

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
OCTOBER 1, 2013**

MEMBERS PRESENT

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

ABSENT

ALSO PRESENT

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

CHAIRMAN LYNN 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 SEPTEMBER 3, 2013. ALL IN FAVOR, APPROVED.

Lipsker Duchman Diamond Inc.
Special Use Permit
1405 Horseshoe Lake Road
SBL: 43.-1-18
Zone: RD #2013-0018

10 hearing notices were sent, 6 green cards received, 1 returned and 3 outstanding.

Chairman Dowe asked if there was anyone from the public who had any questions or comments.

Maria Zeno of Perry Meltzer's office appeared for this matter. Ms. Zeno explains that they are requesting site plan approval and approval for additions that were already constructed and for proposed future additions. Ms. Zeno explains that the last time they were in front of

the Board the distances between unit 8 & 9 were discussed. It was 19' 10" and there will be 2" removed from the deck.

No one is present from the public.

ON A MOTION MADE BY JOHN VAN ETEN, SECONDED BY JUDY SEIGEL, THE PUBLIC HEARING WAS CLOSED. ALL IN FAVOR. APPROVED.

Chairman Dowe advises that the 239 review from the County was for local determination.

CEO VanEtten advises that there was a garbage issue on the property that has not been resolved.

A brief discussion continued between the members.

ON A MOTION BY JOHN VAN ETEN, SECONDED BY DENISE BIRMINGHAM, THE SPECIAL USE PERMIT FOR LIPSKER, DUCHMAN DIAMOND, INC. WAS APPROVED BASED ON THE MAP DATED JULY 29, 2013 AND REFERENCING THE PROPOSED CONSTRUCTION - RECREATION ROOM ON UNIT #3, BATHROOM ADDITION ON UNIT #4, RECREATION ROOM & DEN ON UNIT #6, RECREATION ROOM & DECK ON UNIT #7, BACK ENTRANCE/EXIT ON UNIT #8, STORAGE ADDITION TO UNIT #12A, EXPANSION, DECK AND BUILDING WILL BE ROTATED UNIT #12 AND FOR THE PREVIOUSLY CONSTRUCTED ADDITIONS ON UNITS #3, #8, #9, #10 & #11 WITH THE FOLLOWING CONDITIONS THAT 2" BE REMOVED FROM THE DECK ON UNIT 9 AND THAT THE CEO IS SATISFIED THAT THE GARBAGE HAS BEEN REMOVED BEFORE BUILDING PERMITS CAN BE ISSUED. ALL IN FAVOR, APPROVED.

**Liberty Self Storage
Special Use Permit
NYS Route 52
SBL: 30.-1-90.7
Zone: SC #2013-0028**

12 hearing notices were sent, 10 green cards received and 2 outstanding.

Chairman Dowe asked if there was anyone from the public who had any questions or comments.

No one is present from the public.

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

Attorney Garigliano advises that this project previously underwent a long form EAF review with a negative declaration under SEQR and that the Board is proposing to amend that negative declaration based upon a short form EAF whereby the building that was previously approved which was 40' X 240' in dimension is now 60' X 240'. The part 1 of the short EAF has been prepared by the applicant's engineer and appears to be entirely accurate.

Attorney Garigliano reads SEQR into the minutes.

ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY VINCE McPHILLIPS, THE BOARD UNANIMOUSLY DECLARES A NEGATIVE DECLARATION ON THE LIBERTY SELF STORAGE SPECIAL USE PERMIT.

Attorney Garigliano advises the Board that this project was presented to the Zoning Board of Appeals for an area variance and received approvals on September 17, 2013.

ON A MOTION BY JOHN VAN ETTEN, SECONDED BY VINCE McPHILLIPS, THE SPECIAL USE PERMIT FOR LIBERTY SELF STORAGE WAS APPROVED. ALL IN FAVOR, APPROVED.

Ironic, LLC
Special Use Permit
Willi Hill Road (Town Road #86)
SBL 42-1-17.2
Zone: AC #2013-0027

Jacob Billig appeared for this matter.

Chairman Dowe asks the Board members if anyone was able to visit the site and advises that he made a visit and has some pictures if anyone would like to review them.

A brief discussion continued about the property.

CEO VanEtten advises the Board that the applicant also submitted the results of the water tests to the Town Clerk as the Board had requested.

Chairman Dowe advises that this matter will be scheduled for a public hearing.

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 IRONIC, LLC SPECIAL USE PERMIT.

**ON A MOTION BY JOHN VAN ETEN AND SECONDED BY VINCE McPHILLIPS,
THE MEETING WAS ADJOURNED AT 7:30PM.**

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 October 1, 2013 are not to be construed as the final official minutes until so approved.

 X Approved as read.