

**TOWN OF LIBERTY
PLANNING BOARD MINUTES
NOVEMBER 3, 2015**

MEMBERS PRESENT

Lynn Dowe, Chairman
John Van Etten
Denise Birmingham
Branden Reeves
Lydia Rolle
Vincent McPhillips

ABSENT

Judy Siegel

ALSO PRESENT

Walter Garigliano Town Attorney
See attached sign in sheet

CHAIRMAN DOWE CALLED THE MEETING TO ORDER AT 7:03 PM.

ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY JUDY SIEGEL, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR OCTOBER 6, 2015. ALL IN FAVOR, APPROVED.

**Yobani Jaquez
Special Use Permit
3165 St. Rt. 52
SBL: 32.-5-7
Zone: SC #2015-0029**

Mr. Jaquez, home owner appeared for this matter. Mr. Jaquez has constructed an addition to his existing deck and installed a swimming pool without the required special use permit and building permit.

The Board reviews the sketch and determines this project meets the requirements for Local Law 3 of 2012. Attorney Garigliano advises that this is a Type II action and SEQR is not required. The Board determines that it is an allowable use with a Special Use Permit, the proposed construction is less than 25% of the floor area and a full application would generate unnecessary data and costs to the applicant.

ON A MOTION BY JOHN VAN ETTEN, SECONDED BY DENISE BIRMINGHAM, THE PLANNING BOARD FINDS THAT LOCAL LAW #3 OF 2012 APPLIES TO THE PROPOSED ADDITION TO AN EXISTING DECK AND INSTALLATION OF AN ABOVE GROUND SWIMMING POOL. THE PLANNING BOARD WAIVES ALL OF THE REVIEW REQUIREMENTS UNDER 147-28 FOR A SPECIAL USE PERMIT AS AUTHORIZED BY LOCAL LAW #3 OF 2012 FOR YOBANI JAQUEZ. ALL IN FAVOR, APPROVED.

**Camp Yeshiva
Special Use Permit
Briscoe Road
SBL: 44.-1-35
Zone: RD #2015-0027**

Randy Wasson, Engineer appeared for this matter. Mr. Wasson explains to the Board that his client would like to construct a 20' X 40' addition and a 10' X 20' deck with stairs to grade to the existing dining room building.

ATTORNEY GARIGLIANO READS SEQR INTO THE MINUTES.

ON A MOTION MADE BY JOHN VAN ETTEN, SECONDED BY DENISE BIRMINGHAM, THE BOARD UNANIMOUSLY DECLARES A NEGATIVE DECLARATION ON THE CAMP YESHIVA SPECIAL USE PERMIT.

A brief discussion took place and it was determined that this matter will be scheduled for a public hearing and sent to the County for 239 review.

**Promise Ministries
172 Scheibe Road
SBL: 25.-1-16.5
Zone: RD #2012-0015**

Randy Wasson, Engineer appeared for this matter. Mr. Wasson advises that his client received final approval in 2013 to construct a multi-purpose building and now has the funding to start construction but has determined that the building dimensions need to be changed slightly from 45'8" X 92' (8,860 sf) to 52' X 88' (9,450 sf). Attorney Garigliano advises that SEQR was already done on this project with the first application and the negative declaration still applies because there is no material change.

A brief discussion took place and it was determined that this matter will be scheduled for a public hearing on November 19, 2015 at 7:00 pm.

**AG Environmental LLC (Alan Rajlevsky)
Special Use Permit
86 Queen Mountain Road
SBL: 48.-2-16.1
Zone: IC #2015-0024**

Alan Rajlevsky, applicant, Zach Kelson, Attorney appeared for this matter. Mr. Kelson advises that his client is interested in an existing building on Queen Mountain Road in which he would like to establish a chemical distillation facility. Mr. Kelson explains that Mr. Rajlevsky specializes in recovering high quality medical laboratory solvents as a service for affiliated histology labs. Mr. Kelson advises that there will be no change to the building it is initially just a change of use and there will be no outside traffic except for a box truck delivery once a week.

A brief discussion continued and it was determined that part 2 of the SEQR form needs to be submitted and this matter will be put on the December agenda.

**Shelley Realty
Subdivision
Harris Road
SBL: 36.-1-114
Zone: SC #2015-0021**

RE-APPROVAL

Attorney Garigliano explains that this matter was already approved but was not filed in time and needs to be re-approved. The Applicant would like to turn 2 existing lots into 3 lots to straighten out the existing lot lines. Lot 1 existing lot 36.-1-114 would be 1.812 acres, lot 2 (the new lot) would be 0.646 acres and lot 3 existing lot 36.-1-115 would 2.228 acres.

ON A MOTION BY JOHN VAN ETEN, SECONDED BY DENISE BIRMINGHAM, THE SUBDIVISION FOR SHELLEY REALTY WAS RE-APPROVED. ALL IN FAVOR, APPROVED.

**Orseck
Lot Improvement**

Attorney Garigliano explains that the Town Board and Gerald Orseck are making an exchange of some property because Mr. Orseck's garage and swimming pool are on Town property. They have made an agreement to swap about 2 acres with property being in both the Town and Village.

ON A MOTION MADE BY JOHN VAN ETTEN AND SECONDED BY BRANDEN REEVES, THE MEETING WAS ADJOURNED AT 8:14 PM.

Respectfully submitted,

Tammy Wilson, Planning Board Secretary

The foregoing represents unapproved minutes of the Town of Liberty's Planning Board from a meeting held on November 3, 2015 are not to be construed as the final official minutes until so approved.

 X Approved as read.