it you can, if you can't you can't.

Gary Silver: So, on the south sides of the building.

Attorney Garigliano: On the easterly ends of the buildings there will be rooms that exit to those porches.

Gary Silver: Right, so you put, but they're going to exit on the south side 'cause there's

Attorney Garigliano: They're going to exit on the south side and north side. They're going to exit on both sides. But on the south side...

Gary Silver: the south side's the one that's visible.

Attorney Garigliano: And I don't know how big that room is, I haven't seen the plans, but it would be surprising to me, Randy, if the doorway was in that southerly corner of the room.

Randy: Well they keep mirroring each other.

Attorney Garigliano: If they mirror each other the way I suspect they mirror each other you're going to find it's on the far end, the northerly end of that easterly unit.

Randy Wasson: I really don't remember. I think you're right.

Dean Farrand: I think we should have a building layout.

Mark Van Etten: I have one upstairs.

Dean Farrand: Do you?

Gary Silver: UNCLEAR

Attorney Garigliano: Yeah, there's no reason to have that porch run past that doorway.

Gary Silver: I'm just trying to understand.

Attorney Garigliano: Wherever that doorway is it needs to go to the doorway, but it doesn't need to go past it.

Randy Wasson: I'm just trying to think if there's impacts otherwise.

John Van Etten: Is there an additional egress for fire?

Attorney Garigliano: Those decks are almost at grade.

Randy Wasson: On that end. That's the high end.

Dean Farrand: That's the high end. That's jumping 8 feet.

Randy Wasson: You know it changes.

Attorney Garigliano: You have no steps shown, so what good would it do you to jump off the end, it would be just as far.

UNCLEAR

Attorney Garigliano: There's no steps on there.

Randy Wasson: it does change the roof line.

Dean Farrand: No, not at all.

Attorney Garigliano: It doesn't change anything.

Randy Wasson: Yeah it does, cause you span is shorter so your peak is lower.

Attorney Garigliano: Let's see what the plans show.

Ray Kelly: You can always build it out there and just put a deck under it.

UNCLEAR

Acting Chairman Dowe: Were the trusses ordered for that Randy?

Randy Wasson: I don't know. I saw the truss diagrams. I don't know if they ordered them.

UNCLEAR

Dean Farrand: Do you have a breakdown of the 30 bodies that are going to be in this building, how many are staffers vs. students?

Sam Kahn: 15 and 15. A one to one ratio. UNCLEAR

UNCLEAR - SEVERAL TALKING AT ONCE

Gary Silver: Close off the end of the porch so it can't be seen. That would accomplish the same thing as well.

Dean Farrand: So five lights. One over each door I take it?

Randy Wasson: Yes.

TAPE UNCLEAR – SPEAKING TOO QUIETLY

PAPER SHUFFLING

MUSIC FROM A CELL PHONE

Attorney Garigliano: Porches are 6 feet?

Randy Wasson: The two sides are 6 feet.

Attorney Garigliano: 40 and 6. No elevations available? Is there finish details for anything? What's going to be on the outside?

Randy Wasson...siding, I think it's going to match the rest of the camp.

Attorney Garigliano: White vinyl siding.

Randy Wasson: Red trim, Sam?

SEVERAL TALKING AT ONCE

Attorney Garigliano: I think that there's an easy solution looking at that. I think if you take the easterly wall of the building and just run it out to the edge of the porch and wrap the corner about 4 feet, you'll make significantly less impact on the neighbors.

Peter Stettner: Where's the septic.

Attorney Garigliano: Across the road behind the new house.

UNCLEAR – TO FAINT

Attorney Garigliano: The zoning changed since last time we were here, we were just making sure that there were no impacts so that it wouldn't come back in June with ...

Gary Silver: Are you saying we can't put the nuclear reactor on?

LAUGHTER

Dean Farrand: The only last thing that I have is that there seems to be some discrepancy of where the end of Highview Acres Road really ends. So I don't know whether this, mine is accurate, that's why I asked Mark for his.

Attorney Garigliano: That's the tax map.

Dean Farrand: Yeah. That's where it shows.

Attorney Garigliano: I know.

Gary Silver: Tax maps are notoriously inaccurate.

Dean Farrand: Notoriously, I understand that.

Denise Birmingham: There's also talk about a deed that was made. With Rabbi Kahn, there was a kitchen put in and there was a deed and there was an agreement in the deed about not using that road.

Gary Silver: I looked at the deed; the deed to them which was in 2002 was from the County IDA. Now in that deed there's absolutely no reference whatsoever about the use of the road or not use of road. I read that yesterday or the day before.

Dean Farrand: The understanding that I had from the folks I talked to was that conversation was during the Dick Martinkovic years as supervisor. So I don't know whether the deed you're talking about...

Gary Silver: Before 2002.

Dean Farrand: We need to find that out.

Gary Silver: Whatever the deed restrictions are, we will comply with them. Even if you gave us permission to avoid it, we couldn't. Those are private rights.

Dean Farrand: Yeah, I understand that, it's just an issue that's out there that I think we have an obligation to do something.

Attorney Garigliano: Why don't you have someone do a last owner search and go back a couple deeds and we'll know what they say. Deeds in and out of IDA are not going to be helpful.

Gary Silver: It's called Highview Acres Road?

Denise Birmingham: And also, people were talking about drainage easements and they were saying there was drainage easements above the property, so I'm thinking they mean uphill from the property, which would be west of the subdivision and is there any drainage easements involved with this parcel and the people in the subdivision?

Gary Silver: What is the significance? Is someone claiming that what we're doing it going to impact on those drainage easements, because there's all sorts of easements and things that may not have any relevance?

