

**Village of Liberty
Regular Planning Board Minutes
December 8, 2011 7:00 p.m.**

Present:

Don Nichols, Chairman
Steve Green
John Webber
Dan Ratner
Carlton Fritz

Absent:

Also Present:

Langdon C. Chapman, Village Attorney
Pam Winters, Code Enforcement Officer
Joan Stoddard, Trustee
Ray Kelly
Colleen Kelly
Dr. & Mrs. Richmond
Joe Irace, Architect
Dale VanDenberg, President, Hillside Greenhouses, Inc.
Zeke Alenick, President, Ideal Snacks
Michael Ehrenberg, Finance & Audit, Ideal Snacks
Joe Talmadge, CFO, Ideal Snacks
Allen Frishman, Consultant, Ahavas Israel
Unnamed student # 1 from LCS Gov't class
Unnamed student # 2 from LCS Gov't class

.....

Chairman Nichols opens the meeting at 7:00 p.m. and leads everyone in the pledge of allegiance.

ON A MOTION BY CARTON FRITZ, SECONDED BY STEVE GREEN AND UNANIMOUSLY CARRIED, THE MINUTES OF THE NOVEMBER 10, 2011 MEETING ARE APPROVED AS SUBMITTED.

**PUBLIC HEARING 7:05 P.M. ANGELIQUE JONES-O'BRIEN
MINOR 2-LOT SUBDIVISION WILLEY AVENUE**

Chairman Nichols reads the legal notice into the minutes. Fifteen (15) certified notices were mailed out. Eleven (11) were received and four (4) were returned. The 239 review from the County was received back with no negative comments. Chairman Nichols opens the public hearing for comments/questions from the public.

Dr. Richmond: What are the plans for this subdivision?

Steve: I can answer this; I did the work on this. It's a two-lot subdivision with plans for building a house on the vacant lot.

Dr. Richmond: Is there a law that prevents mobile homes from being built in the Village?

Pam: Yes, there is.

Mrs. Richmond: What's going to be built there?

Steve: It's not up to me. It could be either a one or two-family house.

Mrs. Richmond: Inaudible question.

Steve: The house that's there now is a two-family.

Dr. Richmond: I hope it's not going to be like what's been built across the street. That's two, two-family units side by side. Is it going to be like that?

Steve: I believe they're building a two-family house.

Mrs. Richmond: Are the owners going to be living there?

Steve: I don't know. I do know that they purchased the property at the County auction for foreclosure.

Chairman Nichols: If no one else has any questions, I'll close the public portion of this hearing. Does anyone on the board have any questions? If not, we'll move forward with the SEQR form.

ON A MOTION BY STEVE GREEN, SECONDED BY JOHN WEBBER AND UNANIMOUSLY CARRIED, THE BOARD DECLARES ITSELF LEAD AGENCY IN THIS MATTER.

Chairman Nichols reads the short form EAF into the minutes.

ON A MOTION BY JOHN WEBBER, SECONDED BY STEVE GREEN AND UNANIMOUSLY CARRIED THE BOARD DECLARES A NEGATIVE DECLARATION IN THIS MATTER.

ON A MOTION BY CARLTON FRITZ, SECONDED BY JOHN WEBBER AND UNANIMOUSLY CARRIED, THE MINOR TWO-LOT SUBDIVISION FOR ANGELIQUE JONES-O'BRIEN ON WILLEY AVENUE IS APPROVED.

**PUBLIC HEARING 7:10 P.M. IDEAL SNACKS
LOT IMPROVEMENT & SITE PLAN APPROVAL FOR ADDITION ON RT 55**

Chairman Nichols opens up the public hearing for comment and reads the legal notice into the minutes. Ten (10) certified notices were mailed out. Nine (9) were received and one (1) was undeliverable. A 239-review comment from the County was received back indicating this project may have some adverse inter-community impacts. They, therefore recommend modifications to the site plan with regard to the 9' wide alley, which they'd like to see removed or redesigned to include a turnaround. Upon receipt of this comment, Pam faxed a copy to Glenn Smith for review. Subsequently, this matter was resolved by showing fire and service access drive completely around the rear of the Ideal Snacks building adjacent to the stream, connecting to Mill Street access bridge and loading docks. A copy of these comments will be attached as part of these minutes.

Glenn Smith is not available tonight. Joe Irace will be presenting the application tonight. Joe supplies the board with a copy of an e-mail dated December 5, 2011 from Michael Primmer of Delaware Engineering indicating that testing was done during the week of November 29-December 1st. The samples are at the lab but no results are available at this time.

Chairman Nichols questions the width of one area.

Joe: I was there today. They're removed some trees and are flattening out the area. There should be no problem with access and can provide you with any specs you feel you may need. It should be almost thirty feet (30') wide.

I also brought with me tonight a simple drawing of what the addition will look like from different sides relative to the existing building so you have an idea of what to expect. There's really not much room for any landscaping with this building.

Steve: Has the fire department looked at this?

Chairman Nichols: We have.

A discussion continues about the utilities to the building.

Steve: What do you do for security in this area?

Zeke: We have 24-hour security. There are cameras all over the property.

Dan: At the last meeting, you mentioned something about keeping the bowling alley open.

