

**Village Of Liberty
Planning Board
Minutes:**

Thursday, February 8th, 2024, 6:00 P.M.

Planning Board Members Present: Member Maureen Stabak, Member Stacy Feasel, Member Maureen Crescitelli, Jasmine Bullaro, Planning Board Clerk/ Building Dept Secretary

Also Present: Village of Liberty Attorney Gary Silver, Chairman Steven Green, Marisol Torrens, Code Enforcement Officer

Absent: None

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

Gary Silver: Entertain a motion to approve the December 21st, 2023, and January 11th minutes.

THE BOARD APPROVES THE DECEMBER 21ST, 2023, AND JANUARY 11TH MINUTES ON A MOTION BY MAUREEN STABAK SECONDED BY STACEY FEASEL AND UNANIMOUSLY CARRIED.

Gary Silver: Entertain a motion to open the public hearing.

Applicant: Joel Kohn Project: Proposed 12,408 Plumbing Warehouse at 308 North Main SBL104.-2-14

THE BOARD OPENS THE PUBLIC HEARING FOR DROR PROPERTIES AT 6:00 P.M. ON A MOTION BY MAUREEN STABAK SECONDED BY STACEY FEASEL AND UNANIMOUSLY CARRIED.

Steven Green: First thing, we have a public hearing for Dror properties for a special use permit and site plan approval to construct a 12,408 warehouse for plumbing supplies. I will read the notice.

There are no comments from the public.

Gary Silver: Entertain a motion to close the public hearing.

THE BOARD CLOSSES THE PUBLIC HEARING FOR DROR PROPERTIES at 6:05 P.M. ON A MOTION BY MAUREEN STABAK SECONDED BY STACEY FEASEL AND UNANIMOUSLY CARRIED.

Gary Silver: For the record, Marisol looked into the sprinkler system. They are not required, correct?

Marisol Torrens: Correct.

Gary Silver: Has Dave seen the plans?

Marisol Torrens: I submitted the plans to Dave and the engineer after the first meeting. From my understanding he did not see it, the only thing Dave needs to look at is the water and sewer.

Gary Silver: Right now, the big issue is going to be connecting with water.

Marisol Torrens: There are not going to be any connections for water.

Gary Silver: I am going to make a note there will be no water hookups. Now looking at the plans do you guys have any comments, conditions, or concerns?

Steven Green: The engineer was okay with everything and the fire department was, okay?

Joel Kohn: I have a fire truck and Tractor-trailer stimulation on the plans.

Gary Silver: This was sent to the engineer for the sprinkler system since that is not an issue, I don't think there is anything else needed to be seen because they are just putting a building on a piece of property. Are you satisfied with what he is showing as far as the access and tractor-trailers coming in and out.

Steven Green: The lightning is supposed to be zero at the line, when the lighting comes down it is not supposed to exceed the property line.

Gary Silver: We can make a condition to have the lights by the north main street and the south side of the building hooded. I am going to read Part Two of the EAF.

Gary Silver: Entertain a motion to issue a negative declaration.

THE BOARD ISSUES A NEGATIVE DECLARATION ON A MOTION BY STACEY FEASEL, SECONDED BY MAUREEN STABAK, AND UNANIMOUSLY CARRIED. THE BOARD APPROVES THE APPLICATION BASED ON THE CONDITIONS THAT THE LIGHTS BY NORTH MAIN STREET AND ON THE SOUTHERN BOUNDARY SO THAT NO LIGHT ADMITS PAST THE PROPERTY ON A MOTION BY MAUREEN STABAK, SECONDED BY MAUREEN CRESCITELLI, AND UNANIMOUSLY CARRIED.

Joel Kohn: Thank you, procedure wise, how do we get the site plan signed?

Marisol Torrens: Steve can sign it, and I have the stamp upstairs I will go get it.

Joel Kohn: Thank you.

Gary Silver: Thank you, Joel, have a good night. The next applicant 117 South Main Street. Did we receive the 239 reviews from the county?

Applicant: Eliel Garcia Project: Proposed Restaurant/ Grocery store at 117 South Main SBL112.-7-21

Jasmine Bullaro: Not yet.

Steven Green: I will read the notice for 117 South Main Street.

Gary Silver: It has not been 30 days for the review for the county so we cannot approve until we get a response from them.

Steven Green: Reads legal notice for 117 South Main Street for a special use permit and site plan approval to open a new grocery meat/restaurant business.

Gary Silver: Entertain a motion to open the public hearing.

THE BOARD OPENS THE PUBLIC HEARING FOR 117 SOUTH MAIN ST LLC AT 6:20 P.M. ON A MOTION BY MAUREEN STABAK SECONDED BY STACEY FEASEL AND UNANIMOUSLY CARRIED.

There are no comments from the public.

Gary Silver: Entertain a motion to close the public hearing.

THE BOARD CLOSSES THE PUBLIC HEARING FOR 117 SOUTH MAIN ST LLC AT 6:25 P.M. ON A MOTION BY MAUREEN STABAK SECONDED BY STACEY FEASEL AND UNANIMOUSLY CARRIED.

Gary Silver: First we will go through part 2 of the EAF then discuss the rest.

THE BOARD ISSUES A NEGATIVE DECLARATION ON A MOTION BY STACEY FEASEL, SECONDED BY MAUREEN STABAK, AND UNANIMOUSLY CARRIED.

Gary Silver: Let's explain to the applicants what will be happening. By law because of where this property is we had to send the county for review, also by law this board is not allowed to decide on the application until we have either heard from the county or 30 days have passed since when they received the documents, we sent them. The county has told us they cannot respond yet because they have to hear from the NYSDOT because you are located right at the corner there. When is the next meeting?

