

**TOWN OF LIBERTY  
PLANNING BOARD MINUTES  
November 6, 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

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**CHAIRMAN LYNN DOWE CALLED THE MEETING TO ORDER AT 7:15 PM.**

**ON MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DENISE BIRMINGHAM, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR OCTOBER 2, 2012 WITH THREE MINOR CHANGES. ALL IN FAVOR, APPROVED.**

**ON MOTION MADE BY DENISE BIRMINGHAM AND SECONDED BY JOHN VAN ETTEN, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR OCTOBER 23, 2012. ALL IN FAVOR, APPROVED.**

**PUBLIC HEARING:**

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

Fifteen (15) hearing notices were sent, eleven (11) green cards received and there are four (4) 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.**

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

**ON MOTION MADE BY JOHN VAN ETEN, SECONDED BY JUDY SEIGEL, THE SPECIAL USE PERMIT FOR GREEN ACRES COTTAGES WAS APPROVED. ALL IN FAVOR. APPROVED.**

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

Ron Cobb appeared for this project. Attorney Garigliano stated that it was determined that the project is located in the AC zone wherein the minimum lot size is 10 acres and as such the project did not conform to the zoning requirements. After a short discussion, Mr. Savad the owner of the property said he was surprised and that this project is to be 31 homes and a clubhouse encompassing 75 acres. He said he was unaware of the zoning change and has been coming here for years with this project trying to maintain the momentum. Attorney Garigliano said the zoning on that property changed in April of 2011.

Chairman Lynn Dowe said that this was a public hearing and asked if there was anyone in the public that had any questions or comments.

Kim DeVoe asked how close to their land this project was.

James McDonald asked about the septic plans and that he did not want anything leeching into his well.

James McDonald, Kim DeVoe, Patricia DeVoe and Mary Heinle all came up to look at the maps.

Chairman Dowe asked if there were any other comments.

Kim DeVoe asked about the roads and access to the proposed project. It was stated that it would be from White Sulphur Road.

Chairman Dowe asked if there was anyone else.

No response.

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

Member, Denise Birmingham, recused herself from the Board for the following project.

**Jeanne Killian**  
Lot Improvement  
Benton Hollow Road / Elk Point Road  
SBL: 17.-1-2.1, 3.1 & 3.2  
Zone: AC #2012-0023

Denise Birmingham presented this project. The map has been reconfigured to meet the 6-1 ratio on parcel 2.1.

After a short discussion it was determined that file and this project are complete.

**ON MOTION MADE BY JOHN VAN ETEN, SECONDED BY JUDY SEIGEL, THE LOT IMPROVEMENT FOR JEANNE KILLIAN WAS APPROVED. ALL IN FAVOR. APPROVED.**

Member Denise Birmingham returned as active member to the Board for the remainder of the meeting.

**Promise Ministries International c/o Peter Park**  
Special Use Permit  
Scheibe Road (Town Road #17)  
SBL: 25.-1-16.5  
Zone: RD #2012-0015

Randy Wasson and Jacob Billig appeared for this project. Randy explained that the applicant proposed a summer camp of 72 acres on Scheibe Road. The building would have an 8,000 square foot footprint and being two-stories. It would contain a kitchen, dining room and sleeping for staff. The single family house would be 4,000 square feet and have meeting rooms and rooms for guests. When asked about waste, Randy said they were to have a sand filter system sewer plant. He said their goal at this meeting was to have a public hearing scheduled to gauge the public's feelings about the project. Attorney Garigliano said the project would have to do more steps and SEQR would need to be done before a public hearing.

John Van Etten asked about the dumpster and why it was there instead of a compacter. Randy said they would have good screening for dumpsters and have them enclosed. They would prefer dumpsters because it would allow them to sort the waste easier and also were not as long as a compacter. Randy was asked if they'd planned to have a dry hydrant in the pond. Randy said yes.

Chairman Dowe asked what the water source was. For drinking water it would be the well. For the sprinkler system, it would be the pond if the engineer for that portion of the project determined that it would handle a sprinkler system, if not they would be using the well for the sprinklers.

Mark Van Etten said he would need to know the time of operation. That it was to be seasonal. Jacob Billing said he thought the time of operation should be in the Special Use Permit.

Attorney Garigliano said that later the Board would require a Business Plan that would show the hours of operation and sanitary services. He also added that compactors were more "bear proof".

Chairman Dowe asked if there was going to be any speaker system. Randy said there was nothing at this point. Chairman Dowe said he believed the public's concerns would be traffic and noise. It was considered that a note should be on the map concerning no P.A. systems or have it in the business plan.

Judy Seigel asked if there was an alternate exit. It was determined that the road was wide enough through the property and wouldn't need one.

Randy said they had not applied to the DOH yet or done their SWPPS but wondered could the Board go ahead and do a public hearing. It was explained that they could have two public hearings, one now to gauge public opinion and one again once SEQR, the DOH permits and SWPPS were done. Jacob Billig said they would check with their client and let the Board know if they wished to go ahead and have one now.

**Dean Farrand**  
Town Board Member

Dean Farrand asked to speak to the Board members. He explained that what he proposed is to have a training session for the Planning Board members before the end of the year since there were so many new members. This training would count as their 2013 training hours. The Board members agreed it would be a great idea. The time and place of said training would be determined and the Board members would be notified directly by Dean Farrand as to when and where.

Attorney Garigliano said he had spoken with Attorney Paula Kay Drapkin and she would also like to see the Town of Thompson Planning Board members be able to attend this as well. Dean Farrand is to be in contact with Ms. Drapkin to see what can be arranged.

Tentative date for said training is December 11, 2012.

**ON A MOTION BY JOHN VAN ETEN AND SECONDED BY DENISE BIRMINGHAM, THE MEETING WAS ADJOURNED AT 8:25 PM. ALL IN FAVOR. APPROVED.**

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 November 6, 2012 are not to be construed as the final official minutes until so approved.

  x   Approved as read.

Dominica & Theresa Padurano  
119 - Norman Dr. 306 - Cutler Road  
Bohemia, NY 11716 White Sulphur Springs, NY 12787  
631 589 2360

Ms. Saucier,

We're writing voicing our objection in the consideration of the notice sent to us on the proposed subdivision.

Firstly, we live directly behind the S.D. and run-off from chemicals, poisons, insecticides and fertilizer will jeopardize our drinking water and pond with the fish species in it. We also have a spring for our domestic drinking water.

Secondly, we just completed in session with US Dept of Agriculture to forest specific trees on our 52 acres so that GMS and peasant and other species of bird and wildlife to procreate and multiply.

We own our property for 14 years and truly believe that approval of said SD would be deleterious to the environment and chip away the very reason we bought 14 years ago PEACE & QUIET.

Dominica & Theresa Padurano