

**TOWN OF LIBERTY
ZONING BOARD MINUTES
February 21, 2013**

MEMBERS PRESENT:

Thomas Sprague, Chairman
George Pellam
Tracy Merklin
Robert Werlau, Alternate
Kyle Farrand, Alternate

ABSENT:

Don Nichols
Gene Burns

ALSO PRESENT:

Mark Van Etten, CEO
Walter Garigliano, Town Attorney
See attached sign in sheet

CHAIRMAN SPRAGUE CALLED THE MEETING TO ORDER AT 7:00 PM.

A MOTION WAS MADE BY GEORGE PELLAM SECONDED BY TRACY MERKLIN, TO APPROVE THE MINUTES FOR AUGUST 21, 2012. ALL IN FAVOR, APPROVED.

Shelley Realty Corp.

Area Variance
36 Station Hill Road
SBL: 36.-1-117
Zone: IC #Z-2013-0001

Allen Frishman of Regional Planning and Permits appeared for this project. Mr. Frishman is representing Shelley Realty also known as County Petroleum. Mr. Frishman explains that Shelley Realty is seeking an area variance to reduce the setbacks to construct a 4 bay garage on a separate parcel that they own. Mr. Frishman explains that Shelley Realty has received prior approvals to replace the green building that is at the far end of the property about 4 or 5 months ago. They then made the decision that instead of replacing the garage in that location which is right in front of the tank farm they would leave that area open in case they ever wanted to expand the tank farm. Mr. Frishman explains that they have reevaluated the property and there is a plateau right at the bottom of a slope off of Old Route 17 that worked out perfect for the new building because they also need visibility from the office at all times.

Attorney Garigliano advises that the application appears to be complete. He explains that the application calls for the building to be 30' X 60' and the plan shows a building that is 36' X 60'. Mr. Frishman advises that it was a typo between himself and the surveyor and that the building will be 30' X 60'.

After a brief discussion about the setbacks it is determined that Mr. Frishman needs to submit new plans showing the correct building size, corrected setbacks and access to the building. This matter is to be scheduled for a public hearing at the March meeting.

ON A MOTION MADE BY TRACY MERKLIN, SECONDED BY GEORGE PELLAM, A PUBLIC HEARING WILL BE HELD FOR THIS PROJECT ON MARCH 19, 2013. ALL IN FAVOR, APPROVED.

Attorney Garigliano advises that this matter should be sent out for 239 review once the new maps are submitted.

Attorney Garigliano reads SEQR into the minutes.

ON A MOTION BY TRACY MERKLIN, SECONDED BY GEORGE PELLAM, A NEGATIVE DECLARATION WAS DECLARED ON THE SHELLEY REALTY AREA VARIANCE APPLICATION. ALL IN FAVOR. APPROVED.

ON A MOTION BY GEORGE PELLAM, SECONDED BY TRACY MERKLIN, THE MEETING WAS ADJOURNED AT 7:18 P.M.

Respectfully submitted,
Tammy Wilson, Zoning Board Secretary

The foregoing represents unapproved minutes of the Town of Liberty's Zoning Board from a meeting held on February 21, 2013 are not to be construed as the final official minutes until so approved.

 X Approved as read