

Village of Liberty Regular Planning Board Meeting March 14, 2019 7:00 p.m.

Present:

Steve Green, Chairman
Joan Stoddard
Maureen Crescitelli
Ernie Feasel

Absent:

Malek Rabadi

Also Present:

Gary Silver, Village Attorney
Pam Winters, Code Enforcement Officer
Randy Wasson, Wasson Engineering
Joshua Chaudrey
Courtney Dow
Mr. & Mrs. German Bueno
Etta Barbanti

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

ON A MOTION BY JOAN, SECONDED BY MAUREEN AND UNANIMOUSLY CARRIED, THE MINUTES OF THE FEBRUARY 14, 2019 MEETING ARE APPROVED AS SUBMITTED.

PUBLIC HEARING:

7:00 P.M.

**# 01-2019 ACHIEVE REHAB & NURSING
170 LAKE STREET**

Chairman Green opens the public hearing at 7:00 p.m. Courtney Dow, Maintenance Supervisor at Achieve Is present in this matter. Pam advises the members that 19 certified notices were mailed out, 13 were received and 6 are unknown at this time.

Since Chairman Green is one of the property owners who received a certified notice, Attorney Silver indicates that Steve must recuse himself from this point on. Joan Stoddard will act as Chairman for the remainder of this application. She reads the legal notice into the minutes.

Attorney Silver tells the board that we've received the 239-m review back from the County and it's their determination that this is a matter for local determination. There are no comments or concerns from the public regarding this application.

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

Attorney Silver reads the questions from Part 2 of the EAF, noting the board's answers accordingly.

ON A MOTION BY MAUREEN, SECONDED BY ERNIE AND UNANIMOUSLY CARRIED, THE BOARD DECLARES A NEGATIVE DECLARATION IN THIS MATTER.

ON A MOTION BY ERNIE, SECONDED BY MAUREEN AND UNANIMOUSLY CARRIED, THE BOARD DOES HEREBY APPROVE ACHIEVE'S REQUEST TO KEEP THEIR 7 STORAGE CONTAINERS.

**# 02-2019 GERMAN & MARIA BUENO
3 MAPLE STREET
SPECIAL USE PERMIT/SITE PLAN APPROVAL**

Mr. & Mrs. German Bueno and their son are here along with Etta Barbanti to request a special use permit and site plan approval. They have entered into a contract to purchase the office building located at 3 Maple Street (present owner is Brian Rourke) and convert the first floor into a restaurant and convert the second floor office area (previously occupied by Kelly Engineering) into a live-work apartment. The change of use triggers the need for Planning Board approval.

Etta explains to the board that the Buenos have an established high-end Ecuadorian restaurant in NYC and will be relocating to Liberty. The application was submitted for a different location on North Main Street that became problematic and they felt that this new location on Maple Street is much more suitable to their needs.

Attorney Silver works with the applicant to amend the application and the EAF in all locations necessary and has Mr. Bueno initial all of the changes. Etta submits a new letter of authorization signed by the current owner, Brian Rourke, allowing the review process to move forward tonight.

There's no on-site parking; customers will utilize the Village municipal parking lots, much like the customers at the Elk's and Tai restaurant do. The board has some concerns about lighting in the alley between 3 Maple Street and the Elk's indicating that

outdoor lighting on the building along the alleyway will be required. Those details are to be shown on the building plans when submitted to Pam for review.

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

The property falls within 500' of a NYS road so the application will need to be sent to the County for 235-m review.

A public hearing is scheduled for Thursday, April 11, 2019 at 7:00 p.m.

ON A MOTION BY JOAN, SECONDED BY ERNIE AND UNANIMOUSLY CARRIED, THE MEETING IS ADJOURNED AT 8:00 P.M.

Respectfully submitted,

Pam Winters, Clerk

Approved: April 11, 2019