

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
October 2, 2012**

MEMBERS PRESENT

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

ABSENT

ALSO PRESENT

Walter F. Garigliano, Town Attorney
Mark Van Etten, Building CEO
Charles Barbuti, Supervisor
See attached sign in sheet

CHAIRMAN LYNN DOWE CALLED THE MEETING TO ORDER AT 7:04 PM.

ON MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DENISE BIRMINGHAM, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR SEPTEMBER 4, 2012. ALL IN FAVOR, APPROVED.

ON MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY JUDY SIEGEL, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR SEPTEMBER 6, 2012. ALL IN FAVOR, APPROVED.

PUBLIC HEARING:

Davidowitz
Special Use Permit
245 Ferndale-Swan Lake Rd
Unit # 35
SBL: 41.-1-9.8
Zone: RD #2012-0018

Twenty-four 24 hearing notices were sent, 10 green cards received - 4 returned and 10 outstanding.

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

There was no response.

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

Pat Murtagh appeared for this project. After a short review it was determined that the file was complete as this was a Type II action and therefore no SEQR was required and that the County Planning 239 review came back stating that this was a matter for local determination.

ON MOTION MADE BY JOHN VAN ETEN, SECONDED BY DENISE BIRMINGHAM, THE SPECIAL USE PERMIT FOR DAVIDOWITZ WAS APPROVED. ALL IN FAVOR. APPROVED.

PUBLIC HEARING:

Shelley Realty Corp.
Special Use Permit
Old Rt 17/Harris Road
SBL: 36.-1-114
Zone: SC 2012-0006

Nineteen 20 hearing notices were sent, 13 green cards received - 1 returned and 6 outstanding.

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

There was no response.

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

Allen Frischman appeared for this project. After a short review it was determined that the file was complete as the County Planning 239 review came back stating that this was a matter for local determination.

ON MOTION MADE BY JOHN VAN ETEN, SECONDED BY VINCENT McPHILLIPS, THE SPECIAL USE PERMIT FOR SHELLEY REALTY CORP. WAS APPROVED SUBJECT TO THE REGISTRATION OF THE LOT IMPROVEMENT WITH THE SULLIVAN COUNTY CLERK AND THE RECORDING OF THE DEED IN ORDER TO CONSOLIDATE THE LOTS. ALL IN FAVOR. APPROVED.

Members, Denise Birmingham and John Van Etten, recused themselves from the Board for the following project.

Ben Weitsman & Son of Liberty, LLC
Special Use Permit
Sheehan Road
SBL: 13-1-7.1, 13-1-7.2, 18-1-31 & 18-1-36.2
Zone: R-1 #2011-0021

Howard Rittberg, Attorney and James Tofte, Project Engineer appeared for this project. James Tofte explained that they planned on milling the existing Sheehan Road creating a good, strong base and continuing on with a crushed stone creating a 12 inch base, then placing 3 inches of binder and a 2 inch top throughout. They propose to have two lanes. The private road section is shown as 24 feet wide; the center section is shown as 20 feet wide. Attorney Garigliano said since the Town specifications require a 24 foot width, the Planning Board could not vote on the project until the Town Board approved of the road width or revised the Town specifications if necessary. They plan a 30 foot paved T-turnaround which will be utilized by Town snowplows during the winter. According to James Tofte, the Town Highway Superintendent, Tim Pellam said the Town would be happy with a 24 foot turnaround, so the extra 6 feet would be a plus.

Attorney Rittberg said that his clients will do whatever the Town wishes them to do. It was then determined that Attorney Rittberg and James Tofte meet with the Town Highway Superintendent, Tim Pellam, Town Engineer Glenn Smith, and Planning Board Chairman, Lynn Dowe to prepare a final road plan and then bring said plan before the Town Board on October 15th for approval on the width of the road.

This project is being recessed to Tuesday, October 23, 2012 at 7:00 p.m. for further review. This meeting will be advertised as a Special Meeting for that purpose.

Members, Denise Birmingham and John Van Etten, returned as active members to the Board for the remainder of the meeting.

RNR Housing Mobile Home Park
Special Use Permit
Kelly Bridge Road
SBL: 40.-1-1
Zone: RD 2009-0027

Glenn Smith appeared for this project. He just wanted to update the Board and let them know that this project owner would like to proceed and asked if the Board had anything special they required. He was asked how many feet were between the mobile homes including the decks. Glenn said there was 25 feet between. He also stated that there were three (3) wells on the project which was required by DOH. It was determined that for now the road in the middle of the project was just a "roughed in" roadway to be used while construction occurred to be made permanent when finished; also that the roadways will be 2-way roads granting ingress and egress from both directions for all mobile home units. The Board was okay with the progress to date.

Green Acres Cottages
Special Use Permit
Rt 52 / Denman Road
SBL: 30.-1-90.3
Zone: SC 2012-0021

Allen Frischman appeared for this project. After a short discussion it was determined that Allen is now showing 12.9 feet between the proposed addition and the swimming pool enclosure. He was asked if there being a homeowner's association did they need to grant any approval for what was being done. He said no, the homeowner's association was aware of what was being done and did not need to approve of the work. This project will be sent for a 239 review with County Planning and a public hearing will be scheduled for November 6th.

White Sulphur Homes
Subdivision
White Sulphur Road
SBL 38-1-43 & 34.12
Zone: AC / RS #2006-0038

Ron Cobb appeared for this project. After a short review, it was determined that this project be scheduled for a public hearing on November 6th. Ron Cobb is to provide a new map showing the easement.

Hudson Valley Foie Gras
Special Use Permit
Brooks Road
SBL: 46.-1-32.1
Zone: IC #2012-0017

Marcus Henley and Vern Gridley appeared for this project. They want to make a change to the recently approved site plan placing the loading dock on the outside of the building.

Attorney Garigliano asked Supervisor Barbuti if there was any progress on the Waiver Resolution that has been before the Town Board. Supervisor Barbuti said it was still in process.

After a short discussion it was determined that this project will need to come back for a public hearing on October 23rd so that the Board can vote on this small change.

ON A MOTION BY JOHN VAN ETEN AND SECONDED BY DENISE BIRMINGHAM, THE MEETING WAS RECESSED AT 8:35 PM TO RECONVENE ON TUESDAY OCTOBER 23, 2012 AT 7:00 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 October 2, 2012 are not to be construed as the final official minutes until so approved.

X Approved as read.