

## ***Conservation Advisory Council, Town of New Lebanon***

### **Minutes for monthly meeting on November 9, 2020, via Google Meet**

Present: CAC members Jenna Barbary, Cynthia Creech, David Farren, Robert Gilson, Peg Munves, Steve Powers, Paul Rix.

The meeting was called to order at 6:30 P.M. We approved the minutes for the monthly meeting on October 12, 2020. They will be sent to the Town Clerk for posting.

**Town Budget:** Cynthia Creech said that the town's 2021 budget would be passed on November 10. David Farren noted that the CAC requested \$960 and was granted \$1,000. David will dial in to tomorrow's Town Board meeting after 8:00 P.M.

**Trees for Tribs:** The Town Board approved planting trees in Shatford Park at its October meeting. The application will be due in early March and we can request specific varieties of trees and shrubs. The state's only nursery, outside Saratoga Springs, sends bare-rooted seedlings to New Paltz where the Trees for Tribs folks pot them. If they award the project to New Lebanon, delivery would likely be in May. Peg Munves, David, and Tistrya walked the park to lay out possible planting locations, following up on Tistrya's walk with Jesse Newton. They met Donny Sears in the park and discussed the project. Seedlings would need to be planted so as not to impede mowing. Trees for Tribs could supply an operator with an auger for 2 days and dig 250 holes a day. Cynthia said that 500 trees seemed like a lot. The project can be done in spring and fall planting phases and could extend into another year. The Trees for Tribs folks are excited about the project.

Cynthia asked if Trees for Tribs would work with the town in advance to build backing from the public since the idea of transforming the park may meet resistance from some residents. Peg suggested that we come up with an educational program to promote it. Cynthia asked if we could put a notice in the town newsletter and suggested creating a promotional poster. David noted that the park would look different in 20 years once the plantings control erosion along the stream bed and the tree canopy matures. Peg suggested that we form a Trees for Tribs sub-committee. Steve Powers made the motion to form a Trees for Tribs subcommittee and it was approved.

**Columbia Land Conservancy:** The CLC has started a mini-grant program that intends to award a \$500 grant to each town annually. This year's application for New Lebanon will be from the Comprehensive Plan Update Committee.

**Critical Environmental Areas:** This has yet to be addressed due to the pandemic and not meeting in person. Cynthia suggested that we not rule out a presentation. David will work on the draft justification provided by Peg. Uli Rose subdivided his 150 acres and sold a parcel with the cool ravine to Philip Gellert. The Town Board will continue to meet at Town Hall but it is difficult to hear people attending both in person and online.

**PFOA:** Peg has scheduled a phone meeting with the team from the NYS Department of Health, Steve Winkley, and Tistrya. The plan is to test 15-20 wells and perhaps more. There is \$700 in the budget that may be available to fund some testing. Steve Winkley sent a map of hotspots and parcels down gradient from them. It would be more important to know the condition of residential wells and Steve Winkley requested help in identifying locations for testing. Whether NYSDOH will pay for PFOA testing is not yet clear. Steve Powers said that 3 wells dried up in town this summer and that Marcie is working on a drought mitigation plan. We discussed whether we should take this on as an advisory council.

Peg said that she hopes the testing will be done before the end of the year. Paul said we will have to find out how flexible they are. The well testing information is confidential. Unless we can gain access, it does not help our water study. We would proactively enlist well owners who would share their results.

**2021 CAC Goals:** The Water Study would continue as one of our goals as would Critical Environment Areas and the interactive viewshed map. We could also create overlay maps of aquifers, steep slopes, unfragmented forests, etc. It makes sense that the CAC spearhead those. With a reduced budget for 2021, however, we may need to push goals forward. Plans for public outreach may be a casualty, especially Michael Clough's presentation to the Shatford Park summer recreation program.

**Climate Smart Task Force update:** Steve Powers announced that Peg and Josh Young have joined the task force.

- The DEC Climate Smart Communities program is offering pilot program grants of \$8,000. The grants would help towns achieve bronze level. In New Lebanon's case, it wouldn't really work because we hope to achieve bronze level by the end of this year.
- David noted that the Hudson River Valley Greenway funding may be delayed again next year.
- Peg noted that CSC now has a Facebook page that Steve manages. It provides information about our progress.
- The CSC Facebook group is up and running. Steve has been posting regularly on both the town's page and the CSC page. There are now 360 members on the town's Facebook page and 65 on the CSC's link on the town's website.
- David asked if Columbia County is now a Climate Smart County. Steve said that Bruce Shenker, the town's EMC member, addressed this and the County has agreed to take it on.
- The solar subcommittee is working on a proposal for the town to switch to solar energy for its municipal buildings. Residents will be given an opportunity to switch to a solar provider and receive 10% off their electrical bills.
- The Pittsfield Police Department has volunteered to donate bikes they have confiscated that go unclaimed to our bike exchange program. A meeting at the Abode discussed bike storage and also hosting a free store event there.
- The coat drive was a success with 15-20 coats collected at the Farmers Market. The Dollar Store has a rack outside of donated coats for people in need.
- Bob is working on a town fleet inventory. Jesse Newton has volunteered to try to get information from Jeff Weinstock to complete the inventory.
- The Virtual Farmers Market will continue throughout the winter.
- The CSC is forming a Climate Smart Education subcommittee to develop education programs for the Facebook group and possibly the high school. Tistrya said that teachers have been very positive about the idea.

