



**Town of New Lebanon**

Planning Board Public Hearing Meeting Minutes – Unapproved  
June 16, 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  
Brent Gawron- Planning Board Member  
Steve Muse- Planning Board Member

**Others Present:** two community members

**I. Call to Order**

Chairperson Brutsch called the meeting to order at 7:31PM.

**Public Hearing**

**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 is representing the client. The parcel is located on Schoolhouse Road. The applicant would like to divide the existing land into three parcels. All of the lots are conforming. D.E.C was contacted, and the title search was done. Nothing was found at either the town or county level.

Chairperson Brutsch opened the floor to the public. There were no speakers and no comments. Board Member Carroll made the motion to close the public hearing. Board Member Wasch second the motion. The vote carried as follows:

Chairperson Brutsch	Aye
Member Carroll-	Aye
Member Hanna-	Aye
Member Banker-	Aye
Member Wasch.....	Aye
Brent Gawron.....	Aye
Steve Muse	Aye

**Regular Meeting**

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

Board Member Carroll said that he drove by and had noticed that there was a truck chassis and oil tank. He wanted to know if they would be removed. Mr. Haley said that he believes that they will be removed. The items are on the curb waiting to be picked up.

Board Member Hanna made a motion to approve the minor subdivision. Board Member Carroll Second the motion. The vote carried as follows:

Chairperson Brutsch	Aye
Member Carroll-	Aye
Member Hanna-	Aye
Member Banker-	Aye
Member Wasch.....	Aye
Brent Gawron.....	Aye
Steve Muse	Aye

**Case No. PB 2021-005- Taconic Engineering, DPC (Camp DD, LLC) TM # 19.4-1-22**

Agent for the applicant: Andy Didio, Taconic Engineering. The applicants, having withdrawn their original request for Site Plan approval on a proposal for an RV Storage Building (PB 2021-003) which required an area variance approval from the ZBA, the applicants are now submitting a new request for Site Plan approval that depicts a reconfiguration of two buildings that will not require an area variance.

Mr. Didio explained that the application was withdrawn from the ZBA because they gave them Other options. The plans were changed to accommodate the variance from the stream, and a B variance is no longer needed. Mr. Didio goes over the plan. The building height will be 18ft, and there will be two buildings, which will house 20 units.

Board Member Carroll asked if it is 3 feet above based elevation, it is about three feet above street level. Board Member Wasch asked about the gradient. Didio explained that there is existing grating and it sheds to the south east corner of the property.

Board Member Carroll asked how the owner would make sure that RV's are being stored. Didio explained that cars may also be stored. Mr. Didio also explained that in the lease agreement there are to be no hazardous materials. Board Member questioned what the allowable baseline would be pollution wise. Mr. Didio explained that if a car is leaking there will be a spill kit in each unit. The attorney for the applicant, Don Hillman said that there is no allowance for pollution. Board Member Hanna said that RV's leak. Board Member Wasch asked if each unit would be inspected every 48 hours.

Mr. Didio said that if there is a spill the customer needs to notify the owner. Chairperson Brutsch asked if they would be willing to install cameras on the building. Mr. Didio said that he would ask the applicant to install a camera. Chairperson Brutsch explained that there are dozens of community members against this project. Dumping in the swamp is a major concern. Attorney Hillman explained that there are sewage or water in use on the premise. Board Member Carroll wanted to know what the customers would do with the spill kit. Mr. Didio said that the owner would dispose it. There are no dumpsters on site.

Board Member Carroll explained that the plans for the building are out of scale with the existing neighborhood and architectural design. The architectural style doesn't fit with anything in town. Chairperson Brutsch explained to Mr. Didio that his client can mimic other buildings in town. She wanted to know if there is a different roof line they can use to conform to the historic buildings near the property.

Board Member Carroll asked about D.E.C. concerns. Mr. Didio said that D.E.C. will come to

the site. He also said that they have not approached D.O.T. yet. Chairperson Brutsch asked the other board members if they wanted to accept this as sketch plan or go to a public hearing. Board Member Hanna said that he would like to hear from the Department of Transportation first before going to a public hearing. He would like a an environmental impact study done, and a long form SEQR. The board would like a long form SEQR and D.E.C input for the next meeting.

