**Village of Liberty Regular Planning Board Meeting**

**Thursday, October 10, 2019 7:00 p.m.**

**PRESENT**: **ABSENT:**

Steve Green, Chairman Gary Silver, Village Attorney

Maureen Crescitelli Troy Johnstone

Maureen Stabak Ernie Feasel

**ALSO PRESENT:**

Pam Winters, Code Enforcement Officer

Joan Stoddard, Village Board Liaison

Lorraine Petrocelli

Lucia Harripersad & Son

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

**ON A MOTION BY MAUREEN C., SECONDED BY MAUREEN S., AND UNANIMOUSLY CARRIED, THE MINUTES OF THE LAST MEETING ARE APPROVED AS SUBMITTED.**

**PUBLIC HEARING # 09-2019 DONALD HARRIPERSAD**

**471 NORTH MAIN STREET**

Chairman Green opens the public hearing at 7:03 p.m. and reads the legal notice into the minutes. Pam advises that twenty (20) certified notices were mailed out, sixteen (16) were received and four (4) were returned. Pam also advises the board that one nearby property owner was missed by accident but that person, Lorraine Petrocelli, is here tonight to see just what’s being proposed.

The applicant explains to Lorraine what her family is proposing to do. The application is to create a banquet room on the upper floor that could be rented out for parties. The ground floor will be utilized for a take-out eatery serving Caribbean food from Trinidad. There will be no on-site seating. The business will be open Monday through Saturday and closed on Sunday. Proposed hours will be from 11:00 a.m. to 6 or 7 p.m. depending on the needs of the business.

Lorraine appears to be satisfied, having had her questions answered. There’s no further comment from the public.

**ON A MOTION BY MAUREEN C., SECONDED BY MAUREEN S., AND UNANIMOUSLY CARRIED, THE PUBLIC HEARING IS CLOSED.**

Chairman Green reviews the site plan and notices that the distances from the building to the property line aren’t identified on the site plan and should be. Two parking spots located at the front of the property line should also be moved back. Due to the topo of the property, it appears that a retaining wall is required. That being the case, any retaining wall five feet (5’) or higher requires engineering detail on the site plan. The landscaping is incomplete and the lighting needs to be better clarified with information that shows candle light.

Pam notes that she has received no negative comments back from anyone. She forwarded the site plan to the Liberty Fire Department as instructed. Dick Martinkovic, a fire commissioner called her and said that they have no issues with the project whatsoever.

Chairman Green suggested that she forward the plans to Delaware Engineering for review and comment.

He also noted that the small shed is slated for removal but there’s no notation on the site plan indicating this; it should be added.

When asked about deliveries, Mrs. Harripersad mentions that he husband will be doing the majority of the deliveries and there should be nothing bigger than a box truck on site at any given time.

A copy of the site plan will be given to Peter Parks to see if the location of the dumpster is acceptable. A copy of the easement onto the adjacent property is still required. The applicant will speak with her attorney regarding this matter. Chairman Greens suggests that two bollards and a chain be used to separate the two roadways.

SEQR review is tabled for now, until the ZBA renders a decision on the applicant’s variance request (to reduce the front buffer/setback to less than the required twenty feet (20’).

**ON A MOTION BY MAUREEN C., SECONDED BY MAUREEN S., AND UNANIMOUSLY CARRIED, THE MEETING IS ADJOURNED AT 7:31 P.M.**

Respectfully submitted,

Pam Winters, Clerk to the Planning Board Approved, Nov. , 2019