



**Town of New Lebanon  
Planning Board Minutes – unapproved  
August 18, 2021**

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Present: Elizabeth Brutsch Chairperson  
Jim Carroll Board Member  
Brent Gawron Board Member  
Greg Hanna Board Member  
Steve Muse Board Member  
Monte Wasch Board Member

Absent: William Banker- Board Member

Others Present: ZEO- Cissy Hernandez, Bob Gilson (CAC), 29 members of the public

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**I. Call to order:**

Chairperson Brutsch called the regular meeting of the Town of New Lebanon Planning Board to order at 8:30 PM..

**II. Regular Meeting/Case Review**

**Case No. PB 2021-007- Marcia Mayper TM # 28.-1-19 Minor Subdivision**

Agent: Fred Haley. Applicant is seeking a two lot subdivision on property located at 2216 County Route 5.

Board Member Jim Carroll made a motion to approve the Minor Subdivision for Marcia Mayper. Board Member Greg Hanna second the motion. The vote carried as follows:

Elizabeth Brutsch-	Aye
Jim Carroll-	Aye
Brent Gawron	Aye
Greg Hanna	Aye
Steve Muse	Aye
Monte Wasch	Aye
William Banker	Absent

**Preliminary**

**Case No. PB 2021-009 Christopher Lindop TM # 28.-1-29.1 Minor Subdivision/Lot Line Adjustment**

Agent Fred Haley. Applicant is seeking a 4 lot subdivision and a lot line adjustment. The property is located at 165 McGrath Hill Road, New Lebanon, NY

Mr. Haley explained that the lot is conforming and there will not be any construction taking place. The neighbor Nancy Kyle would like to purchase that land that abutters her property. Chairperson Brutsch asked Mr. Haley to provide a letter of intent to purchase from Mrs. Kyle at the next meeting.

Chairperson Brutsch asked if the parcels have been perked. Mr. Haley said that they have not been

perked. Board Member Wasch asked if the property was forest and that it was not agricultural. Mr. Haley said it is forest and not agricultural. Chairperson requested that the applicant provide the letter of intent to purchase and add a note regarding the lack of percolation tests on the parcels at the next meeting

Board Member Hanna made a motion to accept the preliminary hearing and move forward with a Public Hearing. Board Member Carroll second the motion. The vote carried as follows:

Elizabeth Brutsch-	Aye
Jim Carroll-	Aye
Brent Gawron	Aye
Greg Hanna	Aye
Steve Muse	Aye
Monte Wasch	Aye
William Banker	Absent

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

Agent for 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,

Andy Didio provided a brief summary of the RV Storage Unit proposal. Mr. Didio discusses the 2017 application that was approved for a five building storage unit. The current proposal is to erect two buildings on the current vacant lot. The proposal conforms to the stream and front setbacks. The Department of Environmental Conservation confirmed the wetland boundary. The applicant will install a split rail fence near the wetlands. For the grading plan, the buildings will be raised for base flood elevation.

Mr. Didio explains in the lightening and landscape plan that screening would be provided, and there will be year round screening. Mr. Didio supplied an elevation view showing the height of the proposed screening compared to the building height.

A question was asked about the maintenance of the RV's. Mr. Didio explained that there are no intentions of maintenance of any vehicles. The purpose is just for storage. Chairperson Brutsch asked if the maintenance of the vehicles could be put in as a condition of approval.

The attorney for the applicant explained that in the town's use table in the zoning ordinance self-storage is permitted in the commercial zone. There was a question about whether more than an acre of land was being disturbed because of differences between the application and the EAF. Clarification is required. The attorney stated Shaker Swamp is not a state designated critical environmental area. This is a permitted use in the zone.

The applicant provided the board with photos of current properties in town. He explained that their current proposal fits in with the character of the town. He went on to say that several of the current buildings meet the aesthetic of the character of the neighborhood.

Board Member Wasch explained that this intersection is the gateway of the town. The applicant stated that there are 5,368 cars that travel Route 20 on a given day and 2,800 cars travel Route 22 on a given day, arguing Route 20 is the gateway to the community more than Route 22. Mr. Wasch also explained that the prior actions of the board are irrelevant.

Chairperson Brutsch read section 205-14 from the Site Plan Review. She also explained that the permitted use needs to meet the site plan requirement. She also suggested to look into the company Morton for ideas on architectural style. None of the architectural style concerns have been addressed. Examples of architectural details which could improve the building included additional stone wainscot, board and batten siding, cupola, false windows, columns, etc.

