

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
June 1, 2010**

MEMBERS PRESENT

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

ABSENT

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 DEAN FARRAND AND SECONDED BY JOHN VAN ETTEN, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR MAY 4, 2010 WITH CHANGE TO PAGE TWO OF THE WORDS "IF" TO "OF".

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 and applicant, Gabriel Suleymanov appeared for this project. Jay started by going over several of the Board's concerns from the last meeting. He said after reviewing the letter from the member of the public with the applicant, Gabriel and his father Aaron, it appears that the alleged conversation between the member of the public and the applicants was misunderstood. There will be no one living on the site. It will not be used as a residence, and only the main floor will be used as a synagogue.

As to the questions on the website, the website was prepared before the applicants realized they would have to go through the Planning Board process. There will be some classes held on Fridays, Saturdays and holidays in the same main floor area / synagogue. There will be the same amount of people, possible less. The classes will be attended by the congregants of the synagogue and possibly different family members with the number of participants being 12 to 15 at most.

Gabriel, his father, Aaron and his uncle who lives on Briscoe Road would be the main congregants. With the congregants from Brooklyn staying at the Golden Swan motel, including Gabriel and his father, they would all be walking to the synagogue. His uncle walks to the synagogue that is two doors down now. The proposed synagogue in this project would be a shorter walk.

Chairman Deutsch asked if use would be mostly Sabbath or also during the week. Gabriel said that most of the people are working through the week and they would not be staying over the summer. It would basically be used on the weekends.

John Van Etten asked about the renovation work downstairs. It was explained by Jay that they would be using only the main floor. The downstairs work was done in 2008 and 2009 before they realized they needed Planning Board approval. Now that work is at a standstill. Now they are only on the main floor.

Lynn Dowe's question was if the uncle was attending the other synagogue, then why the need for another. It was explained that the songs and ceremonies were different at the current synagogue than what they have in theirs. Like they would be different in a Baptist church and Methodist church even though both churches are protestant.

Dean Farrand asked what they planned for any future growth. Gabriel said they plan to keep it small but if it did grow larger, then they would see about moving into town to a larger building. Gabriel said that if the Planning Board wants to limit them to the main floor that would be okay with him.

After a short discussion it was determined that the file was complete. A resolution of approval will be prepared by the Town Attorney's office containing the following: Use to be on main floor only; no parking on the street by anyone attending the synagogue; five (5) parking spaces maximum; and a maximum of 15 person occupancy.

To come back on July 6th meeting.

Camp Adas Yereim
Special Use Permit
365 Revonah Hill Road
SBL: 18.-1-6
Zone: RD #2010-0013

Bill Sattler and applicant, Israel Weingarten appeared for this project. They presented Phase II (the second half) to the building and explained that they wished to start this second half after the season. Bill Sattler provided a copy of the elevation to the Board members. A copy was retained in the file. Attorney Garigliano did SEQR. A public hearing is to be scheduled for this project for the July 6, 2010 meeting.

ON A MOTION MADE BY JOHN VAN ETEN AND SECONDED BY DEAN FARRAND, A NEGATIVE DECLARATION WAS DECLARED ON THIS PROJECT. ALL IN FAVOR. APPROVED.

Camp Talmud Torah Toldos Yakov Yosef

Special Use Permit
248 Kelly Bridge Road
SBL: 40.-1-5.3
Zone: RD #2010-0014

Randy Wasson appeared for this project. He presented the project and when asked affirmed that the 42 x 46 measurement did not include the steps. Dean Farrand pointed out that it appeared to be too close to the roadway. That there would need to be a minimum of 25 feet set back. After a short discussion it was determined that Randy is to move the building back to at least 25 feet, show the existing compacter on the plan and put a note on the plan about the slope being less than "X", which is why no contour/topography lines are shown. Attorney Garigliano did SEQR. A public hearing is to be scheduled for this project for the July 6, 2010 meeting.

ON A MOTION MADE BY JOHN VAN ETEN AND SECONDED BY DEAN FARRAND, A NEGATIVE DECLARATION WAS DECLARED ON THIS PROJECT. ALL IN FAVOR. APPROVED.

SIMS Metal Management

Special Use Permit
428 Harris Road
SBL: 41.-1-17.2, 18.2, 23 & 24
Zone: RD #2010-0015

Kevin Roche and Bill Peavey appeared for this project.

Attorney Garigliano asked for a recess.

RECESS:

Attorney Garigliano and Lynn Dowe recused themselves due to conflict of interest. Attorney Ken Klein will be asked to appear as Town Attorney and if he is unavailable, Attorney Gary Silver will be asked.

MEETING RESUMES:

After a short discussion wherein Mr. Roche and Mr. Peavey explain that they want to put in a 13.9 x 80 office trailer in and then remove the existing office building, they were told they will have to meet the front and rear setbacks, show the parking on the plans and the lighting (shoebox style aimed down). They were asked how many employees were there. They responded that there was one in the building all the time, a weigh-

master, and five (5) employees that used the restroom facilities and the break-room while on breaks. After a short discussion they were told that the parking should be one (1) space for each employee or one (1) for each 200 square foot of floor area. They are to bring back the plan with the changes in time for the July meeting.

Agudath Israel of America (Camp Agudath)

Special Use Permit
Upper Ferndale Road
SBL: 29.-1-25
Zone: RS #2010-0009

No one appeared for this project.

ON A MOTION BY DEAN FARRAND AND SECONDED BY RAY KELLY, THE MEETING WAS ADJOURNED AT 8:30 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 June 1, 2010 are not to be construed as the final official minutes until so approved. _____ Approved as read