



Town of New Lebanon

Planning Board Public Hearing Meeting Minutes – Unapproved
January 20, 2021

Present: Elizabeth Brutsch Chairperson
Jim Carroll, Planning Board Member
Greg Hanna, Planning Board Member
Bob Smith, Planning Board Member

Absent: William Banker, Planning Board Member
Monte Wasch, Planning Board Member

Others Present: Deputy CEO Jeff Hattat, Tim Schroder Town Engineer, ten members of the community

I. Call to Order

II. Regular Meeting

Andrew Schrupp- TM # 19.-1-1-13 PB # 2020-009

Applicant is seeking a permit to use 906 US Route 20 for landscape company storage & retail. All plans were handed in by Mr. Schrupp. Columbia County Planning Department approved the plans and Chairman Brutsch read the letter to the public.

The SEQR form was read by Board Member Greg Hanna. A negative declaration was made by Chairperson Brutsch. The SEQR form passed. Chairperson Brutsch explained to Mr. Schrupp to add the river on the map, the title of the map and the date. Three copies of the map can be dropped off to the planning board clerk.

Chairman Brutsch made a motion to approve the application. Board Member Carroll second the motion. The vote carried as follows:

Chairperson Brutsch	Aye
Member Carroll-	Aye
Member Hanna-	Aye
Member Banker-	Absent
Member Smith-	Aye
Member Wasch.....	Absent

Before the regular meeting took place Chairperson Brutsch acknowledged previous board member Teagan Joy Cook. She thanked her for her service to the board over the years.

Thomas & Carol Benson- TM # 19.-1-57.3 PB # 2021-001

The applicants are seeking a lot line adjustment and conveyance of parcel to their daughter & son in law. They are requesting a waiver of a public hearing.

Mrs. Benson explained that in 2019 they were approved for a minor subdivision. Mr. & Mrs. Benson will be giving the land to their daughter and son in law so they can build on the property. Mrs. Benson points to the map where the change would occur and explains that it is a lot line adjustment and that should would like to get approval tonight. (The original map is shown and explained to the board what was done in 2019). At the time it was as subdivision.

In the current plans the surveyor added a line. The L3 line was added. Chairman Brutsch said that the only concern was if it was subdivided it would create a third lot. Mrs. Benson explained that the property is currently together and that her daughter will only be taking a piece of it.

The question was brought up about how many lots can be created in a given time. Board Member Carroll explained that more than 2 lots goes to a minor in ten years. He said, "I think you are ok. you can divide into 2 or up to 4. It's still a minor subdivision".

Chairperson Brutsch stated, "This would be another subdivision because you are not changing a line, you are adding one". "Because you are adding another line another lot is being created ". The question was raised if a public hearing could be waived. Board Member Hanna state that this case seems simple. Member Carroll questioned if it was legal to waive a public hearing. Chairperson Brutsch stated that a public hearing could be waived in the event of a lot line adjustment but not in the case of a minor subdivision.

There has to be a five day notice for a public hearing. A public hearing was scheduled for February 3.

New Lebanon Ventures TM # 28.1-82 & 28.-1-83 PB # 2020-010

Surveyor Fred Haley presented on behalf on the applicant. There was a subdivision approved in 2007. Two lots were divided at the North, South line. The owner would like to change the lot and rotate the line 90 degrees. Chairperson Brutsch asked if there are any wetlands on the property. Mr. Haley said there are no wetlands on the property. Chairperson Brutsch asked the board if there were any questions. The members of the replied, "no". Board Member Carroll said that this application was very simple. The public hearing can be waived because this is a lot line adjustment.

Chairperson Brutsch made a motion to approve the lot line change and waive the public hearing. Board Member Carroll second the motion. The vote carried as follows:

Chairperson Brutsch	Aye
Member Carroll-	Aye
Member Hanna-	Aye
Member Banker-	Absent
Member Smith-	Aye
Member Wasch.....	Absent

Nokomis Ecology Center- TM # 27.-1-26.100

George Schmidt from CPL Associate presented on behalf of applicant. He submitted the septic approval from the county to the board. Chairperson Brutsch explained that a letter from the highway department is requested. Town Supervisor Houghtaling reached out to Highway Superintendent Winestock in regards to the road conditions of the property. Mr. Winestock expressed his concern about the condition of the road and the amount of traffic that would be

going in and out. He stated that he was against the project. Mr. Schmidt said that he has reached out to Mr. Winestock and has not received a response back.

