

**Village Of Liberty
Planning Board Meeting**

Thursday, March 10th, 2022, 6:00 P.M. Planning Board Meeting

Present:

**Steven Green, Chairman
Kassondra Johnstone
Maureen Crescitelli**

Also Present:

**Gary Silver, Attorney
Jasmine Bullaro, Clerk
Dan Pollan, Code Enforcement Officer
Ernest Feasel, Spectator
George Duke, Kora Components LLC
John Heidecker, Kora Components LLC
Ken Ellsworth, Keystone Associates
Randy Wasson, Keystone Associates
Louis Dicostranzo, Liberty Barrel Brewing Company
Alex Kemp, Liberty Barrel Brewing Company**

Absent:

Stacy Feasel, Maureen Stabak

Steven Green, Chairman opens the meeting at 6:00 P.M. and leads everyone in the Pledge of Allegiance.

ON A MOTION BY KASSONDRA JOHNSTONE, SECONDED BY MAUREEN CRESCITELLI, AND UNANIMOUSLY CARRIED, THE BOARD APPROVES THE FEBRUARY 10, 2022 MINUTES.

Kora Components LLC Tax Map# 110-3-18

Gary Silver states on the plans the Zoning Table says R-2 and IC but the parcel is in a C zone. They have to fix the scheduled district regulation table. The parking needs to be shown as well as the handicap parking, and all parking must be at a minimum of 9'X19' and the plans are showing eight foot wide.

Steven Green states the plans need to show updated handicap signage which includes van accessible, reserved, and also handicap parking. The striping for the handicapped spots meets the code; it shows eight-foot-wide on the plans.

Gary Silver states that the lighting details are good, Magna flood lights are good, and there is no landscaping plan though.

Steven Green states that at the last meeting we talked about building signage, and if it is on a state highway road and on the ground it has to meet the code's size requirements.

George Duke states the sign may be put on the building as a replacement but with Kora's name; he will double-check and confirm.

Steven Green states that they must have the calculation with the number of people per square foot on the plans.

Gary Silver states the building is 80,000 square feet, so there should be 25 parking spaces, also for C use you need 1 space per 250 square feet of floor area; and for Industrial use is 1 space per 400 square feet, but in this case, this is more of a warehouse. 80,000 divided by 400 is 200 parking spaces and that makes no sense for this use; it is not that type of industrial use the code is mentioning, this is more of a warehouse. There are 30 spaces, which is ten short but there will not be more than five visitors and 25 employees; if they need more parking spaces they can come back in one year if they need any additional spaces.

Steven Green states how will you be running tractor-trailers.

George Duke states two to three trucks will be out and in per day with 2-3 deliveries per week, with control of the route direction.

Gary Silver states they need hours of operation on the plans.

George Duke states since the trucks are infrequent they can control the route left onto Chestnut out of Kora to Ferndale, left onto Ferndale Loomis to turn to Route 17 to keep out of the village.

Gary Silver states to add route of trucks onto plans.

John Heidecker states they have outside lumber storage where the current pipe is being stored on the front left corner, but not changing how it looks.

Gary Silver states if they want to close or cover the storage they need to come back to the Planning Board.

Steven Green states there are no fire lanes shown on the plans.

Gary Silver states to get the fire lanes put on the plans as soon as possible for the special meeting on March 31, 2022, at 6:00 P.M. and 239-m responses, get a letter/email from the fire department to make sure they will be okay getting in and out of the emergency exit after seeing plans and make sure that they are satisfied with it.

Steven Green asks if they are disturbing over 1 acre if not you will not need a SWPP.

George Duke states there will be no disturbance.

Steven Green states that the plans show a bio-retention pond on the lot.

John Heidecker states they will not be cutting anything over 6 inches; they will be doing grading in the back and putting a swale in the back also to retain the water which will hold the water and perc back into the ground.

Steven Green states they need stabilization on the hill and it must be shown on the plans. Also, there needs to be an enclosed dumpster with a screen not visible from the road, accessible to the garbage trucks on the plans as well.

Kassondra Johnstone states to put ingress, egress, and sight distances on plans.

Gary Silver states the Public Hearing for Kora Components LLC will be on March 31st at 6:00 P.M.

