

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
December 4, 2012**

MEMBERS PRESENT

Lynn Dowe, Chairman
John Van Etten
Denise Birmingham
Vincent McPhillips
Lydia Rolle, Alternate

ABSENT

Judy Siegel
Peter Stettner, Alternate
Walter F. Garigliano, Town Attorney

ALSO PRESENT

Mark Van Etten, Building CEO
See attached sign in sheet

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

ON MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY DENISE BIRMINGHAM, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR NOVEMBER 6, 2012 WITH ONE MINOR CHANGE. ALL IN FAVOR, APPROVED.

PUBLIC HEARING:

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.

Fourteen (14) hearing notices were sent, ten (10) 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.

Robert Burgio rose and spoke of his concerns including the narrowness of Scheibe Road and the problems he foresees with buses and cars not being able to pass each other on the road. He says that two cars cannot fit side by side on Scheibe Road. He also mentioned concern about the future market value of his home. He asked about the size of the proposed project buildings.

Randy explained that the building would have a 4,000 square foot footprint and being two-stories and have a total of 8,000 square feet. It would contain a kitchen, dining room and sleeping for staff. The single family house would be 4,000 square feet footprint and have meeting rooms and rooms for guests.

Mr. Burgio also wanted to know if there would be a water tower and how water was to be supplied. Mr. Burgio also was concerned about the noise level and wondered if there were going to continue to be loudspeakers as they were already being used as of this past summer. Attorney for the client, Jacob Billig spoke up and said that the loudspeakers would be removed and the Board has already made that recommendation. Mr. Burgio also asked if the applicant would have to come back before the Board if they wished for future expansion. He was told, "yes" by several Board members.

Joseph Corvino spoke about the location being a rural area and most of his concern was privacy, peace and quiet and that this would have a large impact. He said with more people there would be more noise. That he uses his property for hunting and fishing, target and skeet shooting. He also wondered why the applicant chose such an isolated spot for his plans and that it doesn't belong on a dead end road with all private homes. Mr. Corvino said "it's like the tail wagging the dog". He said he has the only driveway large enough to turn around and he is already contending with the Town vehicles and school buses turning around in it. He also stated with the narrowness of the road there could be a problem during any emergencies, picturing two or three vehicles having to back up long distances so one could get out. He also said it was quite dark, the area not having any streetlights.

Margaret Beckley asked what's to happen if the buses get stuck, that one got stuck in her yard already in the past. She was also concerned about people from Promise Ministries wandering onto her and her neighbors' properties. That they've already done so and speak no English so that they don't understand what's being said. She also asked if they would be paying taxes.

Chairman Dowe said it was not under the Board's control about the taxes.

Someone said "We didn't move onto a dead end to have a camp move in."

Mr. Corvino asked if there would be an impact study.

Attorney Billig said that they would be following environmental statutes and that the reason they wanted this hearing is to get input from neighbors about impacts.

Mr. Corvino asked how often the camp would be used, would it be seasonal.

Attorney Billig said there was no schedule but they would follow the Town Code.

Chairman Dowe said that the Planning Board follows the Town Laws and that this project is a permitted use. The Board will take all comments and review them. The applicant will be trying to make their project better, or if it doesn't work, the Board can deny the special use permit. If they comply, the Board cannot say no.

Attorney Billig said the Board will address their issues, that buses would not be daily, they would work towards the Board being 100% satisfied. He said they may institute a turnaround on their property if need be. They will be getting Department of Health ("DOH") and other governmental approvals as needed further along in the process.

Mr. Corvino said that the campers originally came only on weekends and hoped that they don't start taking advantage.

Mr. Costanza said that he did not want a camp next door and wants no people wandering on his property. He was also concerned about his property values.

Joe Decker said he was not familiar with the project and wanted more information about it.

Mr. Corvino asked about food and provisions, that he imagined commercial vehicles would be driving up and down his road making deliveries.

Mark Minelli asked why this property chose a dead end for a camp.

Attorney Billig said his client would take all the neighbors comments into consideration. He said the goal was for all neighbors to get along and pointed out to Mr. Corvino that his neighbors accepted his skeet shooting.

Mr. Burgio asked if there would be sprinklers and how the water for them would be supplied. He was told it would be a well.

Chairman Dowe asked if there were any more comments from the public.

There was no response.

Chairman Dowe reminded the public they had 10 days to submit written comment and also reminded the public that there would be another public hearing at a later date further along in the process. A letter from Robert & Kim Burgio will be attached to the minutes.

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

Member Denise Birmingham pointed out to Randy that a spring that was used by a neighboring property was not shown on the map and asked that he do so. She also asked for the dimensions of the buildings to be placed on the map.

Randy was asked by the Board how many campers the building would sleep. He said 100 campers and staff, even though they've been using the number 120.

