

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
MAY 19, 2015**

MEMBERS PRESENT

Lynn Dowe, Chairman
Vincent McPhillips
Judy Siegel
Denise Birmingham
John Van Etten
Branden Reeves

ABSENT

Lydia Rolle

ALSO PRESENT

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

CHAIRMAN DOWE CALLED THE MEETING TO ORDER AT 7:32 PM.

**Dee Dee's Cottages, LLC
140 Old Liberty Road
Special Use Permit
SBL: 5.-1-36.1
Zone: RD #2015-0015**

Attorney Garigliano advises that Dee Dee's Cottage was put on the agenda provisionally subject to obtaining a variance at the immediately preceding Zoning Board of appeals meeting but there are questions about access to the property so the ZBA has adjourned their application pending a request on their part to restore it to the ZBA agenda and they will be working on either obtaining a permit from the DEC to rebuild the bridge that provided access to the property or they will need to get either title or an easement from NY State because part of the access road to the property is owned by NY State.

**Eisdorfer Subdivision Redevelopment
State Route 55
SBL: 40.-1-22.1
Zone: R-1 #2014-0018**

Perry Meltzer, Attorney and Ron Cobb, Engineer appeared for this matter. Attorney Garigliano advises that the application before the Board is a request to modify a previously granted approval and the approval was most recently granted May 16, 2007 and the changes that have been requested have been various but they are now the following: tennis courts on the approved site plan have been removed from the plan, a single parking space at each unit has been changed to 2 parking spaces at each unit and the general locations of the community building and the swimming pool have been swapped so that the swimming pool is now up elevation from the residential buildings as opposed to being down elevation and the community building is now at the bottom of the hill near the entrance. There has been concern throughout the process about the ability of the Swan Lake sewer plant to accept effluent from this project and as a result of those concerns instead of proceeding with a shorter SEQR review a fairly lengthy SEQR resolution has been distributed to the Board members which deals with among other things the issues of sewer flow at some level of detail.

The Board reads and reviews the proposed resolution.

ON A MOTION MADE BY JOHN VAN ETEN, SECONDED BY DENISE BIRMINGHAM THE BOARD UNANIMOUSLY ADOPTS THE RESOLUTION AND NOTICE OF DETERMINATION OF NON-SIGNIFICANCE PURSUANT TO 6 NYCRR 617.7 FOR EXECUTIVE ESTATES LLC SITE PLAN APPROVAL. ALL IN FAVOR. APPROVED.

Attorney Garigliano advises that the second resolution that he distributed to the members was a Resolution granting the modifications to the previously approved site plan. The 4th “whereas” clause on page 2 describes what is proposed and they came from the site plan and the modifications to the site plan are listed plan sheet by plan sheet in section 2 of the “resolved” clauses. To recap they are to eliminate the tennis courts which would include eliminating the impervious surface associated with the tennis courts, adding a second parking space at each unit, moving the location of the swimming pool so it’s above the residential units generally in the area of the “old” community building and to move the “old” community building to the lower elevation on the site near the entrance.

The Board reviews the resolution.

Attorney Garigliano advises that on page 3 the date the Board adopted a negative declaration under SEQRA should be changed to May 19, 2015 instead of December 16, 2014. Attorney Garigliano advises that one final comment is that the unit sizes are no larger and the number of bedrooms proposed is 186.

The Board reviews the dates and revision dates of the plans to be approved.

ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY VINCENT McPHILLIPS THE BOARD UNANIMOUSLY ADOPTS THE RESOLUTION AS AMENDED GRANTING MODIFICATIONS TO THE APPROVAL FOR EXECUTIVE ESTATES LLC SITE PLAN SUBJECT TO A CONDITION THAT PRIOR TO THE ISSUANCE OF A BUILDING PERMIT THAT THE DEVELOPERS ESTABLISH AN APPROPRIATE ESCROW WITH THE TOWN BOARD IN AN AMOUNT TO BE DETERMINED BY THE TOWN ENGINEER TO SECURE THE INSTALLATION OF THE LANDSCAPING. ALL IN FAVOR. APPROVED.

**Congregation Iched Anash
Special Use Permit
SBL: 44.-1-44
Zone: RH #2015-0014**

ATTORNEY GARIGLIANO ABSTAINS.

Richard Mann, Attorney appeared for this matter. David Weiss, Camp Director and Todd Gallo, owner of the hotel also appeared for this matter. The applicants are requesting a Special Use Permit to operate a summer camp at the existing Swan Lake Hotel facility. Mr. Mann explains that so far the biggest problem appears to be the mold and moisture and how it should be dealt with and remediated. Mr. Mann explains that he has done research on mold remediation and removal and there is not a State Law on it. Mr. Mann advises that the applicant is willing to have a firm come in and give a report on the situation.

A brief discussion took place regarding the mold and moisture situation and the landscaping and safety measures that needs to be done on the property. The Board requests a full site plan showing exactly what Mr. Weiss intends to do. The mold and moisture reports will be sent to Glenn Smith, Engineer for his review and comments.

ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY JUDY SIEGEL, THE MEETING WAS ADJOURNED AT 8:41 PM.

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 19, 2015 are not to be construed as the final official minutes until so approved.

 X Approved as read.