

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
AUGUST 4, 2015**

MEMBERS PRESENT

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

ABSENT

Branden Reeves

ALSO PRESENT

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

CHAIRMAN DOWE CALLED THE MEETING TO ORDER AT 7:05 PM.

ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DENISE BIRMINGHAM, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR MAY 5, 2015. ALL IN FAVOR, APPROVED.

ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DENISE BIRMINGHAM, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR MAY 19, 2015. ALL IN FAVOR, APPROVED.

ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY VINCENT McPHILLIPS, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR JUNE 2, 2015. ALL IN FAVOR, APPROVED.

ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY VINCENT McPHILLIPS, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR JUNE 9, 2015. ALL IN FAVOR, APPROVED.

ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DENISE BIRMINGHAM, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR JUNE 25, 2015. ALL IN FAVOR, APPROVED.

**Green Acres Cottages
Denman Road
Special Use Permit
SBL: 30.-1-90.3
Zone: SC #2015-0018**

Allen Frishman appeared for this matter. Mr. Frishman advises that the fallen tree has been removed and the garbage has been cleaned up as requested. Mr. Frishman explains that the building will be single story 50' long with 2 dormers and approximately 16' high.

A brief discussion took place and it was determined that a landscaping plan be submitted and this matter will be scheduled for a public hearing and sent to the County for 239 review.

**Machne Gila
5335 State Route 55
Special Use Permit
SBL: 36.-1-13
Zone: R-1 #2015-0020**

CHAIRMAN DOWE ABSTAINS FROM THIS MATTER.

BOARD MEMBER JOHN VAN ETEN STEPS UP AS ACTING CHAIRMAN.

Joel Rosenfeld appeared for this matter. Mr. Rosenfeld explains that he would like to construct additions onto 5 of the existing dormitories to increase the space for the campers and remove 3 existing dormitories and replace them with 2 new dormitories and there will be no change in the camp population.

ATTORNEY GARIGLIANO READS SEQR INTO THE MINUTES.

ON A MOTION MADE BY JOHN VAN ETEN, SECONDED BY VINCENT McPHILLIPS, THE BOARD UNANIMOUSLY DECLARES A NEGATIVE DECLARATION ON THE MACHNE GILA SPECIAL USE PERMIT.

A brief discussion took place and it was determined that a revised plan showing the dimensions of the existing buildings and the relocation of the new bunks be submitted and this matter will be scheduled for a public hearing and sent to the County for 239 review.

CHAIRMAN DOWE RETURNS

**Shelley Realty
Harris Road
Subdivision
SBL: 36.-1-114
Zone: SC #2015-0021**

Allen Frishman appeared for this matter. Mr. Frishman explains that his client would like to turn 2 existing lots into 3 lots to straighten out the existing lot lines. Lot 1 existing lot 36.-1-114 would be 1.812 acres, lot 2 (the new lot) would be 0.646 acres and lot 3 existing lot 36.-1-115 would be 2.228 acres.

ATTORNEY GARIGLIANO READS SEQR INTO THE MINUTES.

ON A MOTION MADE BY JOHN VAN ETEN, SECONDED BY JUDY SIEGEL, THE BOARD UNANIMOUSLY DECLARES A NEGATIVE DECLARATION ON THE SHELLEY REALTY SPECIAL USE PERMIT.

A brief discussion took place and it was determined that this matter will be scheduled for a public hearing and sent to the County for 239 review.

**Melissa Roth
22 Townsend Road
Special Use Permit
SBL: 39.-1-22
Zone: SC #2015-0022**

CEO Van Etten explains that Ms. Roth would like to install an above ground swimming pool and add a small deck but her property is located in the Service Commercial zoning district.

Attorney Garigiano advises that this is a Type II action and no SEQR review is required.

After a brief discussion it is determined that this matter meets the first 4 requirements of Local Law 3 of 2012.

ON A MOTION BY JOHN VAN ETEN, SECONDED BY VINCENT McPHILLIPS, THE PLANNING BOARD FINDS THAT LOCAL LAW #3 OF 2012 APPLIES TO THE PROPOSED ABOVE GROUND SWIMMING POOL AND DECK. THE PLANNING BOARD WAIVES ALL OF THE REVIEW REQUIREMENTS UNDER 147-28 FOR A SPECIAL USE PERMIT AS AUTHORIZED BY LOCAL LAW #3 OF 2012 FOR MELISSA ROTH. ALL IN FAVOR, APPROVED.

INFORMATION ONLY:

**Swan Lake Woods
80 Stanton Corners Road
Zone: R-1**

Joel Rosenfeld and Mendel Lerner appeared for this matter. Mr. Rosenfeld explains that there is a 30.39 acre parcel located on Stanton Corners Road in which they would like to build a “Cluster Development” with a mix of 80 single family and two family homes.

A brief discussion took place and it was determined that this property is located in an R-1 zoning district and Cluster Developments are not permitted.

**AG Environmental LLC
86 Queen Mountain Road
SBL: 48.-2-16.1
Zone: IC**

Alan Rajlevsky and Wes Illing appeared for this matter. Mr. Illing explains that Mr. Rajlevsky specializes in recovering high quality medical laboratory solvents as a service for affiliated histology labs and would like to be able to do so in an existing building located on Queen Mountain Road. Mr. Illing advises that there will be no change to the building it is initially just a change of use. Mr. Illing explains that there will be no outside traffic except for a box truck delivery once a week.

A discussion took place and it was determined that first the matter would require an area variance from the Zoning Board to reduce the 300’ setback (147-18(A)(1)(b)) to the neighboring lots for such a use and once that is obtained the applicant can submit an application to the Planning Board.

**Hyland Resort Inc.
63 Heinle Road
SBL: 43.-1-14
Zone: RD**

Gary Packer, Surveyor and Richard Baum, Attorney appeared for this matter. Mr. Baum explains that his clients would like to establish a farm operation for approximately 160 dairy goats, including a new driveway, new on-site water supply, new on-site wastewater treatment system, 4 new structures (50’ X 100’ hay barn, 140’ X 75’ dairy goat barn, 40’ X 20’ buck goat barn, 50’ X 30’ open tractor shed), and 3 acres of fencing.

A brief discussion took place and it was determined that the Board will schedule a special meeting for August 18, 2015.

**Brian McPhillips
McPhillips Lane
Zone: AC**

Brian McPhillips appeared for this matter. Mr. McPhillips advises the Board that he is trying to do a lot improvement of a 5.02 acre parcel on McPhillips Lane. Mr. McPhillips explains that he owns property adjacent to his parents parcel and would like to change the lot lines of the parcels but the acreage of each lot would stay the same.

The Board advises Mr. McPhillips that he needs to submit an application along with a lot improvement map.

ON A MOTION MADE BY JOHN VAN ETEN AND SECONDED BY VINCENT McPHILLIPS, THE MEETING WAS ADJOURNED AT 8:45 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 August 4, 2015 are not to be construed as the final official minutes until so approved.

 X Approved as read.