Attorney Billig said they would be submitting a business plan to the Board which would show the number of campers, and the months according to code, and whether it would be a 2 day or 3 day retreat as this project is more a retreat than a summer camp.

It was clarified that the multipurpose building would be used for sleeping, eating and cooking and there were plans for parking in the basement level of the single family house.

The Board asked that there be a cut sheet for lighting showing the downward-facing box lighting that the Board requires. When the parking lot was discussed it was determined that there were three spots allocated for buses and 32 for cars for more ease in turning the vehicles. It was reiterated that the Board wants the loudspeakers out/removed now. Mark Van Etten said the Board should require floor plans for the buildings so it would be clear how the layout was proposed and the intent. He also said that the seasonal time period for camps was May through September.

John Van Etten stated that the Board required compactor type dumpsters. After a short discussion wherein Randy proposed an alternative, it was determined that the compactor type would be required, which is what the Board requires throughout the Town for such projects.

The issue of traffic will be addressed by the applicant, the SWPPP and EAF Part 2 is still to be done. The project as it stands will be sent to Town Engineer, Glenn Smith for review. Randy Wasson will contact the applicant about supplying escrow funds.

Rolling River Café
25/27 Cooley Road, Parksville
SBL: 6.-1-10.1
Information Only

Rob and Kim Rayevsky appeared for this property. They want to put a 60 foot addition onto their kitchen at the Rolling River Café, which the Department of Health is encouraging them to do because their current kitchen is small. After speaking with Mark Van Etten, they wanted to know if they would need to do a special use permit application.

Chairman Dowe said the Town Board passed a Local Law, being Local Law #3, which would allow the Planning Board the to make a motion to waive the special use permit process to projects that met the Local Law #3 criteria. He said he believed that the Rayevskys would be the Planning Board's first customer because they did indeed meet the criteria.

ON A MOTION BY JOHN VAN ETTEN, SECONDED BY DENISE BIRMINGHAM, THE PLANNING BOARD WAIVES THE SPECIAL USE PERMIT PROCEDURE FOR THE 60 SQUARE FOOT ADDITION TO ROLLING RIVER CAFÉ. ALL IN FAVOR, APPROVED.

Rob Rayevsky thanked the Board then asked if he could ask a question. Nancy asked if it was about the cell tower in Parksville that she received an e-mail about from Kim Rayevsky asking who was notified for a public hearing on the tower. He said yes. Nancy showed the Rayevskys that they were notified of the public hearing in October of 2009 by showing them the list of neighbors sent a notice, a copy of the hearing notice and the green return receipt card signed by Kim Rayevsky, which proved that a hearing notice was sent to and received by them. Kim Rayevsky said thank you and that she must have overlooked it at the time. (Local Law # was verified by Town Clerk.)

Dean Farrand, Town Board member, asked Planning Board member Lydia Rolle if the 18th of December would be good for her to attend the training session as discussed at November's meeting. She said she would get back to him on that.

ON A MOTION BY DENISE BIRMINGHAM AND SECONDED BY LYDIA ROLLE, 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 December 4, 2012 are not to be construed as the final official minutes until so approved.

 X Approved as read.

ROBERT AND KIM BURGIO
180 SCHEIBE ROAD
LIBERTY, NY 12754

12/04/12

Town of Liberty Planning Board
120 North Main Street
Liberty, NY 12754

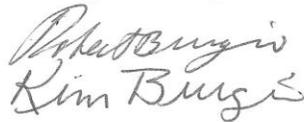
RE: Special Use Permit application filed by Promise Ministries International - SBL: 25.-1-16.5

Nancy Saucier:

We request that the approval for the Special Use Permit application filed by Promise Ministries International for a summer camp on Scheibe Road be denied.

Our major concerns are as follows:

- Scheibe Road is a very narrow road. Oncoming cars and buses cannot pass at the same time. The road will not hold up to the construction traffic and the subsequent bus and camp traffic.
- The market value of our house and our neighbors will be dramatically reduced. It is currently very difficult to sell a house in the Town of Liberty for a fair price. My house will almost be impossible to sell with a camp in my back yard. Why should we take the financial hit to support a summer camp?
- The proposed 16,000 square foot building is a massive facility, too big for the quite neighborhood. Our neighbors and we live on this dead end road for the peace and quiet, a noisy and disruptive camp will only hurt the neighborhood and our quality of life.
- A typical 15 gallon per minute well will not support 200 residents. Will a water tower have to be built?
- The noise level of 160 campers and staff will be tremendous and bothersome.
- Loud speakers are not supposed to be used, but are already being used at the sight. Who will monitor the noise level and who do we call at 10:00 on a Friday night to voice a complaint?
- Our house is spring fed and may be affected by current and future camp expansion.
- Future expansion is a major concern. Once the proposed buildings are built, future expansion is inevitable. Will there be 400 campers in two years?



Robert Burgio
Kim Burgio