**Case No: ZBA-Nokomis Ecology Center TM # 27.-1-26.100- Lot Line Adjustment**

Agent for applicant: Bryce Recer, CPL Team. Request for Minor Subdivision approval for a Lot Line Adjustment located at 599 Wadsworth Road. Continuation of a request for a Special Permit and Site Plan Approval to construct a private school/ecology center.

The attorney for the applicant provided the board with a list of conditions the applicant would accept. Board Member Wasch questioned some of these conditions. He asked for clarification in regards to the number of students and teachers per month that would be bussed in. Monte asked what the septic limit is on the property. Mr. Recer explained that the septic limit cannot exceed 25 people at one time.

One of the conditions mentioned was holding seminars on the weekend. The seminars will be held Saturday and Sundays but there will not be anyone staying overnight. The proposed water tank would have a capacity of 10,000 gallon underground water tank. This tank could be used by the neighbors.

Chairperson Brutsch asked about the outdoor composting on site. , "Where would the compost bin be located?", and what would be composted?" The applicant said that he will provide that information prior to the next meeting.

Board Member Muse explained that the local school district will not send a bus up the center. Their word would carry a lot of weight with other school districts.

Chairperson Brutsch was concerned that the proposal is out of tune with the scale of the building. The applicant needs to prove that all of the space in the building is needed.

Board Member Carroll was concerned with the configuration of the parking and amount of parking. Mr. Recer said that 10-12 parking spaces will be a gravel road. Board Member Carroll was concerned of the narrowness of the road to the right. He asked if the applicant would be willing to commit in promoting a safer way out of the facility.

The board discussed setting up a site visit to the ecology center.

**Case No: ZBA-2021-008 LAL Customs, LLC. TM # 8.-1-32.1 Special Permit W/ Site Plan Review**

Applicant is requesting a change in use from a paper recycling plant to a custom car shop. The property is located at 4279 County Route 9, New Lebanon, NY.

The applicant explained that the business would not be open to the public. The business is growing. Currently there are four full time employees on staff but with this expansion they are hoping to have a eight full time employees on staff.

The business is not a repair shop, it is a custom car shop. Board Member Carroll asked if the debris would be stored outside. The applicant stated that the work is done on high-end cars and that there would be minimal to no mess. Parking would be behind the building. The applicant would like to put in an L-shaped parking lot. The applicant also explained that there would be separate barrels for waste, oil, etc. There would also be 2 dumpsters, one for scrap and one for garbage. The dumpsters will be fenced in. All of the cars on sight will be registered and insured.

Board Member Carroll asked the applicant if he would be willing to put up fencing. He said if he needs to he would. A question was posed in regards to signage. The applicant said that he doesn't need signs.

Chairperson Brutsch set the following conditions to the applicant for the next meeting:

- Improve map per the Site Plan Review standards
- Show parking spaces
- Show where the dumpsters would be
- Show where the fencing would be
- Where screening would be
- Make sure the Title, Date and Scales are listed on the map

- Sketch in drawings & septic
- Plot on the map
- State what lighting exists
- Engineered plans would be ideal, existing footprint and any other changes.

Board Member Carroll made a motion to approve as a Sketch Plan and move to a Public Hearing. Board Member Wasch second the motion. The vote was carried as follows:

Elizabeth Brutsch-	Aye
Jim Carroll-	Aye
Brent Gawron	Aye
Greg Hanna	Aye
Steve Muse	Aye
Monte Wasch	Aye
William Banker	Absent

**Case No: ZBA-2021-010 Conrad Coon- TM # 8.-2-76 Minor Subdivision**

Applicant is requesting a minor subdivision of 2 lots. The applicant is also seeking a lot line adjustment between two lots. The property is located 4565 County Route 9, New Lebanon, and New York.

The Lot Line Adjustment entails lots 5 & 6. The Minor subdivision encompasses lots 2, 4, 5, 6, and 7. The property is in the RA 2 district. The property was subdivided in the past 10 years but was reviewed as a major subdivision at that time. There will not be any construction.

Board Member Hanna made a motion to move this application to a Public Hearing. Board Member Wasch second the motion. The vote carried as follows:

Elizabeth Brutsch-	Aye
Jim Carroll-	Aye
Brent Gawron	Aye
Greg Hanna	Aye
Steve Muse	Aye
Monte Wasch	Aye
William Banker	Absent

**III. Approval of Minutes:**  
July 21, 2021

Board Member Gawron made a motion to approve the July minutes. Board Member Muse second the motion. The vote carries as follows:

Elizabeth Brutsch-	Aye
Jim Carroll-	Aye
Brent Gawron	Aye
Greg Hanna	Aye
Steve Muse	Aye
Monte Wasch	Aye
William Banker	Absent

The meeting was adjourned at 10:53 PM.

Respectfully,

Michelle Bienes  
Planning Board Clerk