Denise Birmingham: Well, that's what I'm asking. I asking are there drainage easements and does that affect anyone.

Acting Chairman Dowe: I believe their concerns were that if they did have drainage easements and the property, the drainage area was on Camp HASC and it was disturbed that they would get more runoff.

Attorney Garigliano: I'm not sure that's relevant to the locations that we're reviewing though. I think you're right, but...

Gary Silver: If they have drainage easements, they would be over here. How would that be affected by buildings over here?

Dean Farrand: I think that originally came out over the original placement of the buildings when they were sitting right on top of that drainage swale. And I think it's been alleviated by moving the buildings forward.

SEVERAL TALKING AT ONCE.

Peter Stettner: Where are the campers going to keep their personal items? Their clothing and stuff. Wall closets, Wall units, so you're going to add more units to the interior rooms here?

PAPER SHUFFLING

Acting Chairman Dowe: We'll set the public hearing up for June 7th.

Attorney Garigliano: Is there anything on this plan that would lead us to want to do the SEQR again or do you think what we did before remains good? I don't think there's any difference, I just want to have it in the record that we thought about it and decided not to if that's in fact what you do. I would rather have a clear record that we considered.

Several Members discussed it briefly and decided that the SEQR would stand.

Denise Birmingham: Oh, another question is, this little parcel right in the middle which is tax map parcel 26.2. That's in the name of Kahn at this time? Or is it in the name of HASC?

Sam Kahn: That's in the name of HASC.

Denise Birmingham: So that's going to be conveyed to Kahn?

Sam Kahn: That's going to be combined in all the others.

Dean Farrand: No, no. It's not on the list.

Gary Silver: I didn't see this. I didn't realize that this was part of it. We have to add that. It's not on the letter because I didn't realize that that was supposed to be. When I saw it cut out I didn't know that that was part of the camp. Okay we'll have to add that.

Denise Birmingham: But it's also in the name of HASC.

Sam Kahn: Actually my father lived there when he was alive.

Gary Silver: But it's now under HASC?

Sam Kahn: It's now owned by HASC.

Gary Silver: Okay. So it has to be merged also.

Nancy: So it will be 8 parcels altogether combined.

Gary Silver: Yes, so you'll add that letter, just say to add to it, okay? I didn't realize that was part of it. I apologize. I thought when it was going around that was because it wasn't part of the camp. Okay, we'll take care of that also. Thank you for picking that up.

Nancy: So you'll bring us a new map?

Randy Wasson: I'm sorry to just step back in here for a second. I just wanted to re-cap the list if I could. I'll just read mine and just make sure I have it. Okay. We'll add some lighting on the plan or a note that indicates lighting is in the porch ceilings, maximum 60 watt bulbs, at least on the side towards the neighbors; no external speakers, we'll put a note to that effect as well although there wouldn't be, we'll add that; silt, fence, top soil and seed; the drainage issue as we discussed; we're going to discuss some screening on the road cut to try and hide that building a little bit where they cut in the road; we're going to move the building on the right – we're going to move it a little further away from the one that's currently under construction to make sure that we're not any closer than the height of the building. Just a quick question on that, is that average height, is that maximum?

Several Board Members: Maximum.

Randy Wasson: Okay, we're going to provide we have adequate access for emergency vehicles, fire trucks whichever way it comes in.

Attorney Garigliano: What Sam says is that it needs to come up to this road instead of down to this road.

Randy Wasson: Right, we'll take a look at that to make sure we have wide enough access for that, whichever way they decide. Okay, we're going to close up the porch and wrap that enclosure four feet around on the end of the porch. We're talking on the side next to the neighbors.

Attorney Garigliano: On the easterly and southerly side.

Gary Silver: Wrap this wall around here.

Randy Wasson: okay, but not on the northerly...

Attorney Garigliano: No.

Gary Silver: The purpose being is to block the view of the neighbors.

Mark Van Etten: I would ask that they do just the one wall. Not around, but the one wall. I understand there is a light reflection coming back.

Gary Silver: So you only want it on the Easterly part?

Mark Van Etten: No, on the other part so the light reflection doesn't come back through the screening to the neighbors as well.

Randy Wasson: Right, that's what I'm understanding, just on the easterly side on the one side and on the easterly and southerly side on the other. I think I got it.

DISCUSSION OVER THE MAP

Randy Wasson: We're going to review the deed restrictions; we're going to get the topography turned on on the enlarged portion and increase those sized down there, they're two foot contours. We're going to put the sizes of the buildings, the dimensions back on the plan and we're going to show the lot that indicated Kahn to be included as part of the overall.

Denise Birmingham: Where is the kitchen on this? The kitchen parcel, which is this parcel? Okay, so that's, I guess that this deed or agreement.

Randy Wasson: That's correct, kitchen/dining room. So that line that runs through will disappear. Okay, we got it? Thank you.

ACTING CHAIRMAN DOWE: GLENN SMITH ASKED ME IF HE COULD ASK THE BOARD A FEW QUESTIONS. I TOLD HIM NO PROBLEM SINCE WE WERE GOING TO BE HERE ANYWAY.

Camp Gila
Special Use Permit
Route 55
SBL: 36.-1-13
Zone: RH/RD #2011-0004

Glenn Smith and Joel Rosenfeld appeared for this project. This is brought back before the Board because the applicant wished to move the location of the building and to extend the current shale driveway on the north side to the building construction site. After a short discussion, this will be scheduled for a public hearing on June 7th.

ON A MOTION BY JOHN VAN ETEN AND SECONDED BY RAY KELLY, THE MEETING WAS ADJOURNED AT 8:15 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 17, 2011 are not to be construed as the final official minutes until so approved.

 X Approved as read