



Town of New Lebanon

Planning Board Public Hearing Meeting Minutes – Unapproved
April 28, 2021

Present: Elizabeth Brutsch Chairperson
Jim Carroll, Planning Board Member
William Banker, Planning Board Member
Monte Wasch, Planning Board Member
Greg Hanna, Planning Board Member

Absent: Brent Gawron- Planning Board Member

Others Present: Cissy Hernandez- CEO, Tim Schroder- Town Engineer and 1 community members

I. Call to Order

Chairperson Brutsch called the meeting to order at 7:31PM. Chairperson Brutsch reminded all in attendance that masks need to be worn during the entirety of the meeting.

II- Case No. PB 2021-004- Black Matter Real Estate Solutions - TM # 18.1-5.12

Request for a minor subdivision for the former Van Deusen Junk Yard located on Schoolhouse Road in New Lebanon.

Fred Haley explains that the lot is conforming. Chairperson Brutsch asked Mr. Haley if he knew if the junkyard was closed out as a junkyard or was it never defined as a junkyard. Fred went on to explain that the property is located in RA1 and is listed as residential. Fred went on to explain that there is a lot of scrap metal on site. There is nothing organic but the property needs to be cleaned up.

Chairman Brutsch stated that a Phase 1 assessment would need to be done. Fred said that the D.E.C has nothing on the property. Member Carroll asked if the town has it defined as a junkyard. Fred stated that it was not classified. Town CEO Hernandez said that the property was permitted as junkyard through the town,

Fred said that the property was foreclosed and that Black Matter Real Estate Solutions purchased the property. CEO Hernandez reads communications from 2007 from the past zoning officer in regards to the junkyard. The final letter stated that there were 55 gallon drums filled with liquid on the property. The D.E.C. should go look at the current site.

Town Attorney Ferrandino stated that this was from a long time ago. She recommended to Mr. Haley to ask his client for a title search. Fred said that they already have the title. Stephanie explained that the title would state if there were any other problems with the site. The property needs to be investigated before any relief is given.

Board Member Carroll asked if there could be an order made to clean up the junkyard. CEO Hernandez stated that there are litigation files she will go through. Board Member Carroll asked

if there was a well. Fred said that it is a 1.49 acre parcel and there is no well. Board Member Wasch asked if there is a need for perc tests, and if a soil survey was done. Fred said that there was a survey done. Board Member Carroll stated that if the property is subdivided the new owners would need to get the tests done.

Town Attorney Ferradino explained that we need further information, we need a title report, and she asked CEO Hernandez to conduct a search and to share the findings with Fred. Once information is given then the board will take action.

Chairperson Brutsch questioned whether to table the item until the next meeting or accept as a preliminary plan and schedule a public hearing. Board Member Carroll made a motion to accept the application as a preliminary and to schedule a public hearing. The public hearing was scheduled for the May, 2001 meeting. Chairperson Brutsch second the motion. The vote carried as follows:

Chairperson Brutsch	Aye
Member Carroll-	Aye
Member Hanna-	Aye
Member Banker-	Aye
Member Wassch.....	Aye
Brent Gawron.....	Absent

Chairman Brutsch closed the meeting at 8:19 PM.

Respectfully submitted,

Michelle Bienes

Michelle Bienes
Planning/Zoning Clerk