**Village of Liberty Regular Planning Board Meeting**

**February 14, 2019 7:00 p.m.**

Present: Absent:

Steve Green Malek Rabadi

Joan Stoddard

Ernie Feasel

Maureen Crescitelli

Also Present:

Gary Silver, Village Attorney

Pam Winters, Code Enforcement Officer

Dan Wechsler, DSEL, LLC

Dan S DSEL, LLC

Matt & Tina Johnstone

Courtney Dow

Chairman Green calls the meeting to order at 7:00 p.m. and leads everyone in the pledge of allegiance.

**ON A MOTION FROM JOAN, SECONDED BY MAUREEN AND UNANIMOUSLY CARRIED, THE MINUTES OF THE JANUARY MEETING ARE APPROVED AS SUBMITTED.**

**PUBLIC HEARING – 7:00 P.M.**

**D.S.E.L., L.L.C.**

**ROUTE 52**

Dan Wechsler is here tonight on behalf of D.S.E.L., L.L.C. who has requested site plan/special use permit approval to establish and amusement/fun center at a vacant tenant space in the mall. Five (5) certified notices were mailed out, three (3) have been received and two (2) are still unknown.

Chairman Green opens the public hearing and reads the legal notice into the minutes. There is no one from the public present with any questions or concerns.

**ON A MOTION FROM JOAN, SECONDED BY ERNIE AND UNANIMOUSLY CARRIED, THE PUBLIC HEARING IS CLOSED.**

Dan explains to the board that the exit signs which were discussed at the last meeting are now two-sided. He submitted a new site plan which shows the path of vehicle travel and pedestrian loading/unloading parking and loading area. He also submitted a graphic of the proposed sign to be erected on the front façade of the building as well as the double-sided sign that will go onto the main pylon side by the road. The photo shows the size, font and colors to be used and knows to apply to Pam separately for sign permits.

Dan further explains that the hours of operation will be dictated by the needs of the business. Bus parking will be in the “pigeon corner” by Dunkin Donuts and the dumpster location behind the building is identified on the site plan. Security cameras will be installed inside and out.

Attorney Silver reads Part 2 of the short form EAF, asking the board members each question and noting their response on the form. The completed form is added to the minutes, signed by Chairman Green and Pam will e-mail a copy of the signed form to Gary.

**ON A MOTION BY JOAN, SECONDED BY MAUREEN AND UNANIMOUSLY CARRIED, THE BOARD VOTES FOR A NEGATIVE DECLARATION IN THIS MATTER.**

Attorney Silver also notes that we did received the 239-m review back from the County with an opinion that this is a matter for local determination.

**ON A MOTION BY JOAN, SECONDED BY ERNIE AND UNANIMOUSLY CARRIED THE APPLICATION BY D.S.E.L., L.L.C. IS APPROVED WITH THE FOLLOWING 3 CONDITIONS:**

1. **THE EXIT SIGNS WILL BE TWO-SIDED**
2. **THE BUS PARKING AREA WILL BE ADDED TO THE SITE PLAN**
3. **THE DUMPSTER LOCATION WILL BE ADDED TO THE SITE PLAN.**

**CONTINUED REVIEWS:**

 **LIBERTY PET FARM**

 **15 OAK STREET**

Attorney Silver advises everyone that we finally did receive the 239-m review back from the County with the opinion that this is a matter for local determination. That being said and, if no one has any other questions, you can approve this application.

**ON A MOTION BY JOAN, SECONDED BY MAUREEN AND UNANIMOUSLY CARRIED, THE SPECIAL USE PERMIT FOR LIBERTY PET FARM IS APPROVED**.

**NEW BUSINESS:**

 **# 02-2019 ACHIEVE REHAB & NURSING**

 **170 LAKE STREET**

 **SITE PLAN REVIEW FOR SEA CONTAINERS**

Courtney Dow, Head of Maintenance at the facility, is present in this matter.

He explains that he’s here before the board tonight to obtain approval from the board for the permanent placement of seven (7) sea containers to be used for storage. He explains to the members that the containers have been on site since before he started working at Achieve which is more than three years ago. No one at Achieve had any idea that Planning Board approval was necessary for the boxes and, since having been made aware of it through Pam, his employers want to comply with the law.

Each storage unit location has been identified on a site plan. For the most part, each department at Achieve has a container, ie. Human resources, recreational therapy, housekeeping, and so on.

The board has no questions regarding this application and agree to schedule a public hearing on this matter next month, March 14, 2019 at 7:00p.m. Pam will place the legal notice, mail out the certified notices and forward the application to the County for 239-m review.

**ON A MOTION BY JOAN, SECONDED BY MAUREEN AND UNANIMOUSLY CARRIED, THE BOARD DECLARES ITSELF LEAD AGENCY IN THIS MATTER.**

**OTHER BUSINESS:**

Regarding Arcadia, Chairman Green had previously asked Pam to get an update of the number of police calls there were to Arcadia since our last inquiry. Pam advises everyone that the police department is still gathering that data and will submit it to us as soon as possible. The Chief did say that he called the NYSDOH in Albany person ally to file a complaint with them regarding the lack of security at Arcadia. The police are still responding to complaints 3-4 times daily.

**ON A MOTION BY MAUREEN, SECONDED BY JOAN AND UNANIMOUSLY CARRIED, THE MEETING IS ADJOURNED AT 7:40 P.M.**

Respectfully submitted,

Pamela Winters, Clerk

Village of Liberty Planning Board Approved: March 14, 2019