ON A MOTION BY MAUREEN CRESCITELLI, SECONDED BY KASSONDRA JOHNSTONE AND UNANIMOUSLY CARRIED, THE PUBLIC HEARING IS SCHEDULED FOR MARCH 31ST AT 6:00 P.M.

Keystone Associates Company Tax Map# 122-1-1

Gary Silver stated this is an R-1 district that allows two-family dwellings, more or so a subdivision or single parcel than anything else, and that there are no restrictions in the code that say you can only have one principle use so having multiple buildings is not a problem.

Gary Silver also states this nature is more of cluster development. The code has a definition of a cluster development but not a single zoning district that mentions a cluster development. Gary reads through code 87-9B "If a proposed use is not specifically listed in any category of uses or within a zoning district on the Schedule of District Regulations, the Planning Board shall render a formal determination as to whether or not the use is permitted in a given district, and if the use is permitted, it shall then process the application as a special use. The Planning Board shall make its determination on the basis of similarities of the use to other specifically listed uses within various districts, taking into consideration the impacts of the use on the community and the neighborhood in which it is proposed. This shall not permit the Planning Board to reclassify uses that are already listed, nor shall the Planning Board allow any use that is not listed in a particular district if that use is already permitted in another district".

Steven Green states that theoretically, this can be an apartment building or condo.

Gary Silver states yes and it is going to be a condo.

Steven Green states that across the street are condos going up Revonah Hill Road.

Gary Silver states the ownership will be condos. Does the board believe this is a similar use to things permitted in the zone? If so they are allowed to continue forward; if not then we are done.

Steven Green states once it is a condo it automatically becomes subdivided because the land remains whole.

Gary Silver states for two-family dwellings notwithstanding this the minimum lot area for a two-family dwelling is 135 percent of that for a first single-family dwelling allowing planning development; based upon the density standard they can have 115. Are the board members willing to pursue this as a Special Use Permit?

Gary Silver states the sewer was an issue due to it not being able to take more flow. The sewer line main would need to be fixed and all replaced. It could be 20 feet to thousands of feet.

Dan Pollan states that when he talked to Lynn Barry he said on Buckley the sewer lines will have to connect to the main and Buckley Street, the main and Buckley is 6 inches, so it will not be able to handle the amount of sewage backup from Buckley to North Main street. It has to be changed to enlarge the sewer main to say about 12 inches going from Buckley to North Main Street, attaching to the main on North main street that would then handle the sewage.

Gary Silver states this sewage line is currently 6 inches and it needs to be a bigger size which is undetermined still.

Dan Pollan states the need for a pumphouse is probably going to be there.

Gary Silver states that when he had talked to Mark Kellam the main route down does not require a pumphouse but there is a different area in elevation.

Dan Pollan states the issue with that is the problem going from their property to Buckley would require a pumphouse.

Gary Silver states that in order to figure out where the lines are the applicant should contact Dave Ohman at Delaware Engineering who has the or get in contact with Lynn Barry directly.

Dan Pollan states that the other route for the sewer connection would be on West and hooking up to Chestnut Street. The problem with that is Chesnut is a State road and the State will not allow you to do any work on a State road. So you will still have to increase the sewer main either way from West Street all along to Chestnut Street; it will be a shorter run from Buckley Street to Main Street though.

Ken Ellsworth stated he talked to Dave Ohman on the phone prior to the meeting and these problems have been ongoing for a long time. He stated for example the one by the brook due to the I and I issue, there have to be studies done.

Gary Silver states when he talked to Mark Kellam he believed there were studies done of portions of the line, but they could not get down by the brook due to it being too dangerous. The other issue is even if the areas of I & I are small if the line is not wide enough which is an issue.

Steven Green states other than the sewer, what about the water main.

Dan Pollan states he talked to Fred Moore from the Water Department prior to the meeting this morning and there will no issues with the water.

Steven Green states we need the flow for the fire hydrants.

Ken Ellsworth states that the purpose of being here was to wrap their heads around the code. Now it is just a question of what study, other studies were mentioned do you know who has them.

Gary Silver states to get a conference call with Dave, Mark, and Lynn to find out any other studies.

Ken Ellsworth states lastly, if anyone has any specific concerns about the layout of the plans, they are not set in stone. We looked at the underlying zoning with the R-1. The setbacks are all based on that and the spacing is based on having adequate fire flow with 20-25 distance between buildings.

Steven Green asks is this a wetland in the middle?

