

**TOWN OF LIBERTY  
ZONING BOARD MINUTES  
FEBRUARY 15, 2011**

**MEMBERS PRESENT:**

Thomas Sprague  
George Pellam  
Peter Belgard  
Tracy Merklin  
Walter Garigliano, Town Attorney

**ABSENT:**

Don Nichols  
Gene Burns, Alternate

**ALSO PRESENT:**

Mark Van Etten, CEO

---

**CHAIRMAN THOMAS SPRAGUE CALLED THE MEETING TO ORDER AT 7:05 PM.**

**James & Anthony Lodato**

Area Variance  
160 Sunset Lake Road  
SBL: 30.-1-103  
Zone: RD #Z-2010-0003

Attorney Garigliano said he'd received copies of the letters from Thomas J. Cawley and the Sullivan County Coalition of Veterans. He told the Board members that they had 62 days from the date of the public hearing before they had to make a decision.

After a short discussion, Chairman Sprague asked the Board members how they felt about this project. It was determined that people in the neighborhood should be able to get along with each other and that the proposed modular home would not be "directly" across from the Veteran's Cemetery.

Attorney Garigliano said that he had his direction and that he would be preparing a resolution for the next meeting.

**NEW BUSINESS:**

**Gary Miller**

Use Variance  
342 Route 52  
SBL: 32.-1-14  
Zone: RS #Z-2011-0001

Gary Miller appeared for this project. He explained that he has a building that was zoned commercial when he purchased it back in 1982 and was since changed to RS (Residential Settlement). He also stated that no matter where he goes, to a bank, insurance or the tax department, they all come out to look at his building and say it's commercial. He said he's also paying commercial dump fees. He would like to have the use changed for his building so that he can open up an ice cream stand. He said he would not be making any major changes to the outside of the building and has had nothing but positive response when mentioning the possibility of an ice cream stand to his neighbors. He said he has been

waiting a long time for the proposed change in zoning; that there would be no environmental impact. In fact it would create sales taxes for the community plus about 6 part time jobs.

After a short discussion it was determined that Mr. Miller should write a narrative to present to the Board providing economic data and showing the building's uniquely commercial use.

**MOTION BY TRACY MERKLIN SECONDED BY GEORGE PELLAM A PUBLIC HEARING WILL BE SCHEDULED FOR MARCH 15, 2011 AT 7:00 P.M. ALL IN FAVOR, APPROVED.**

**ON A MOTION BY GEORGE PELLAM SECONDED BY TRACY MERKLIN, THE MEETING WAS ADJOURNED AT 7:15 P.M.**

Respectfully submitted,  
Nancy Saucier, Planning Board Secretary

The foregoing represents unapproved minutes of the Town of Liberty's Zoning Board from a meeting held on February 15, 2011 are not to be construed as the final official minutes until so approved.

  X   Approved as read