

**VILLAGE OF LIBERTY PLANNING BOARD
REGULAR MEETING
AUGUST 13, 2009**

PRESENT:

Don Nichols, Chairman
Adrian Gonzalez
Steve Green
John Nichols

ABSENT:

John Webber

ALSO PRESENT:

Langdon C. Chapman, Village Attorney
Pam Winters, Code Enforcement Officer
Jeff Roberts, Surveyor
Albert Bitjeman

The meeting is called to order at 7:00 p.m. and Chairman Nichols leads everyone in the pledge of allegiance.

ON A MOTION BY ADRIAN GONZALEZ, SECONDED BY STEVE GREEN AND UNANIMOUSLY CARRIED, THE MINUTES OF THE JULY 9, 2009 MEETING ARE APPROVED AS SUBMITTED.

**# 06-09 ROOT 52 REALTY CO LOT IMPROVEMENT
87 MILL STREET**

Jeff Roberts, surveyor for Root 52 Realty Co., is present in this matter. He explains the nature of the lot improvement advising the board that the adjoining property owner, Joey Grossman Properties LLC, applied for and received a variance reducing the standard thirty (30) foot sideline setback to zero (0) on Monday, July 27, 2009. A copy of the approval has been enclosed in the lot improvement application. The area in question is and has been used for parking only.

Chairman Nichols: What about the maintenance of the Grossman building? Will Joey be able to access the property for maintenance if need be?

Jeff: Note # 15 on the map references this issue. The attorneys are working together for the specific working on allowing access arrangements.

Chairman Nichols reads the SEQR form into the minutes.

ON A MOTION BY JOHN NICHOLS, SECONDED BY ADRIAN GONZALEZ AND UNANIMOUSLY CARRIED, THE BOARD VOTES TO DECLARE A NEGATIVE DECLARATION IN THIS MATTER.

ON A MOTION BY STEVE GREEN, SECONDED BY ADRIAN GONZALEZ AND UNANIMOUSLY CARRIED, THE LOT IMPROVEMENT FOR ROOT 52 REALTY CO. IS APPROVED.

ALBERT BITJEMAN TWO-LOT MINOR SUBDIVISION
37 TRIANGLE DRIVE

Albert Bitjeman is present in this matter. He explains to the Board that the reason for the delay in finalizing this subdivision is because a plotting error by his previous surveyor placed the building over his property line creating an encroachment onto NYSDOT property. He's been in constant contact with officials from the NOYDOT and is in the process of purchasing the property in question. All of this shouldn't hold up the subdivision.

Chairman Nichols says that it's OK to schedule the matter for a public hearing next month.

NOTE FOR FILE: UPON REVIEWING THE FILE, A PUBLIC HEARING WAS ALREADY HELD IN MAY SO FINAL APPROVAL CAN BE GIVEN, IF THE BOARD SO CHOOSES, IN SEPTEMBER WITH NO FURTHER ACTION NECESSARY.

OTHER BUSINESS:

Pam advises the Board that revised engineered plans have been submitted for the gabion wall behind the Liberty Mall. The plans have been sent to Dave Fritts at MHE, they've been reviewed and a letter from MHE is forthcoming giving the OK for construction to begin with the usual provisions regarding liability. Work on the wall, per Mr. Yehuda Backer, will begin by the end of the month. A copy of these plans has been forwarded to Elk Investors, owners of the apartment complex on Crestview Drive, for their engineers to review.

Pam also advises the Board that training for planning and zoning board members is being held in Arkville, N.Y. on September 10th if anyone is interested.

ON A MOTION BY JOHN NICHOLS, SECONDED BY ADRIAN GONZALEZ AND UNANIMOUSLY CARRIED, THE MEETING IS ADJOURNED AT 7:47 P.M.

Respectfully submitted,

Pam Winters, Clerk

Approved: September , 2009