

**TOWN OF LIBERTY  
ZONING BOARD MINUTES  
May 19, 2015**

**MEMBERS PRESENT:**

Don Nichols, Acting Chairman  
Gene Burns  
Kyle Farrand, Alternate

**ABSENT:**

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

**ALSO PRESENT:**

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

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**ACTING CHAIRMAN NICHOLS CALLED THE MEETING TO ORDER AT 7:07 PM.**

**ON A MOTION MADE BY GENE BURNS AND SECONDED BY KYLE FARRAND, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR APRIL 21, 2015. ALL IN FAVOR, APPROVED.**

**Dee Dee's Cottage, LLC  
Area Variance  
SBL: 5.-1-36.1  
Zone: RD #Z-2015-0002**

14 certified notices were mailed, 8 green cards back, 5 outstanding and 1 returned.

Acting Chairman Nichols opens the public hearing.

No one is present from the public.

**ON A MOTION MADE BY KYLE FARRAND AND SECONDED BY GENE BURNS, THE PUBLIC IS HEARING IS CLOSED. ALL IN FAVOR, APPROVED.**

Tom Ward, Engineer appeared for this matter. Attorney Garigliano advises that at the last meeting there was question about who has title to the railroad bed and Mr. Ward has provided some information. Attorney Garigliano explains that he also has done some independent research and the conclusion is that the portion of the

railroad bed in the Town of Rockland is privately owned and the portion in the Town of Liberty is owned by New York State.

A brief discussion took place and it was determined that Mr. Ward's client needs to either rebuild the bridge that is in the floodway or try to obtain title or right-of-way from the State to be able to access the property.

Attorney Garigliano advises that this matter can be recessed until the applicant decides what they will do.

**ON A MOTION BY GENE BURNS AND SECONDED BY KYLE FARRAND,  
THE MEETING WAS ADJOURNED AT 7:13 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 May 19, 2015 are not to be construed as the final official minutes until so approved.

  X   Approved as read