

**Village of Liberty
Regular Planning Board Meeting
September 9, 2010**

Present:

Don Nichols, Chairman
Carlton Fritz
Dan Ratner
Steve Green

Absent:

John Webber

Also Present:

Langdon C. Chapman, Village Attorney
Pam Winters, Code Enforcement Officer
Jeff Roberts, Surveyor
Pete Cadhiar, Agent for Parthco. LLC.

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

ON A MOTION BY CARLTON FRITZ, SECONDED BY STEVE GREEN AND UNANIMOUSLY CARRIED, THE MINUTES OF THE AUGUST 12, 2010 MEETING ARE APPROVED AS SUBMITTED.

Continued Business:

**K & K Pharmacy, LLC & Parthco.
187 Mill Street
Site Plan approval**

Pete Cadhiar, representative from Parthco LLC, is present in this matter.

Chairman Nichols: Site plan approval at the mall?

Pam: Pete is Sonny Patel's representative for this particular mall. The last time he came before you was for site plan approval for K & K Pharmacy. I've asked him to come back tonight so that he has a clear understanding of what's expected of him. In the minutes that I have, his engineer agreed to have the owner install a combination of both fencing and a tree line. Due to the high cost of the trees, Pete is asking that just the fence go in, which Chairman Nichols agreed to in theory. However the intent of the required screening was to promote a more pleasing aesthetic appearance to those travelers entering

the Village from the adjacent exit ramp. Clearly, just erecting a fence doesn't meet this requirement. He's here to get some direction from you as a board.

Chairman Nichols: The whole purpose is to get something growing high enough to cover the ugliness at the back of the buildings. The existing ramp looks like hell.

Dan: This area is visible from the traffic circle as well as from Route 17.

Chairman Nichols: The fence that you installed really doesn't cover anything.

Pete: I spoke with someone who said that just the fence would be fine.

Chairman Nichols: That was me. We talked about it and as long as the fence was high enough to cover the back it was OK, but that isn't the case here.

There's a continued conversation about just exactly where the State land begins and getting approvals from the State to place a barrier in the ROW. The conversation also considers the best type of trees to plant as far as sustainability, maintenance and growth and which retailers stock such trees. Several area vendors are mentioned. Perhaps they have knowledgeable staff who can recommend a specific variety.

Chairman Nichols: I'm not a landscaper; I just want to see the place neatened up and clean away the clutter on the catwalk.

Pam: I'd just like to have something in the minutes as a matter of record that the mall is going to plant some kind of tall tree from point A to point B so I have something documented to enforce. I can't prosecute non-compliance in court without specifics. Is it supposed to run from behind Rent-A-Center to the Tiger's Den, or only around the ramp? And, the approval granted to K & K is only for two (2) years. It was set up that way to ensure that the fencing, screening and relocation of the dumpster/recycling area has been completed. It's been four (4) months and the concrete pad for the enclosure is the only thing done so far.

Dan: The screening will start here, from this line? Isn't the Tiger's Den is here?

Pam: Yes, but that parcel is in the Town, not the Village.

Chairman Nichols: We can only ask him to do from his property line.

Dan: Maybe the trees could be stepped in some fashion.

Pam: Maybe if the meeting closes early enough, everyone could go down to the mall and better determine where to start and stop the screening.

Carlton and Dan discuss the advantages of Norway Spruce and White Pine, etc. A ten-foot Norway Spruce averages about \$180 a piece. If planted sixteen feet apart, it's still a sizeable cost to incur.

Chairman Nichols: Has anyone talked to the State to see if they may have some trees stockpiled somewhere?

Pete: No. I don't think I can plant anything in their swale and I can't plant too close to the building. Can I just remove the walkway?

Pam: No. The walkway behind the mall building is not meant an extended "storeroom" for the tenants. It's supposed to be for emergency exiting only. More than ten (10) years ago, owners allowed the tenants to add on storage cubicles for excess equipment. Over time, that extra space has been the essence of violations from garbage and debris to illegal electric service, storage of used grease and additional tables, freezers, display cases. Those storage cubicles need to be removed.

Dan: Maybe there's some way to change the appearance of the walkway to make it look better. That seems to be the bone of contention here.

Pete: I have no problem removing those cubicles.

Dan: If you're going to go with the trees, you're looking at covering at least 300', say somewhere in the vicinity of \$10,000. How about adding some screening right onto the walkway, like sheets of lattice?

Chairman Nichols: That seems to make more sense. Why don't we do this; why don't we give you the option to clean up the ramp, remove the additions and repair/replace what's damaged and worn, remove the junk and screen the walkway so it presents a nice look.

Dan: Just make sure it doesn't look like Sal's corner lot.

Chairman Nichols: No, we're talking about making it structurally sound but aesthetically easy on the eye.

Pam: You know what would look good? Going towards WSS on Route 52, the new gardening/landscaping place opposite the Town Barn, Catskill Harvest, has a screened enclosure for their plants. It's timber-framed fencing, with the top angled back about two feet (2') away from the road and then some type of black mesh is stapled to it. It looks really nice.

Dan: It's an offset roof that allows the wind to blow through but offers some screening.

Chairman Nichols: It would be functional and look decent.

Dan: A vinyl fence approximately 300' long runs about \$5,600. That's 7' high and for material alone; that doesn't include the cost of installation

Pete: I'll stop by and take a look at it. I just wanted to come to you so I don't keep spending money needlessly.

Chairman Nichols: Just let Pam know what you're going to before our next meeting.

Pete: OK. Thank you.

Pam: So this will be amending the previous approval.

**Root 52 LLC
Two-Lot Subdivision
87 Mill Street**

Jeff Roberts, surveyor, is representing the applicant in this matter.

Jeff: I guess from the map you can see what they want to do. Basically they're dividing the parking lot into two smaller lots. It's pretty simple.

Chairman Nichols: Did you come up with anything regarding the parking?

Attorney Chapman: What are the uses? Are both properties commercial?

Chairman Nichols: They're both commercial/retail.

Attorney Chapman: Your zoning says that he needs 1 space for each 250 square feet of commercial space.

Chairman Nichols: How big is the building?

Jeff: It's approximately 50' X 100' which is 5,000 square feet which means he'll need twenty (20) spaces to remain with the Root 52 LLC. parcel. I'll have to go back down and count how many are there.

Chairman Nichols: Well, we can go ahead and schedule a public hearing next month. In the meantime you can go back and recheck the number of parking spaces he has available and put them right on the subdivision plan.

Other Business:

Chairman Nichols: How did you make out with Liberty Auto?

Pam: I gave him a ticket, and he might even get a second one. When I went down to serve him, I counted thirty (30) cars and he was supposed to have no more than seventeen (17). He even parked cars at South End Auto. I told George that if the cars weren't removed, he'd get a ticket too. I gave him 48 hours to remove the cars from South End property. George said he'd have them towed out rather than pay a fine. When the time was up, George called Prestige and they were all towed out.

ON A MOTION BY DAN RATNER, SECONDED BY STEVE GREEN AND UNANIMOUSLY CARRIED, THE MEETING IS ADJOURNED AT 7:40 P.M.

Respectfully submitted,

Pam Winters, Clerk

Approved: October , 2010