

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
September 2, 2008**

MEMBERS PRESENT

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

ABSENT

Jon Sutherland, Alternate
Walter F. Garigliano, Town Attorney

ALSO PRESENT

Mark Van Etten, Building CEO
See attached sign in sheet

CHAIRMAN DEUTSCH CALLED THE MEETING TO ORDER AT 7:00 PM.

ON MOTION MADE BY RAY KELLY AND SECONDED BY DEAN FARRAND, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR AUGUST 5, 2008.

ON MOTION MADE BY DEAN FARRAND AND SECONDED BY JOHN VAN ETTEN, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR AUGUST 19, 2008.

PUBLIC HEARING:

Carol Robisch
Subdivision
NYS Route 52
SBL: 31.-1-27
Zone: RD

It was reported that 12 notices were sent, 11 green cards received. Chairman Deutsch asked if there was anyone from the public that had any questions or comments. No one appeared.

ON MOTION MADE BY LYNN DOWE AND SECONDED BY RAY KELLY THE PUBLIC HEARING WAS CLOSED.

Michael Woods appeared for this project. It is a simple two lot subdivision. One lot will be 5.26 acres and the other 6.09 acres. After a short discussion it was decided that it was a pretty straightforward subdivision and that the Board is now waiting for the 239 review letter from the County.

ON MOTION MADE BY RAY KELLY AND SECONDED BY DEAN FARRAND, THE SUBDIVISION FOR CAROL ROBISCH WAS GRANTED CONDITIONAL APPROVAL, THE CONDITION BEING THAT THE 239 REVIEW LETTER RECEIVED FROM COUNTY PLANNING SHOWS NO COMMENTS. ONCE SUCH LETTER IS RECEIVED, THE MAPS CAN BE SIGNED AS APPROVED. ALL IN FAVOR. MOTION APPROVED.

Camp Bais Yaakov
Special Use Permit
Stanton Corners Road
SBL: 46.-1-57
Zone: RD

Yosef Newhouse appeared for this project. Chairman Deutsch asked for clarification on buildings 41, 40 and 2B as they were not listed on map. According to Yosef, 2B is a gazebo, 40 is a staff house and 41 is an activity building. Dean Farrand asked about the three shaded-in "staff houses" shown on the map and would they fit where the compacter was going to be. Yosef said that he would be moving the compacter and that he was told by George Fulton that they would fit with more than enough room. Dean asked for clarification on the map next time as it doesn't look like they will fit. Chairman Deutsch said it should also be indicated where the compacter is going to be. Yosef said it will be somewhere near the access road. Code Enforcement Officer Mark Van Etten said not to forget that the Department of Health requires fencing around the compactors. He also asked Yosef about the animals currently located at the road front of the property. Yosef said that everyone loves them and stops all the time to see the animals. Mark said that is exactly the problem. They are causing traffic and safety problems. The animals are to be relocated immediately to an area further back in the property away from the road. They are to be located in such an area permanently and not near the road any more in the future.

Chairman Deutsch said the loading dock and proposed addition should be shown on the map. That the Board will need the dimensions of everything to be shown on the map and Fulton should verify the dimensions. Ray Kelly reminded Yosef that all buildings should be numbered on the map and accounted for in the list on the map.

This project will be brought back for review on October 7th.

John Artuso
Subdivision
Briscoe Road
SBL: 44.-1-39.2
Zone: RS

Anthony Siciliano appeared on this project. It was discussed that the Town Board has forwarded to the Planning Board the Easement and Road Maintenance Declaration signed by John Artuso on August 7, 2008 with notarization by Laurie Dutcher, Town Clerk and the Town Board has also forwarded a copy of the Resolution No. 120-08 approving same. This was the last requirement the Planning Board was waiting for in order to approve the subdivision.

ON MOTION MADE BY RAY KELLY AND SECONDED BY DEAN FARRAND, THE SUBDIVISION FOR JOHN ARTUSO WAS GRANTED FINAL APPROVAL. ALL IN FAVOR. MOTION APPROVED.

Werner Colony Holdings LLC
Special Use Permit
County Route 15 / State Route 55
SBL 46.-1-6 & 7.1
Zone: RS/RD

Applicant David Tauber and Randy Wasson appeared for this project. Randy explained that they had been to the Zoning Board of Appeals and received an area variance allowing more density towards the front of the parcel therefore authorizing that all 18 units be placed in the RS zone and the sewer district and it was resolved that the overall density of the parcel is limited to not more than 18 total residential units. According to the minutes of the ZBA Werner Colony will be permitted to build according to their map and have the units 46 X 31 and 40 feet apart. As for the portion of the parcel being kept "forever wild", Chairman Deutsch asked if anyone had any thoughts on the conservatism. Lynn Dowe said he saw no reason for restriction at this time. Ray Kelly said there would be no point until the Town had a policy in place.

A short discussion was held where it was determined that the building maximum footprint should be 46X31. Ray Kelly stated that the lighting and garbage disposal plan should be shown on the plans. Peter Stettner said he supposed the water and septic was okay. Ray Kelly asked about additional parking. Randy said that there would be 26 spaces, 2 spaces per unit. Lynn Dowe asked about the number of bedrooms per unit. Randy said there would be two per unit or four per duplex. The only exception being building #1 which has three bedrooms and the extension being used as an activity room. Lynn Dowe asked if the units were being built on a slab or crawl space. Randy said they would be built on footing / frost wall / crawl space. Chairman Deutsch asked that they bring an elevation drawing and a floor plan for the units for the Board to see.

It was determined that this project should come back for public hearing on October 7th.

Nicolina Camarda
2 lot Subdivision
92 Pearl Lake Road
SBL: 1.-1-21
Zone: RD

Don Viele appeared for this project. Chairman Deutsch asked Don if they knew where the well and septic were on this property. Don said they had no idea. George is to get the information to Don and they will put it on the plans. Chairman Deutsch asked if they had plans to do any more subdividing in the future. Don said it would be impossible as the land is too steep. A short discussion was held about the original use of the property.

Chairman Deutsch asked if there were any questions from the Board members. Since none were forthcoming it was determined that this project shall come before the Board for public hearing on October 7th at which time the Board will want to see more current plans.

Camp Shane
Special Use Permit
Harris Road
SBL: 36.-1-118
Zone: IC

Justin Nicolai appeared for this project. He explained that he had just been summoned to appear at the meeting in mid-afternoon as David and Simon were unavailable. After a short discussion where it was made known that he didn't know what the Board wanted. It was explained to him by Nancy, the Secretary of the Planning Board, that she had spoken with the owner, David, earlier that afternoon and that Justin, or whoever appeared for Camp Shane, was to bring notes back to David and Simon with what the Board required for the project to be approved. The notes were as follows: The dimensions need to be specific on the plans; the plans also need to show everything drawn to scale; show doors and access to and from the gym on the interior; show doors and access to and from the addition to the exterior; any water or waste lines in the addition; any steps or protrusions should have their dimensions shown; there needs to be an updated map/plan. An example was given to Justin that where it shows "proposed" on the go-kart shed, the word "proposed" should not be there. Justin said he had the list and thanked the Board for their consideration. He also said if any of the members wanted to see the property, he was just across the road and could let them in. He gave his telephone numbers for the Board members convenience. They are in the file. This project will be back again for review on October 7th.

ON A MOTION MADE BY RAY KELLY AND SECONDED BY DEAN FARRAND THE MEETING WAS ADJOURNED AT 8:48 P.M.

APPROVED _____ N. Saucier