

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
October 7, 2008**

MEMBERS PRESENT

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

ABSENT

Ray Kelly

ALSO PRESENT

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

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

ON MOTION MADE BY LYNN DOWE AND SECONDED BY PETER STETTNER, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR SEPTEMBER 2, 2008.

PUBLIC HEARING:

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

It was reported that 7 notices were sent, 3 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 DEAN FARRAND AND SECONDED BY JOHN VAN ETEN THE PUBLIC HEARING WAS CLOSED.

Don Viele appeared for this project. It is a simple two lot subdivision. After a short discussion it was decided that the well and the septic needed to be located and marked on the plans. This project will come back for the November 4, 2008 meeting.

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

It was reported that 14 notices were sent, 13 green cards received. Chairman Deutsch asked if there was anyone from the public that had any questions or comments. No one appeared.

Randy Wasson appeared for this project. Attorney Garigliano asked for more sewage detail. Randy explained that they would be connecting to the DEC pipeline between units 5 and 6 he believed but was not sure of location, but that they would be using extensions and putting in clean outs. Attorney Garigliano said he noticed that there were only 24" of cover for the water lines. Randy said that was the seasonal allowance.

After a short discussion regarding the seasonal issue for the water line coverage and whether or not there must be heat in the units, it was decided that they would have to have the ability to be heated year-round even though they may only be used seasonally and the water lines would need to be covered for year-round use as well.

It was determined that there were 36 parking spaces. If the location of the dumpster is to remain as located on the map, they it will need to be shown that it is fenced in and on a slab on the plans. The size of the units was then discussed, it was determined that the size is okay but that they were too close together and must remain 40 feet apart according to what the Zoning Board of Appeals had approved.

Randy then stated that as for the lighting and the sidewalks, the owner put them on the plans on the chance that in the future he may want to install them, but for now does not wish to. Chairman Deutsch said she wants to see the lighting issue controlled in the Town and that's why it is brought up at each project so project owners don't just put up whatever they want. After a short discussion it was determined that a note should be put on the plans to say that according to Code, they have to have a light by the door as in an outside porch light. As for the sidewalks, Mark Van Etten said the Code calls for a clear, safe path of egress. Attorney Garigliano said it could be anything like a golf cart path. After a short discussion it was determined that it will be either a gravel path or what is now on the plans. This project will be back on November 4, 2008.

Ironic, LLC
Special Use Permit
Application for Renewal of License
Willi Hill Road (Town Road #86)
SBL 42-1-17.2
Zone: AC

Jacob Billig and Randy Wasson appeared for this project. Jacob handed out a Management Plan, Part I of the long form EAF, an Affidavit of Lester Simonson Sr, former owner of property and an Affidavit of Robert & Laura Lynch, employees of the former owner. Randy Wasson handed out a new map. Jacob said he wanted to make a complete administrative record for this project. Attorney Garigliano said the Board would check this "new" information with what the Board already has.

John Van Etten said he had a concern about the hours of operation being listed as 7:00 a.m. to 5:00 p.m. The regulations clearly state that it should be no earlier than 8:00 a.m. Another issue he has is with the grandfathering can the Board allow expansion. Attorney Garigliano said it would not be an expansion as the neighbors can verify that it went all the way back into the woods at one time or another. John Van Etten's third concern was the 50' setback as some cars appear to be closer that 50'. After a short discussion it was noted that the cars in question had trees growing up through them.

It was then discussed about the amount of tires allowed to accumulate on the property. It was determined that there be a limit of no more than 1, 000. The owners stated that as soon as they get a trailer load which consists of approximately 1,200 tires, they are shipped out.

After a short discussion it was determined that this should be sent to the Town Planner, Tom Shepstone for review with the long for EAF Part I and have him complete the Part II. In the interim, Attorney Garigliano and Chairman Deutsch will re-read the public hearing minutes for this project and determine whether or not a public hearing will be held for the November 4, 2008 meeting. Jacob Billig's office will be notified.

Dimifini, LLC
Special Use Permit
2623 State Route 52
SBL: 35.-2-26
Zone: SC

Phil Vallone appeared for this project. After a short discussion it was determined that this project will revert to the original lighting on the plans and remove the lighting that disturbs the neighbors.

ON A MOTION MADE BY PETER STETTNER AND SECONDED BY LYNN DOWE THE LANDSCAPING PLAN WAS APPROVED SUBJECT TO THE LIGHTS REVERTING TO THE ORIGINALS AS ON THE APPROVED PLAN. 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. After a short discussion wherein it was determined that everything was shown on the map as the Board had requested, this project will be up for a public hearing at the November 4, 2008 meeting.

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

Justin Nicolai appeared for this project. The Board noted that the information they had requested was not on the maps. Justin said that he gave the information to David Ettenberg after the last meeting. Justin was instructed to give the same information to Mr. Ettenberg and to bring the corrected maps to the meeting for November 4, 2008.

Dan Rodrigues
Special Use Permit
Hysana Road
SBL: 30.-1-34.3
Zone: RD

David Rosenberg appeared for this project. Mark Van Etten asked if Mr. Rosenberg's clients were the legal owners as he'd heard a rumor that the property was being put up for auction by the Sheriff's Department, but had no documentation or confirmation of this fact. Attorney Garigliano said the Board would proceed as usual until documentation or confirmation could be produced to that effect. He suggested that Mr. Rosenberg call Ken Klein who handled the real estate purchase to clear it up.

Mr. Rosenberg explained that the owners wanted to remove the existing trailer and illegal home and put in a bi-level completely up to code specifications. It was suggested by the Board for the owners to check the whereabouts of the septic, leech field and well and place them on the map. Mr. Rosenberg said they would be doing due diligence. This project will be sent to County Planning for 239 review and placed on the November 4, 2008 meeting agenda for public hearing.

Carr Road - Bungalow Colony
Town of Thompson
For Discussion Purposes Only
Rettew Engineering/Mike Reilly appearing by instruction of
Barbara Garigliano, Esq.

This is a Town Board issue and the Planning Board was cc'd for information only.

Amapro Family Fun Center
Special Use Permit # 1-96 Re-Approval
State Route 52
SBL: 35.-2-14.3
Zone: RD

Christopher Campiglia appeared for this project. After a short discussion it was determined that Mr. Campiglia would need to re-apply and bring in an updated map.

Circle C Cabins
Special Use Permit
Rte 52
SBL 35.-2-14.1
Zone: RD

Christopher Campiglia appeared for this project. It was determined that campgrounds are allowed in the RD zone. He plans to have 94 camping units and two bath houses. He hopes to do the cabin manufacturing plant at the same time, which project is now before the Town Board. He will be back when he can bring the campground and the factory at the same time.

Daniel Coutermash
Special Use Permit
17 Radcliff Road
SBL: 48.-2-5
Zone: IC/RD

Daniel Coutermash and Val Hoyniak appeared for this project. They are asking that their site plan be amended to show an addition for a coal burning unit. They will attach it to the existing ductwork with a valve so they can use either the oil or the coal. After a short discussion it was determined that the Board will hold a special meeting on October 21st and do a public hearing at that time. This project is also to be sent to County Planning for 239 review.

Michael Moriggia
Information Only
State Route 55
SBL 44.-1-54

Michael Moriggia appeared for this project to ask what he needs to do if he wants to redo the apartment on the garage. He was told to bring in an application and a full size map showing his plans for the November 4, 2008 meeting.

ON A MOTION MADE BY PETER STETTNER AND SECONDED BY DEAN FARRAND THE MEETING WAS ADJOURNED AT 9:25 P.M.

APPROVED _____ **N. Saucier**