Chairperson Brutsch explained that she has received concern from residents about the road. Brutsch continued to explain that there would be a significant increase in traveling that would take place. Mr. Schmidt said that in the town engineers' report that is not what was stated. Chairperson Brutsch read directly from Mr. McCreary's letter stating that there would be an increase in traffic. Chairperson Brutsch explained that a letter in reference to the condition of the road and an evaluation from the highway department superintendent in writing and signed by him is necessary.

Mr. Schmidt explained that there would only be one bud a day utilizing the school, and that when construction ends the traffic would slow down. The conversation about the town charging the owner of Nokomis for road maintenance took place. Board Member Carroll wanted to know if the town ever charged for road maintenance. Mr. Schmidt said that it is within the town's right to charge for road maintenance. This project was previously approved at the Adams Crossing location which was easy to access. The new location does not provide easy access.

Chairman Brutsch said that there would be a positive declaration for SEQR, because there will be a positive impact. Chairperson Brutsch stated that there are many unanswered questions before she feels comfortable enough before she could approve a public hearing.

Board Member Smith said that the roads are not good, they are steep. That this is a stupid place for a school. He also mentioned that there is a lake on the property. Chairperson Brutsch also explained that there needs to be something in writing from the fire department.

Board Member Carroll made a motion to schedule a public hearing for next month's meeting. Board Member Hanna second the motion. The vote is as follows:

Chairperson Brutsch	Nay
Member Carroll-	Aye
Member Hanna-	Aye
Member Banker-	Absent
Member Smith-	Aye
Member Wasch.....	Absent

The vote was 3 Aye to 1 Nay a quorum was not reached.

Members of the public expressed their concern with the project:

Joanna Enzinga- "There is consistent traffic. The more cars that go up the road with heavy equipment would have a substantial impact on the road".

Pete Skinner- "Board Member Smith is correct, there is a lake adjacent to the property. The soil, and science center would encompass the lake, and there would be a clearing operation that needs to take place. This job triggers a SEQR review and I would like a public hearing to be delayed". The SEQR review should take place before the hearing. There is a one lane road and at the end there is a ditch".

Chairperson Brutsch gave a list of items needed for the next meeting:

- A letter from the fire company stating any requirements, to be coordinated with the Town engineer, to ensure that all firefighting needs will be met.
- A letter from the Highway Department/Superintendent signaling their support of the project and approval of the driveway curb cut location, in addition to any other requirements that be may needed
- Letters from local schools indicating whether they would be able to send a bus to the proposed project site, and if yes, how large and how many persons could be seated on the bus
- A letter stating that the engineering firm representing the project performed a self-evaluation of flora and fauna and are in compliance with all NYSDEC requirements/recommendations, per the letter provided by former Town Engineer Paul McCreary in December of 2020.
- A traffic study, the extent of which to be determined in consultation with the Town Engineer
- A revised narrative that encompasses all changes and additions to the project that have been provided via supplemental letters, environmental information, etc. It has become difficult to track all the information between the different sources.

Chairperson Brutsch explained that a Quad committee was formed that consisted of Cissy Hernandez, Tony Murad, David Farren, Ted Salem, Stephanie Ferrandino and herself. Chairman Brutsch would like to begin the process of writing the procedures of the planning board down so there would be a system in place for future members to be able to follow.

Board Member Hanna made a motion to approve the following minutes:
September 16, 2020
October 28, 2020
November 18, 2020

Board Member Carroll second the motion. The vote carried as follows:

Chairperson Brutsch	Aye
Member Carroll-	Aye
Member Hanna-	Aye
Member Banker-	Absent
Member Smith-	Aye
Member Wasch.....	Absent

Chairman Brutsch adjourned the meeting at 8:46PM.

Respectfully submitted,

Michelle Bienes

Michelle Bienes
Planning/Zoning Clerk

