

HEATHER BROWN
COMMISSIONER



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SULLIVAN COUNTY
DIVISION OF PLANNING, COMMUNITY DEVELOPMENT & ENVIRONMENTAL MANAGEMENT
SULLIVAN COUNTY GOVERNMENT CENTER
100 NORTH STREET, PO BOX 5012
MONTICELLO, NY 12701

April 11, 2024

Town of Liberty Town / Village Board
120 North Main Street
Liberty, NY 12754

RE: **LIB24-04: Town of Liberty Zoning Amendment**
GML-239 County Review

Dear Mr. Frank DeMayo:

The following review has been conducted in accordance with GML §239-l, -m & -n.:

- I. **Project description:** To diversify the Town of Liberty's tourism industry and support the economic base consistent with the Towns Joint Comprehensive Plan. Several parcels (~938 acres total), will be rezoned and added to the Resort Hotel District. The use 'Destination Resort' will be added as a special use. This law also includes adjustments to the Schedule of District Regulations and Zoning map.
- II. **Applicant:** Town of Liberty
- III. **Geographic qualification:** Municipal Boundary (Fallsburg & Village of Liberty); State roads 52, 55, & 17)
- IV. **Agency referrals:** Village of Liberty; NYS DOT; SC DPW – No Comments; Town of Fallsburg
- V. **Anticipated Municipal and/or Countywide Impacts:**
- VI. **Recommendation:** Local Determination
- VII. **Technical Comments:**
The proposed amendments would support objectives outlined in Liberty's Joint Comprehensive Plan, working towards diversified tourism with a balanced mix of year-round activities.

Parcel 23.-1-112.3 and 29.-2-3 should be removed from the proposed zoning changes. These parcels would be disconnected from other lots under the same ownership and would not necessarily benefit from the proposed zoning changes.

- Parcel 29.-2-3 is an isolated 1.76-acre lot with no direct access from the other parcels proposed due to SR-17. Currently this lot is utilized for landscaping and has no additional plans for development.
- Parcel 23.-1-112.3 is a smaller 0.82-acre lot that lies between Tap Rack Ranch (23.-1-113.1) and a single-family home (23.-1-112.2). These parcels would remain in the R-1 District and if approved would create inconsistent zoning.

The Town should include a line with regard to 'Destination Resorts' (DR) that DRs are subject to the regulations provided under Article VI, 147-15, C. of the Town's Zoning Code, based on the language regarding 'Resort Establishments' (Assuming that DR's would fall into that category and be regulated as such).

Sincerely,

Heather Brown
Commissioner
HEB/cg/sm

cc: Brian McPhillips, Legislator, District 3
attachments: 1. Report of Final Local Action

Please be advised that the Board is required by Sections 239-l,m and n of the General Municipal Law to provide a report of its final action within thirty days of such action to the Sullivan County Division of Planning, Community Development & Environmental Management with regard to this application. To facilitate this process, a form to report such action is enclosed.

SULLIVAN COUNTY
DIVISION OF PLANNING, COMMUNITY DEVELOPMENT & REAL PROPERTY
GENERAL MUNICIPAL LAW REFERRAL
REPORT OF FINAL LOCAL ACTION

Section 239 of the General Municipal Law of the State of New York requires that, within thirty days of final municipal action on a zoning matter which has been reviewed by the Sullivan County Division of Planning, Community Development & Environmental Management, the municipal body having jurisdiction must file a report of the final action it has taken with the Division. This form can serve as that report.

NAME OF MUNICIPALITY: _____

NAME OF MUNICIPAL AGENCY: _____

NAME OF APPLICANT: _____

TYPE OF REFERRAL:

- Amendment of Zoning Ordinance or Map
- Rezoning Special Use Permit Use Variance
- Site Plan Area Variance Subdivision

FINAL MUNICIPAL ACTION:

- Approved Denied
- Approved subject to the following conditions:

If the municipal body having jurisdiction has acted contrary to the recommendation of the Sullivan County Division of Planning, Community Development & Environmental Management, please attach a resolution setting forth the reasons for such contrary action. Please note that Section 239 of the General Municipal Law also requires that such contrary action must be adopted by a vote of a majority plus one of all the members of the municipal body.

Please email this form to the Sullivan County Division of Planning, Community Development & Environmental Management at planning@sullivanny.us. Thank you for your cooperation.