Ken Ellsworth states it is federal and all the blue is either a stream or wetland. The wetland is in the heavier print but it is also just naturally wet. I am not sure why it was not wetland defined but it has a bunch of streams in it so we try to avoid that area. We need to have areas for stormwater as well that we have to identify yet.

Gary Silver states you have an entrance/exit on West Street and one on Revonah Hill Road.

Steven Green states the entrances and exits are too close together, what is the length from here to the back corner; it is 24 wide feet?

Ken Ellsworth states these are not gated entrances/exits and will get further information on the entrances/exits.

Gary Silver states to put the entrance/exit information on the plans.

Steven Green states over time we will need a traffic study once we get further along.

Gary Silver states to let Jasmine know one or two weeks before April 14th, the next Planning Board, meeting if you would like to be on the agenda.

Liberty Barrel Brewing Company Tax Map# 115-1-19

Gary Silver states to amend the application as well with the Owners Authorization Form because the owner is DHANLAXMI Holding LLC, before the next Public Hearing.

Louis Diconstanzo states they are going to change the name to Liberty Barrel Brewing and put up old pictures of Liberty and make it look nice and keep the Liberty theme. The retail store is at Beer World. We are building a brewery in Middletown and also in the Petco plaza.

Gary Silver asks if that will be the source of your beer.

Louis Diconstanzo states they are going to be brewing in Liberty. We have a brewer from Upstate New York already on the team who wants to start brewing and getting the recipes up to par creating masterpieces.

Gary Silver states on the plans there are kitchen supplies, a restaurant area, and where do you plan on brewing.

Louis Diconstanzo states the brewing will be done upstairs. As for the building, we do not have that much construction; more facelifts than anything. We are going to fix the last job the other guy did for us and really just make the property cleaned up and nicer.

Dan Pollan states they are in a C zoning district.

Louis Diconstanzo states the plans are primitive because they wanted to see what they could/could not do.

Gary Silver states in a C zoning district you need a Special Use Permit, brewing could be light industrial and this is eating and drinking I believe you are covered, and also to add the upstairs brewing on the plans.

Louis Diconstanzo states the brewing will not be open to the public; it will just be for employees.

Alex Kemp states the left half of the store will stay closed off. They will have enough seating space and will use the left half in the future if needed.

Gary Silver states you are not just a restaurant; it is also industrial because you will be brewing upstairs.

Louis Diconstanzo states the upstairs is 1,500 square feet.

Gary Silver states that you include the kitchen area with the restaurant so all together it is 3,000 square feet total.

Alex Kemp states there will be one employee upstairs.

Louis Diconstanzo states there are nine parking spaces on the side, four spots in front, and two handicapped spots by the loading area.

Dan Pollan states they only need one handicapped spot.

Gary Silver states there are 17 parking spaces altogether including one handicapped.

Dan Pollan states that the 9 spot parking lot is a Village Municipal lot.

Alex Kemp states that there will be 25-30 seats at the restaurant to start with and 5 employees.

Gary Silver states if they asked Beer World for shared parking and get a long-term agreement for employee parking.

Louis Diconstanzo states they will not have patrons in the building when we start until we get your blessing and a study from the DOT on the crosswalk also what would it take to start brewing with no patrons.

Steven Green states they would just need water flow.

Louis Diconstanzo states it is a three-barrel brewing system that uses 90 gallons each time they brew so they will figure out how many gallons a day and how many times a week and get a number for the board.

Steven Green states for the next meeting to have the lighting, plans, building signage handicap signage as well, and water flow.

ON A MOTION BY STEVEN GREEN, SECONDED BY MAUREEN CRESITELLI AND UNANIMOUSLY CARRIED, THE BOARD DECLARES THEMSELVES AS LEAD AGENCY IN THIS UNLISTED ACTION.

UPCOMING MEETINGS:

The next Regular Planning Board Meeting will be on April 14, 2022, at 6:00 P.M.

There are no Public Hearings scheduled for April 14, 2022

ON A MOTION BY MAUREEN CRESCITELLI, SECONDED BY KASSONDRA JOHNSTONE AND UNANIMOUSLY CARRIED, THE MEETING IS ADJOURNED AT 7:25 P.M.

Respectfully Submitted,

Jasmine Bullaro,

Village of Liberty Planning Board Clerk