

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

**MEMBERS PRESENT:**

Thomas Sprague  
George Pellam  
Peter Belgard  
Tracy Merklin  
Gene Burns, Alternate

**ABSENT:**

Don Nichols  
Walter Garigliano, Town Attorney

**ALSO PRESENT:**

Mark Van Etten, CEO

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

**PUBLIC HEARING:**

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

Twenty notices sent, fifteen green cards received, 5 outstanding.

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

NO RESPONSE FROM THE PUBLIC

**ON A MOTION MADE BY GEORGE PELLAM AND SECONDED BY TRACY MERKLIN, THE PUBLIC HEARING WAS CLOSED. ALL IN FAVOR. APPROVED.**

**OLD BUSINESS:**

**James & Anthony Lodato**  
Area Variance  
160 Sunset Lake Road  
SBL: 30.-1-103  
Zone: RD      #Z-2010-0003

After a short discussion and the Board members having reviewed the proposed resolution, Chairman Sprague asked the Board members how they felt about this project. It was determined that the file was complete.

**ON A MOTION BY TRACY MERKLIN SECONDED BY PETER BELGARD, A RESOLUTION WAS PASSED GRANTING THE AREA VARIANCE FOR JAMES & ANTHONY LODATO. ALL IN FAVOR, APPROVED.  
POLL WAS TAKEN. ALL PRESENT MEMBERS VOTED YES.**

**ON A MOTION BY PETER BELGARD, SECONDED BY TRACY MERKLIN, THE MINUTES FOR THE ZONING BOARD MEETINGS FOR July 20, 2010, August 17, 2010, September 21, 2010, October 19, 2010, December 7, 2010, December 21, 2010, January 25, 2011 and February 15, 2011 WERE APPROVED. ALL IN FAVOR, APPROVED.**

**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 presented a narrative by Elliott & Pomeroy providing economic data and showing the building's uniquely commercial use as required by the Board to the Chairman. All Board members reviewed the narrative. It was determined that the file was complete except for SEQR.

**ON A MOTION BY GEORGE PELLAM, SECONDED BY GENE BURNS, A NEGATIVE DECLARATION WAS DECLARED AND THE USE VARIANCE WAS GRANTED TO GARY AND CHRISTINE MILLER. ALL IN FAVOR, APPROVED.**

**ON A MOTION BY GEORGE PELLAM SECONDED BY TRACY MERKLIN, THE MEETING WAS ADJOURNED AT 7:23 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 March 15, 2011 are not to be construed as the final official minutes until so approved.

X  Approved as read