

**TOWN OF LIBERTY  
ZONING BOARD MINUTES  
November 17, 2015**

**MEMBERS PRESENT:**

Thomas Sprague, Chairman  
Don Nichols  
George Pellam  
Robert Werlau, Alternate

**ABSENT:**

Gene Burns  
Tracy Merklin  
Kyle Farrand, Alternate

**ALSO PRESENT:**

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

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**ON A MOTION MADE BY DON NICHOLS AND SECONDED BY GEORGE PELLAM, THE BOARD UNANIMOUSLY APPROVED THE MINUTES FOR OCTOBER 20, 2015. ALL IN FAVOR, APPROVED.**

**AG Environmental LLC  
Area Variance  
SBL: 48.-2-16.1  
Zone: IC #Z-2015-0004**

Alan Rajlevsky, applicant, Zach Kelson, Attorney and Wes Illing, Engineer appeared for this matter. Mr. Kelson explains that his client would like to purchase the former Kinney Contracting building on Queen Mountain Road and use it as a small chemical distillation facility. Mr. Kelson advises that the applicant is requesting two variances. The applicant seeks a variance from 147-18 (a)(1)(b) which requires that with respect to special uses involving processing and/or storage of chemical waste that such facility shall be located no less than 300ft from any property line. Applicant seeks a variance from said section so that the setback will conform to the existing structure as follows: front setback reduction from 300ft to 120ft, rear yard setback from 300ft to 275ft, westerly side yard setback from 300ft to 46.1ft and easterly side yard setback from 300ft to 71.4ft. Applicant also seeks variance from 147-16(2) which requires 16 parking spaces for the project in question. Applicant seeks variance from said section so as to require the installation of 5 parking spaces including a handicapped space rather than 16 spaces.

**PUBLIC HEARING:**

6 certified notices were mailed and 6 green cards back.

Chairman Sprague opens the public hearing.

Raisa Levina – has concerns with viruses being spread from the samples, air pollution, leakage and spills, property values decreasing, insurance rates increasing and noise pollution.

Alexander Yegoryan – wanted to know if the chemicals would be put into the septic system.

Kamil Klys – wanted to know why the zoning was being changed and concerned about the property value decreasing.

Lynn Dowe – explains that he is completely in favor of this project.

The Board and applicants addressed all public comments.

**ON A MOTION MADE BY DON NICHOLS AND SECONDED BY GEORGE PELLAM, THE PUBLIC HEARING IS CLOSED. ALL IN FAVOR, APPROVED.**

A brief discussion took place and it was determined that this matter will be placed on the December agenda when counsel is present.

**ON A MOTION BY ROBERT WERLAU AND SECONDED BY DON NICHOLS, THE MEETING WAS ADJOURNED AT 7:30 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 November 17, 2015 are not to be construed as the final official minutes until so approved.

  X   Approved as read