Board Member Carroll asked if there can be a restriction made that a fence and a berm needs to be installed if dumping occurs. Mr. Didio said that he would ask the applicant to install a fence and a camera.

Board Member Hanna made a motion to accept as a sketch plan. Board Member Carroll second the motion. The vote carried as follows:

Chairperson Brutsch	Aye
Member Carroll-	Aye
Member Hanna-	Aye
Member Banker-	Aye
Member Wasch.....	Aye
Brent Gawron.....	Aye
Steve Muse	Aye

**Case No.: PB 2021-005 Taconic Engineering, DPC (Camp DPC, LLC) – TM # 19.4-1-22**

Request for a Minor Subdivision approval for a lot line adjustment located at 599 Wadsworth Road (in connection with Ecology Center Project). Charlie Gottlieb (the attorney for the applicant) addressed some of the concerns in reference to the project. He explained that there are three lots, they would get rid of the frontage to move the ecology center and get rid of parcel #88. Board Chairperson Brutsch asked if the Parcel 88 frontage met frontage requirements. The attorney said yes.

**Case No.: PB 2021-005 Taconic Engineering, DPC (Camp DPC, LLC) – TM # 19.4-1-22**

Continuation of a request for a Special Permit & Site Plan approval to construct an ecology center located at 599 Wadsworth Road. Mr. Gottlieb went on to explain that former town engineer Paul Mc Creary had asked for a traffic study. Their client hired someone to count the number of cars that access Wadsworth Road. Thirty-five vehicles utilized Wadsworth Road and 3 utilized Kelly Road. The traffic study showed that the traffic pattern was a Level A, which is a free flowing, low traffic area. The proposed increase of traffic due to the 25 passenger bus would still prove to be a Level A traffic pattern. The highway superintendent expressed concern over the curb cuts and the entrance. The driveway location is appropriate. The applicant would like to speak to the highway superintendent about his concerns.

Mr. Recer explained that he spoke to the Fire Chief. He said that he wouldn't have a problem driving a firetruck to the location. Board Member inquired if the school was contacted. It is a dirt road and can see the concern. Students from the local school do not get picked up by a school bus on the road. Board Member Carroll expressed concern about the daily traffic explaining that the road is not intended for daily trips of school buses.

Betsey Feathers explained that the soil laboratory and the ecology center would not see more than ten trips a day. Board Chairperson explained that it was previously stated that there would be 25 additional cars a day.

The fire company concerns were getting water to the property. This would take over an hour. The Applicant would like to discuss other options with the fire chief. Maybe a dry fire hydrant. A meeting will be set up with the fire chief to discuss other alternatives. Board Member Gawron said that getting to the pond on the property is a lot of work. One option might be to find an available option to have access to the pond.

Board Chairperson stated that it is a very large building at 3,200 Square feet. Mr. Recer explained that the plan was reconfigured and the square footage was reduced to 2,500 square feet. Ms. Feathers explained that the building that is being proposed is a post and beam kit. The original plan included a silo, but it has been removed from the plan. Mr. Recer stated that he will revise the plan without the silo. He also explained that the second floor is not open to the public. It will be used as an office. Ms. Feathers explained that she believes that the students would come from a 30 mile radius, approximately once a year. The agricultural education that would take place at the school is in line with the state policy.

Board Chairperson let the applicant know to update the plans and include the revisions. Board Member Wasch made a motion to move this application to a public hearing. Board Member Steve Muse second the motion. The vote carried as follows:

Chairperson Brutsch	Aye
Member Carroll-	Aye
Member Hanna-	Aye
Member Banker-	Aye
Member Wasch.....	Aye
Member Gawron.....	Aye
Member Muse	Aye

Chairman Brutsch closed the meeting at 9:00 PM.

Respectfully submitted,

*Michelle Bienes*

Michelle Bienes  
Planning/Zoning Clerk

