

**Village of Liberty**  
**Special Planning Board Meeting**  
**March 22, 2012 7:00 p.m.**

**Present:**

Steve Green, Chairman

Carlton Fritz

Dan Ratner

Jack Tompkins

John Webber

**Absent:**

**Also Present:**

Langdon C. Chapman, Village Attorney

Pam Winters, Code Enforcement Officer

Allan Frishman, agent for Yeshiva Ahavas Israel

Anthony Siciliano, Surveyor for Martco, L.L.C.

Acting Chairman Dan Ratner calls the meeting to order at 7:05 p.m. and leads everyone in the pledge of allegiance.

Acting Chairman Ratner: I think, before we do anything, it would be appropriate to introduce and welcome our new board member, Jack Tompkins, to everyone here.

Jack: I'm Jack Tompkins. I believe I already know everyone here. Thank you.

**ON A MOTION BY CARLTON FRITZ, SECONDED BY JOHN WEBBER AND UNANIMOUSLY CARRIED, THE MINUTES OF THE MARCH 10, 2012 MEETING ARE APPROVED AT SUBMITTED.**

Acting Chairman Ratner: At this time I'd like to re-open the public hearing for Yeshiva Ahavas Israel LLC. Allen Frishman is here again.

Allen: This is the site plan that I worked out with Kelly Engineering. There were some miscommunications and I want to clarify this with the board. The original sketch for the new shul showed the building to be set back from the road 80'. Isaac was up in arms about this because there's a sewer gravity line that he wants to be able to use without putting in a pump. So now we've compromised at setting the building back 60' from the road but the site plan shows it to be set back at 70' instead.

Acting Chairman Ratner: Back up a minute. You're saying that there's a sewer line here along the side of the building?

Allen: The bathrooms are going to be here. They'll be fed by gravity. He wants to tie in to it but I don't have the sewer plans yet; we're working on that because the contractor looked at this and he wants the building here instead in order to keep it flat. We spoke to Isaac about all of this and there's just no way.

The total size of the new shul is 75' X 72'. The covered porch no longer extends end to end. The building layout has been modified to show the bathrooms on one end (they didn't want the bathrooms in the shul) and an 8' X 8' office on the other end. The covered porch is in the middle now.

Jack: What is this constructed of, Allen? He's not putting this all on a pressure-treated deck, is he?

Allen: The flooring system is a standard 2' X 10' joist system. I don't believe all of the details have been determined yet.

Acting Chairman Ratner: That's be determined by Pam when she reviews the plans for the building permit. What I'm concerned about is that you're calling this a covered porch and it's not. You're calling a duck a rooster and it's not.

Allen: Now, because the arch has to face east, we had to change the roof connection. That's why I had to bring the building back away from the road more. If they decide that it has to be at 60' is that OK?

The discussion continues about the location of the building and the grade of property.

Allen: The number of parking spaces has been increased from 3 spaces, one being a handicap parking space. We are now showing 6 with an additional handicap parking space for a total of seven (7) spaces. In your regulations, there's a specific paragraph allowing you to waive the parking requirements based upon the usage of the building. There really isn't a lot of parking needed. Residents don't drive cars to shul. There may be a few deliveries made to the shul but not often.

Acting Chairman Ratner: Our concern is not only to have the required number of parking spaces for whomever, but to be able to provide adequate access for emergency vehicles should the need

arise. We need to have room to get either an ambulance or a fire truck in there. So this parking is serving more than one purpose.

Jack: What about a lighting plan?

Allen: We don't want to have anything shining into the road or oncoming traffic. The typical lighting will be a shoebox light facing down, not a halogen light. It's hard for them to understand light pollution but I'm working on it.

I'm also working with Ira Gold at Sullivan Fire Protection on the design for the sprinkler system for the building. Those plans have yet to be finalized but will be submitted to Pam as part of the building permit application.

**ON A MOTION BY CARLTON FRITZ, SECONDED BY JACK TOMPKINS AND UNANIMOUSLY CARRIED THE PUBLIC HEARING IS CLOSED.**

**ON A MOTION BY CARLTON FRITZ, SECONDED BY JOHN WEBBER AND UNANIMOUSLY CARRIED, THE APPLICATION OF YESHIVA AHAVAS ISRAEL TO CONSTRUCT A NEW SHUL, 72' X 75' IN SIZE, AT A DISTANCE LOCATED 60' BACK FROM THE EDGE OF OLD MONTICELLO ROAD IS APPROVED. A NEW SITE PLAN STAMPED BY KELLY ENGINEERING SHOWING THE CORRECT SET BACK DISTANCE (60') MUST BE SUBMITTED BEFORE THE FINAL SITE PLAN IS SIGNED.**

Chairman Green arrives late at 7:35 p.m.

**# 02-12 MARTCO, LLC**

### **LOT IMPROVEMENT**

#### **OLD MONTICELLO ROAD & ROUTE 52**

Anthony Siciliano is back before this board again for approval. The parcel is 12.74 total with 3.69 acres being attached to the existing mall and the remaining 12.74 acres being attached to lands owned by Yeshiva Ahavas Israel.

Attorney Chapman: The board can take no action yet on this matter because, even though both the Town and Village Boards have approved the annexation, a local law is required to be adopted first before this board can grant final approval.

The Village Board is holding a special meeting on Monday, April 2, 2012 at 7:00 p.m. They can adopt the local law needed at this meeting and then this board can take any action it wants to. Then, if you so choose to, you can schedule a special meeting on the 3<sup>rd</sup> or 4<sup>th</sup> or whenever to approve the annexation.

Anthony: Can you approve it contingent upon Village Board approval?

Attorney Chapman: I'm not opposed to the board getting together briefly one night after work to approve this. You wouldn't have to come back for any meeting; they can do this without you. You don't have to advertise it 5 days ahead of time; just post a notice on the front of the building.

Acting Chairman Ratner: It sounds to me like our hands are tied for now until the local law is adopted.

### **OTHER BUSINESS:**

There is a brief discussion with regard to progress or lack thereof at Ideal Snacks LLC.

After almost two weeks, Zeke Alenick, President of Ideal Snacks, is refusing to sign the previously agreed to stipulation set forth by the Planning Board.

It is the recommendation of the Village Attorney that a STOP WORK ORDER be posted on the property immediately. It's assumed that Zeke will ignore the order and continue to work. Anticipating that to happen, on Monday Attorney Chapman will file papers in Supreme Court in Monticello seeking an injunction to cease all operations at Ideal Snacks until such time as Ideal Snacks complies with all Planning Board requirements.

[Notes for file: The stop work order was posted the following morning at 9:20 a.m. Zeke signed the required stipulation 45 minutes later. The stop work order was subsequently lifted.]

**ON A MOTION BY JOHN WEBBER, SECONDED BY JACK TOMPKINS AND  
UNANIMOUSLY CARRIED, THE MEETING IS ADJOURNED AT 7:45 P.M.**