**Economic Development Committee update:** Cynthia said that the meeting was truncated. The next meeting will be devoted to planning for next year. The Town Newsletter included a first-ever Business Directory and residents seem pleased with the effort.

**Zoning Rewrite Committee:** Cynthia reported that much discussion has centered around the issue of regulating short term rentals. The ZRC has bent over backwards to be agreeable to owners but has met opposition. Property owners say that short term rentals in private homes are not businesses and should not be regulated since airbnb already regulates them. They also argue that since long term rentals are not regulated, they should not be either. However, long term renters are generally

more invested in the town. Peg has prepared a draft with information about New Lebanon's wetlands for the ZRC.

**Comprehensive Plan Update Committee:** Sharon Powers has agreed to work with Ted Salem to create an abbreviated revision of the *2005 Comprehensive Plan*. The pandemic has impacted revising the full plan since so much is uncertain about 2021. The largest issue is Chapter 5 and Sharon is figuring out how to create a shorter version. David said that the *2017 Natural Resource Conservation Plan* will be included in the revised Comprehensive Plan.

**Planning Board update:** Bob Gilson reported on the Planning Board Meeting.

- Sheryl Roden wants to give 2 acres to her grandson. Her property is 4.8 acres and is divided by the Wyomanock. There are also floodplain and wetland issues that will have to be approved by the DEC before her grandson can build. The land is in an irrevocable trust in the name of Diane Salvador, so Roden does not have the legal authority to do the subdivision. To move forward, she will need a letter from the trustee. Chairperson Brutsch made a motion to conditionally accept the subdivision pending a letter from the trustee.
- Nokomis has proposed building a 5,000 square foot "classroom" building on their property. They now say they are planning for 20-30 students to visit the site every day with weekend workshops for adults as well. Local schools would bus in students. It was noted that Wadsworth Road may not be able to accommodate school buses and suggested that minivans be used instead. During the summer they expect 20-25 cars visiting the site daily. Chairperson Brutsch expressed concern about the location of the driveway. Cissy Hernandez noted that there are also issues of fire access. Nokomis will need an easement for an access road to the pond. Nokomis said they would get back to the Planning Board. They are still waiting to get a meeting with the county for the septic. The plan for the septic is for 20-25 people per day. If they expand, the septic would be under designed. Nokomis asked if they could submit a SEQR even though they have not completed the studies. The Town Attorney noted that there is a bat issue, limiting tree cutting to November 1-March 31. The only clearing would be to widen the road. They also said that the parking lot would not be visible from the road (I wonder about from McGrath Road?). Town Engineer Schroeder asked for a landscaping plan. Chairperson Brutsch said she would like a long form SEQR submitted for the project. She noted that there may be rare plants and animals in the area. Recer of Nokomis asked if they could move forward with the SEQR without having County Health Department approval for the septic or water system or the highway permit? Ferrandino said no.
- Valley Plaza/Michael Carey wants to put a retail space where the Heritage Center was. The space would sell wood products made by Steve Beech. Carey said any profits would go to the Foundation. There would be no changes to the space and the restroom would not be public. The motion to allow the store was approved.
- Valley Plaza/ Michael Carey (the Jonathan Project.) Carey wants to use the narrow space on the west end of the plaza next to Family Dollar as a place to recycle bottles and cans to benefit his foundation. There would be no employees and it would be just a warehouse space with a small room in front where people would drop off their recycling. Chairperson Brutsch said that they would have to have a dumpster in the back in case people leave their garbage. The motion to allow the recycling center was approved.
- Mauro Automotive – Joseph Mauro seeks to change use from a residential garage to an automotive repair shop. Mauro owns 25 acres in New Lebanon with a 28' x 36' detached garage and would not do any construction. The area had been rezoned from residential to commercial. He is looking to have up to 10 vehicles at once. The garage, set back 500 feet from the road, would not be visible. He will be the sole proprietor and employee. His residence is on the property, so it would be mixed use. Code requires a bathroom and a

service sink and mechanical systems would also need to be looked into. The plan was accepted as a preliminary with changes that were discussed and moved to a public hearing the following month.

- Andrew Schrump (Gaston Robert) – Schrump is in the process of purchasing The Shedman for his landscaping business. He has submitted a site plan and a special permit application. The property would be used for his landscaping business and storage. The site currently has 3 storage buildings and a fuel tank and the business has 7 vehicles. Concern was voiced about the location due to the proximity of the Wyomanock. Chairperson Brutsch requested an official plan after the Board approved the preliminary plan.
- Lori Bashour/Midtown Mall – The septic has a 3,000-gallon holding tank that is pumped out every 3 months. It overflowed during the summer because a toilet at M&M's ran non-stop. They have an annual inspection. Chairperson Brutsch said that the SPEDS permit expired in 2015 but Bashour replied that no one from the Columbia County Board of Health informed her and she would call the DEC. She has also replaced their pest control company. The new company, Orkin, placed 15 rat traps around the building and gave recommendations about what the Mall as a whole could do as well. Columbia County needs to confirm that violations have been lifted.

David announced that the town would hold Sexual Harassment training on October 17 and all CAC members are required to participate.

The next meeting will be December 14 at 6:30 P.M. via Google Meet.

The meeting adjourned at 8:06 P.M.

*Respectfully submitted by Robert Gilson*