Marisol Torrens: Translates in Spanish comments from Gary.

Jasmine Bullaro: The next meeting is on March 14th.

Applicant: Do we have to come to the next meeting?

Gary Silver: They should be here to answer any questions. I apologize I wish we could have done something tonight.

Marisol Torrens: They said thank you!

Applicant: Ingrid Project: Proposed Home Daycare at 30 Winslow Ave SBL104-5-3

Gary Silver: Unfortunately, you are in the R1 zoning district a daycare facility is an allowable use with a special use permit, the problem is that you are putting it in your own home. Home occupations are not allowed in the R1 district. This board does not have the legal authority to allow you to do so.

Marisol Torrens: Translates in Spanish comments from Gary.

Gary Silver: There are only two choices you can apply to the zoning board for a use variance or go in front of the village board and ask them to change their zoning for the entire R1 district

Marisol Torrens: Translates in Spanish comments from Gary.

Gary Silver: The problem you have is known as a self-created hardship, which means you bought this property when the zoning already said you cannot use it for a home occupation. By law, the zoning board of appeals would have to deny your application.

Marisol Torrens: Translates in Spanish comments from Gary.

Ingrid Aragon Lopez: My neighbor has a daycare.

Marisol Torrens: Translates in Spanish to Ingrid that her neighbor may have a different zoning district.

Maureen Stabak: I would look into changing the zoning.

Gary Silver: The next village board meeting is the 15th at 7 PM, they can show up for public comment to change the R1 district to allow home occupations.

Marisol Torrens: Translates in Spanish when the village board meeting is to come to talk to the board to possibly change zoning for the R1 district.

Gary Silver: Okay thank you guys we will see you at the village board meeting.

Ingrid Aragon Lopez: Thank you, everyone.

Applicant: 74 N Main LLC Project: Proposed ice cream parlor/two-floor addition at 74 N Main St SBL108-11-16

Aryeh Barcan: I would like to renovate the storefront to make it an ice cream parlor with pizza pasta, hot foods, slushies, and sodas, and I would like to also add a second floor for workers to sleep and also to possibly rent out other units if there is more space.

Maureen Stabak: How is he going to build out the storefront?

Marisol Torrens: It is an error, I called him and asked him to fix it, and he emailed the correct one to Jasmine.

Aryeh Barcan: I am just renovating I worded it wrong on the application.

Gary Silver: Oh, this is the old bank?

Stacey Feasel: Yeah, we already approved him a couple of years ago.

Marisol Torrens: I have a question?

Gary Silver: Yes, go ahead Marisol.

Marisol Torrens: He is in a DCC zone according to the definition it has to do with historical, this district is intended to complement the downtown Liberty historic, my question is, does the village of Liberty have to follow historical guidelines for the outside of the building?

Gary Silver: Not that I am aware of, it says "Intended the complimented downtown liberty historic district designation of provide for the development of both commercial and residential uses in this area. Obviously you would not want it to be neon pink with flashing lights it would be inconsistent, if the board has an issue with the way the outside of the building looks and wants it to look different, they can ask for a condition for that.

Steven Green: Technically he would have to come up with full plans of what it is going to look like when it is done.

Gary Silver: We want to see it when it is done, if you are going to change it, we need to see what it is going to look like afterward.

Aryeh Barcan: I would only change the front windows and doors because they are old, put a sign. I am not changing the stone on the side of the building.

Gary Silver: Is this a flat roof?

Aryeh Barcan: Yes, that is where the second floor is going.

Gary Silver: Okay we will need what the front and everything will look like.

Steven Green: Not that it is our problem, the fire escape in between the building goes out to the left.

Marisol Torrens: What is wrong with the fire escape?

Steven Green: The access way is covered.

Marisol Torrens: If it is existing, he cannot move it, once the alley is not blocked with garbage is always clean there is no problem. I always ask for an engineer report when I do inspections for the fire escape to make sure people are safe.

Gary Silver: I am also very confused about the new vehicle rinse station.

Marisol Torrens: That is being taken off of the plans

Steven Green: If you are turning it into a restaurant, we need a grease trap.

Gary Silver: You must show where the grease traps will be located and the specs on the plans.

Marisol Torrens: This is not the final plan; he is just trying to show how it would look with the units at the top.

Steven Green: He cannot park on the street.

Marisol Torrens: He will show parking and make sure it is sufficient for each unit.

Gary Silver: If you are going to still be using it for truck storage it needs to be added to the application for future references.

Marisol Torrens: We have to get calculations on the apartment and storefront for parking spaces.

Gary Silver: I suggest you write a letter that will be part of the record explaining everything.

Maureen Crescitelli: How many apartments will be on the second floor?

Aryeh Barcan: It is showing three, I might split them up better though.

Steven Green: The space is going to depend on what the code allows you need to talk to Marisol.

Marisol Torrens: I will email you.

Gary Silver: If you want you can make a motion to declare yourselves lead agency.

**THE BOARD DELCARES LEAD AGENCY ON A MOTION BY MAUREEN STABAK,
SECONDED BY MAUREEN CRESCITELLI, AND UNANIMOUSLY CARRIED.**

Gary Silver: Entertain a motion to adjourn the meeting.

**THE MEETING IS ADJOURNED AT 7:00 P.M ON A MOTION BY KASSONDRA
JOHNSTONE, SECONDED BY MAUREEN CRESCITELLI, AND UNANIMOUSLY CARRIED,
THE MEETING IS ADJOURNED AT 7:00 P.M.**

