

**TOWN OF LIBERTY  
ZONING BOARD MINUTES  
DECEMBER 21, 2010**

**MEMBERS PRESENT:**

Don Nichols  
George Pellam  
Peter Belgard  
Gene Burns, Alternate

**ABSENT:**

Thomas Sprague  
Tracy Merklin

**ALSO PRESENT:**

Walter Garigliano, Town Attorney AND Mark Van Etten, CEO

---

**ACTING CHAIRMAN DON NICHOLS CALLED THE MEETING TO ORDER AT 7:05 PM.**

**James & Anthony Lodato**

Area Variance  
160 Sunset Lake Road  
SBL: 30.-1-103  
Zone: RD #Z-2010-0003

Chairman Sprague was called out of town so member Don Nichols became Acting Chairman.

Salvatore Lodato explained that he and his brothers James and Frank want put up a single family home on the property. Mark Van Etten explained that the trailer was taken down in the fall of this year and the property cleaned up of other sheds and debris. The Lodatos purchased the property this fall and want to put up a single family home and keep it to the rear of the property. The property, being in the RD zone, requires a 25 foot setback for the side and rear and a 50 foot setback for the front to the edge of the property plus 25 feet to the centerline of the road for a total of 75 feet in the front. Mark Van Etten sent this project to the Zoning Board of Appeals because the Lodatos' proposed single family home choice does not meet these setbacks. After a short discussion it was determined that the Application needed to be amended to request three (3) area variances, one for the front: 75' to 65', side: 25' to 20' and rear: 25' to 9'. It was also determined that the "buildable box" area should be restricted so that it is no larger than 30' x 60' and that the rear and the north side yard of the "buildable box" be no closer to the property line than removed trailer. A short recess was called for the purpose of allowing the applicants a few moments to amend their application.

**MOTION MADE BY DON NICHOLS SECONDED BY PETER BELGARD THE MEETING IS RECESSED TO ALLOW APPLICANTS TO AMEND APPLICATION. ALL IN FAVOR. APPROVED.**

At 7:26 the meeting was reconvened with an amended Application.

ATTORNEY GARIGLIANO READ SEQR.

**MOTION BY GEORGE PELLAM SECONDED BY PETER BELGARD A NEGATIVE DECLARATION WAS DECLARED. ALL IN FAVOR, APPROVED.**

This project will be brought back on January 25<sup>th</sup>, 2011 for a public hearing. It is being sent to County Planning for 239 review.

**ON A MOTION BY DON NICHOLS, SECONDED BY PETER BELGARD, THE MEETING WAS ADJOURNED AT 7:35 PM.**

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 December 21, 2010 are not to be construed as the final official minutes until so approved.

  X   Approved as read