

**TOWN OF LIBERTY  
ZONING BOARD MINUTES  
August 21, 2012**

**MEMBERS PRESENT:**

George Pellam  
Don Nichols  
Tracy Merklin  
Gene Burns  
Robert Werlau, Alternate

**ABSENT:**

Thomas Sprague  
Walter Garigliano, Town Attorney

**ALSO PRESENT:**

Mark Van Etten, CEO

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**ACTING CHAIRMAN DON NICHOLS CALLED THE MEETING TO ORDER AT 7:10 PM.**

**A MOTION WAS MADE BY TRACY MERKLIN SECONDED BY GEORGE PELLAM, TO APPROVE THE MINUTES FOR JULY 17, 2012. ALL IN FAVOR, APPROVED.**

**PUBLIC HEARING:**

**Ray Kelly**  
Use Variance  
35 O'Keefe Hill Rd  
SBL: 6.-1-47.1  
Z-2012-0001 Zone: AC

Acting Chairman Nichols read the SEQR.

**ON A MOTION BY TRACY MERKLIN, SECONDED BY GEORGE PELLAM, A NEGATIVE DECLARATION WAS DECLARED ON THE RAY KELLY USE VARIANCE APPLICATION. ALL IN FAVOR. APPROVED.**

Ten hearing notices were sent, 8 green cards received, 1 outstanding and 1 returned.

Acting Chairman Nichols asked if there was anyone from the public who had any questions or comments.

There was no response from the public.

Ray Kelly appeared for this project. He distributed the necessary hardship letters that had been requested by the Board at the previous meeting. The 239 review was received from the County Planning Department.

After taking the time to read the hardship letters and a short discussion, it was determined that the file was complete.

**ON A MOTION MADE BY TRACY MERKLIN, SECONDED BY GEORGE PELLAM, THE RAY KELLY USE VARIANCE APPLICATION WAS APPROVED . ALL IN FAVOR, APPROVED.**

**ROLL CALL VOTE:**

**DON NICHOLS:           APPROVED**  
**GEORGE PELLAM:       APPROVED**  
**TRACY MERKLIN:       APPROVED**  
**GENE BURNS:           APPROVED**  
**ROBERT WERLAU:       APPROVED**

**ON A MOTION BY TRACY MERKLIN, SECONDED BY GEORGE PELLAM, THE MEETING WAS ADJOURNED AT 7:35 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 August 21, 2012 are not to be construed as the final official minutes until so approved.

\_\_\_ Approved as read

DRAFT