

**TOWN OF LIBERTY
ZONING BOARD MINUTES
JANUARY 4, 2012**

MEMBERS PRESENT:

Thomas Sprague
George Pellam
Don Nichols
Tracy Merklin
Peter Belgard

ABSENT:

Gene Burns, Alternate
Walter Garigliano, Town Attorney

ALSO PRESENT:

Mark Van Etten, CEO

CHAIRMAN THOMAS SPRAGUE CALLED THE MEETING TO ORDER AT 6:30 PM.

A MOTION WAS MADE BY GEORGE PELLAM SECONDED BY PETER BELGARD, TO APPROVE THE MINUTES FOR DECEMBER 20, 2011. ALL IN FAVOR, APPROVED.

PUBLIC HEARING:

Efraim Reiss
Variance
West Mongaup Road
Village Green Condominiums
3 Village Green Circle
SBL: 47.-3-2/0301
Zone: DCC #Z-2011-0006

Thirty-seven hearing notices were sent, 23 green cards received, 14 outstanding.

Chairman Sprague asked if there was anyone from the public who wished to speak.

Fritz Meyer spoke and said he didn't care one way or the other if this project was approved, he just wanted it known that according to his interpretation of the zoning laws, a variance could be approved only if the applicant proved a hardship.

Chairman Sprague: Is there was anyone else to be heard?

No one appeared.

Chairman Sprague: That being said, "I'm going to close the public hearing."

Glenn Smith appeared for this project. After a short discussion it was determined that this should be sent to the County for 239 review.

Vladimir Romaniv
Area Variance
Station Hill Road
SBL: 36.-1-108
Zone: SC #Z-2011-0003

The resolution granting variance prepared by Attorney Garigliano was reviewed. It was determined that the file was complete.

ON A MOTION MADE BY DON NICHOLS, SECONDED BY TRACY MERKLIN, THE RESOLUTION FOR AREA VARIANCE FOR VLADIMIR ROMANIV WAS APPROVED WITH THE CONDITIONS AS FOLLOWS: (1) THE RENOVATED STRUCTURE SHALL BE NO CLOSER TO THE PROPERTY LINES THAN THE EXISTING CONDITION WHICH IS: FRONT=8 ± FEET; ONE SIDE 21 ± FEET; OTHER SIDE 21 ± FEET; AND (2) APPROVAL BY THE DEPARTMENT OF HEALTH OF THE SEPTIC PLANS. ALL IN FAVOR, APPROVED. ROLL CALL VOTE LISTED ON RESOLUTION.

R.J. Baker
Code Interpretation/Area Variance
36 Main Street
SBL: 7.-8-7
Zone: SC #Z2011-0004

The resolution granting variance prepared by Attorney Garigliano was reviewed. It was determined that the file was complete.

ON A MOTION MADE BY TRACY MERKLIN, SECONDED BY GEORGE PELLAM, THE RESOLUTION FOR VARIANCE FOR R.J. BAKER WAS APPROVED WITH THE CONDITIONS AS FOLLOWS: (1) THAT THE STRUCTURE BE EITHER OWNER OCCUPIED OR THE BUILDING BE SUBJECT TO A SINGLE LEASE FOR THE ENTIRE BUILDING WITH A RESTRICTION ON SUBLEASES, IT BEING THE ZBA'S INTENT THAT THE BUILDING BE OCCUPIED BY A SINGLE USER; AND (2) APPROVAL BY THE DEPARTMENT OF HEALTH OF SEPTIC PLANS OR A DETERMINATION BY THE TOWN CODE ENFORCEMENT OFFICER THAT NO DOH APPROVAL IS NECESSARY PRIOR TO ISSUANCE OF A BUILDING PERMIT. ALL IN FAVOR, APPROVED. ROLL CALL VOTE LISTED ON RESOLUTION.

ON A MOTION BY DON NICHOLS, SECONDED BY GEORGE PELLAM, THE MEETING WAS ADJOURNED AT 6:45 P.M.

Respectfully submitted,
Nancy Saucier, Zoning Board Secretary

The foregoing represents unapproved minutes of the Town of Liberty's Zoning Board from a meeting held on January 4, 2012 are not to be construed as the final official minutes until so approved.

___ Approved as read