



**Town of New Lebanon
Planning Board**

DECISION DOCUMENT

**Application/Project Name/Title:- Shaker Mill Properties- (Midtown Mall) TM# 19.2-1-51
for Unit1-101 Beverage and Smoke LLC**

Applicant Name, Address: Shannen Pabla, 214 Lisha Kill Rd., Niskayuna NY 12309

Property Location: 501 Route 20-Unit 101

At an official special meeting of the Town of New Lebanon, NY Planning Board held on July 29, 2020 at 7:30pm in person at the Shatford Park pavilion and via Google Meets, the Planning Board heard the appeal of Ms. Shannen Pabla (proposed tenant/applicant) and Ms. Bashour (owner) regarding the Code Enforcement Officer Cissy Hernandez's decision that the proposed request to open a beverage, smoke, and convenience store at the Midtown Mall in a portion of the tenant space formerly rented by the Thruway Beverage required a site plan review.

Ms. Pabla argued that her proposed business was similar to the previous tenant and she should be granted relief from the requirement to apply for site plan review. Ms. Bashour appealed the decision of the Code Enforcement Officer to the Planning Board for relief.

The Planning Board discussed the previous use of the tenant space by Thurway Beverage and the proposed use. The Planning Board stated the following reasons to overturn the CEO's decision:

- 1.) The proposed use was similar to the previous use by Thruway Beverage (retail store to retail store.).
- 2.) The proposed use is less intense than the previous use due to the smaller footprint of the proposed tenant space as only a portion of the previous retail store space will be used with this new tenant.

The Planning Board voted to overturn the CEO's decision to require site plan review for this particular application by Beverage and Smoke LLC for the above reasons. A record of the vote is found below.

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RECORD OF VOTE

Board Members		Vote		Reason Not Voted	
		Aye	Nay	Absent	Abstained
Chairperson	Michael Blatt	X			
Member	Bill Banker	X			
Member	Elizabeth Brutsch	X			
Member	Jim Carroll	X			
Member	Tegan Joy Cook	X			
Member	Greg Hanna	X			
Member	Bob Smith	X			
Totals		7	0		

Prepared by the New Lebanon Planning Board and
Recorded by Planning Board Clerk

(Signature)

(date)

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