Zeke: Yes.

Dan: People have called and confronted me with questions about, “Are you going to be tearing the bowling alley down?” That’s beyond the scope of what this board is involved with; it really is beyond what we can control, but do you have a time frame for keeping the bowling alley open?

Zeke: At this point in time, it’s really up to the Fix’s.

Dan: Maybe this year or next year?

Zeke: It’ll be open this year; next year, I really just don’t know.

Dan: I’m just trying to quell the rumors.

Zeke: I understand.

Attorney Chapman advises the board that Ideal Snacks should sign a stipulation similar to the one they recently signed regarding the development of the Grossman Tire site. He’ll draft the stipulation and forward it to Henri Shawn for review and signing by Zeke.

With no further comment from the public, Chairman Nichols closes the public hearing.

ON A MOTION BY STEVE GREEN, SECONDED BY DAN RATNER AND UNANIMOUSLY CARRIED, THE BOARD APPROVES BOTH THE LOT IMPROVEMENT AND THE SITE PLAN APPLICATION BY IDEAL SNACKS TO CONSTRUCT AN ADDITION ON RT 55 SUBJECT TO THE SIGNING OF THE AFOREMENTION STIPULATION BY ALL INTERESTED PARTIES.

Joe: Pam, we have one more issue that we mentioned to you previously, that being the right-of-way Rose Lane. Is that something that we can handle here?

Pam: According to the tax maps, Rose Lane isn’t just a right-of-way. It’s allegedly a Village Road, if only just on paper. I mentioned your desire to purchase this strip of land to our department heads. Peter feels that we cannot sell it because we use Rose Lane as an access way to our water and sewer equipment and pump station. Ken is on vacation so I haven’t been able to speak to him about this. We have a department head meeting Monday morning and we’ll talk further about this and get back to you. Maybe we can, if fact sell it to you with an easement for maintenance of our equipment, but our equipment in that area is extremely old and maybe need to be upgraded. I’ll call you next week when we know more.

Joe: Thanks.

Continued Reviews

**Hillside Greenhouses Inc.
Minor Three-lot subdivision
1 Kaempfer Lane**

Dale: I have easements here for you tonight. I believe Pam and Langdon already have copies and I have more copies for each of you to look at tonight. The wording has been corrected as you requested. Mr. Woods was supposed to be here tonight to explain all of this to you a little better; I see that he's not here after all.

Dan: Your paperwork says "Village of Suffolk" and should say "Village of Liberty".

Dale: I see that'll need to be corrected. My apologies for that. Anything else?

Attorney Chapman: Who drew up the easement language up?

Dale: Jeremy Gorelick.

Attorney Chapman: I don't have any objection to this subject to the improvement of some language he's used. If it's all right with you, I'll suggest he use some other wording that I feel to be more appropriate to this action.

Dale: I was of the impression that he e-mailed you this wording ahead of time for you to review.

Attorney Chapman: I get roughly 200 e-mails daily. I could've gotten it but I honestly don't remember ever seeing it. Did we do SEQR on this?

Pam: Yes.

Attorney Chapman: Do you have a signed (by the surveyor) map I can borrow?

Pam: Yes.

Dale: He changed the easement. He changed the road to drive. He did what you wanted I thought.

Attorney Chapman: I'll take this with me, fix it and e-mail it back to someone.

ON A MOTION BY DAN RATNER, SECONDED BY JOHN WEBBER AND UNANIMOUSLY CARRIED, THE THREE-LOT MINOR SUBDIVISION FOR HILLSIDE GREENHOUSES INC. IS APPROVED SUBJECT TO LANGDON'S CORRECTIONS.

**Camp Ahavas Israel LLC
Site Plan Review
66 Old Monticello Road**

Allen Frishman is present in this matter. He presents an amended proposal tonight requesting approval to construct a new shul on the property located at 66 Old Monticello Road. The original proposal to construct duplexes is still before the ZBA and will be reviewed again next week.

After much discussion, Allen is withdrawing his original site plan application and will be canceling the ZBA meeting for next Monday night. Instead, he will be submitting a new application for the construction of a new shul. A new application has been given to Allen to complete and submit by the end of this month. In anticipation of this new application, the board is going ahead and scheduling a public hearing on this matter for the next meeting in January 2012.

Note for File: The Red Meat Processing Plant was scheduled for discussion tonight but no one from the IDA appeared.

Tonight is Chairman Nichols last night as chairman and member of the Planning Board. He is retiring after having served for more than forty (40) years. Trustee Stoddard on behalf of the Village Board presented a Certificate of Appreciation to him thanking him for his dedication and commitment to the Village. He was asked to attend the next Village Board meeting so that those members could also personally thank him for his years of service. Gift certificates for dinner were also presented to him.

A new chairman will be appointed by Mayor Winters on December 12, 2011 and a fifth member will be appointed in the near future.

ON A MOTION BY JOHN WEBBER, SECONDED BY CARLTON FRITZ AND UNANIMOUSLY CARRIED, THE MEETING IS ADJOURNED AT 8:30 PM.

Respectfully submitted,

Pam Winters, Planning Board Clerk

Approved: Jan. 5, 2012