

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

MEMBERS PRESENT:

Thomas Sprague
George Pellam
Don Nichols
Tracy Merklin

ABSENT:

Peter Belgard
Gene Burns, Alternate
Walter Garigliano, Town Attorney

ALSO PRESENT:

Mark Van Etten, CEO

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

PUBLIC HEARING:

R.J. Baker
Code Interpretation/Area Variance
36 Main Street
SBL: 7.-8-7
Zone: SC #Z2011-0004

Twenty-one hearing notices were sent, 8 green cards received, 3 returned with 10 outstanding.

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

Elliott Schneider said he thought it was a very good idea.

Tom Caltabellotta asked the Board about storing things on the outside of the business and was told that it was not an option. He said he had no problem with the idea the applicant presented.

Chairman Sprague: Is there was anyone else to be heard.

No one appeared.

Chairman Sprague: That being said, "I'm going to close the public hearing."

Wes Illing appeared for this project.

After a short discussion it was determined that this should be sent to the County for 239 review.

ON A MOTION MADE BY DON NICHOLS AND SECONDED BY TRACY MERKLIN, THE ZONING BOARD WAS DECLARED LEAD AGENCY. ALL IN FAVOR, APPROVED.

ON A MOTION MADE BY DON NICHOLS AND SECONDED BY TRACY MERKLIN, A NEGATIVE DECLARATION WAS DECLARED. ALL IN FAVOR, APPROVED.

Further discussion was held with regard to the Board making a possible condition for approval being that the project be sent to the Planning Board for site plan review should the variance be granted. Wes Illing said that

he would not accept that unless it could be shown to him in the Code that it was a requirement. The Board said they will discuss this point at the next meeting when legal counsel is present.

Marlene Ross
Area Variance
Beech Lane
SBL: 14.-1-21.2
Zone: AC Z-2011-0005

No one appeared for this project.

Vladimir Romaniv
Area Variance
Station Hill Road
SBL: 36.-1-108
Zone: SC #Z-2011-0003

Steven Green and the applicant, Vladimir Romaniv appeared for this project. A letter was sent to the applicant and Mr. Green after the previous meeting requesting their appearance to clarify what the applicant wished to do with the property. A copy of this letter signed at the bottom by the applicant was presented to the Board extending the time to make a decision 62 days from this meeting to make a decision. Mr. Romaniv explained that he wished to do something in the medical field with the building as in a doctor's office, rehabilitation facility or visiting nurse base as three examples. He said he had originally hoped to perhaps have nurses living on the top floor but did not know if that was now an option. It was determined that the only issue before the Board at this time was concerning the setback requirements for an area variance.

ON A MOTION MADE BY DON NICHOLS AND SECONDED BY GEORGE PELLAM, THE ZONING BOARD WAS DECLARED LEAD AGENCY. ALL IN FAVOR, APPROVED.

ON A MOTION MADE BY DON NICHOLS AND SECONDED BY TRACY MERKLIN, A NEGATIVE DECLARATION WAS DECLARED. ALL IN FAVOR, APPROVED.

This project is to be sent to the County for 239 review.

Chairman Sprague asked for a motion to adjourn.

ON A MOTION BY GEORGE PELLAM, SECONDED BY DON NICHOLS, THE MEETING WAS ADJOURNED AT 7:45 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 November 15, 2011 are not to be construed as the final official minutes until so approved.

 X Approved as read