

**TOWN OF LIBERTY  
PLANNING BOARD MINUTES  
AUGUST 5, 2014**

**MEMBERS PRESENT**

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

**ABSENT**

Branden Reeves  
Lydia Rolle

**ALSO PRESENT**

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

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**CHAIRMAN DOWE CALLED THE MEETING TO ORDER AT 7:03 PM.**

**ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DENISE BIRMINGHAM, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR JUNE 19, 2014. ALL IN FAVOR, APPROVED.**

**ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DENISE BIRMINGHAM, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR JULY 1, 2014. ALL IN FAVOR, APPROVED.**

**David Burke  
Special Use Permit  
450 Harris Road  
SBL: 41.-1-26  
Zone: IC      #2014-0012**

**ATTORNEY GARIGLIANO READS SEQR INTO THE MINUTES.**

**ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY DENISE BIRMINGHAM, THE BOARD UNANIMOUSLY DECLARES A NEGATIVE DECLARATION ON THE DAVID BURKE SPECIAL USE PERMIT.**

**PUBLIC HEARING**

9 certified notices were mailed and 9 green cards back.

Chairman Dowe opens the public portion of the meeting.

No one is present from the public.

**ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY DENISE BIRMINGHAM, THE PUBLIC IS HEARING IS CLOSED. ALL IN FAVOR, APPROVED.**

David Burke appeared for this matter. Attorney Garigliano advises that the 239 review was received from the County and it is a matter for local determination with a comment about the well location on the site plan, which was clearly shown on the plan.

**ON A MOTION BY JOHN VAN ETTEN, SECONDED BY DENISE BIRMINGHAM, THE SPECIAL USE PERMIT FOR DAVID BURKE WAS APPROVED. ALL IN FAVOR, APPROVED.**

**Lois Duffy  
Special Use Permit  
3140 State Route 52  
SBL: 32.-3-30.2  
Zone: SC #2014-0014**

Mrs. Duffy has applied to the Building Department to construct a small addition and to extend her existing deck but due to the property being located in the SC zoning district it requires a Special Use Permit. Chairman Dowe explains that he feels that this matter would fall under Local Law #3 of 2012. The Board reviews the requirements of Local Law #3 and determines that this law applies to this matter. Attorney Garigliano advises that this is a Type II Action under SEQR, therefore no SEQR is required.

**ON A MOTION BY JOHN VAN ETTEN, SECONDED BY DENISE BIRMINGHAM, THE PLANNING BOARD FINDS THAT LOCAL LAW #3 OF 2012 APPLIES BECAUSE A FULL APPLICATION WOULD GENERATE UNNECESSARY DATA AND CREATES UNNECESSARY COSTS FOR THE APPLICANT. 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 LOIS DUFFY. ALL IN FAVOR, APPROVED.**

**White Sulphur Homes  
Subdivision  
White Sulphur Road  
SBL: 38.-1-43 & 34.12  
(OLD) Zone: AC / RS (NEW) Zone: AC #2006-0038**

Ron Cobb, Engineer appeared for this matter. Mr. Cobb explains that they are still working off the same plan that was submitted. Attorney Garigliano advises that a public hearing was held and there were some comments received that will be dealt with in a Resolution. Attorney Garigliano asks that the date on the new plan be clarified and Mr. Cobb advises that they are working off the plan dated June 13, 2012. Attorney Garigliano advises Mr. Cobb that there is a typo on lot #6 of the plan that needs to be corrected. Attorney Garigliano explains that the applicant will have to post a bond with the Town Board for the creation of the sewer plant and when that bonding is in place the Board can adopt a Resolution acting on the project. Attorney Garigliano advises that there is a Town procedure in place for building a sewer package plant to make sure the Town someday doesn't get stuck with it. The offering plan provides that the HOA through collecting dues from lot owners and house owners would be the responsible party for maintaining that plant until that gets up and running the Town will require financial security from the applicant. Attorney Garigliano advises that the applicant will also have to deal with the bonding of the infrastructure to receive approvals.

A very brief discussion took place regarding Lake Marie Homes.

**ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DENISE BIRMINGHAM, THE MEETING WAS ADJOURNED AT 7:25PM.**

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 5, 2014 are not to be construed as the final official minutes until so approved.

  X   Approved as read.