



**Town of New Lebanon  
Planning Board of Minutes – unapproved  
2/16/2022**

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Present: Elizabeth Brutsch, Planning Board of Appeals Chairperson  
Jim Carroll , Planning Board Member  
Brent Gawron, Planning Board Member  
Greg Hanna, Planning Board Member  
Steven Muse Planning Board Member  
Monte Wasch Planning Board Member

Absent: Joshua Young Planning Board Member

Others Present: Stephanie Ferrandino- Town Attorney, Jeff Hattat- CEO, three members of the Community.

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**I. Call to order:**

Chairman Brutsch called the regular meeting of the Town of New Lebanon Planning Board to order at 7:02 pm.

**II. Regular Meeting/Case Review:**

**Case No: PB 2002-003-: Special Permit- James Carroll TM # 28.-1-90**

Applicant is requesting a special permit to convert a single-family dwelling to a short-term rental.

Mr. Carroll's children purchased the single-family dwelling located at 2017 County Route 5 in New Lebanon. The house consists of 4 bedrooms, 2 bathrooms on a 5-acre lot with a small barn on the property. The driveway has the capability of fitting six cars. He would like to convert the house into a short-term rental. There will be no change to the outside or inside of the home. It has a septic system and a private well.

Mr. Carroll went through the nineteen special use performance standards in regards to his application. There will be no change to the neighborhood, there are no registered historic natural resources, there is ample emergency access, sight line is good, and traffic access is fine. The house has a working septic system and a private well.

Chairperson Brutsch asks the applicant to clarify the number of people allowable at one time in the rental. Mr. Carroll said that the maximum number of people allowed in the rental would be twelve.

Chairperson Brutsch requested the applicant to provide a map with a date, name and title to the clerk prior to ten days before the next meeting.

Board Member Muse made a motion to accept the application and move to a Public Hearing pending the receipt of the map requested. Board Member Wasch second the motion. The vote carried as follows:

Board Chairperson Brutsch-	Aye
Board Member Carroll-	Abstain
Board Member Gawron-	Aye
Board Member Hanna-	Aye
Board Member Muse-	Aye
Board Member Wasch-	Aye
Board Member Young-	Absent

**Case No: PB: 2022-004 Lot Line Adjustment- Phillip Gellert TM # 3.-1-8**

Applicant is requesting a lot line adjustment between lots 3.-1-8 and 3.-1-16.

Fred Haley is the acting agent for the applicant. Mr. Haley explained the property location is on West Street. There was a previous subdivision that took place on this property in 1985. The two lots were combined for tax purposes. Mr. Gellert would like to give 25 acres of his land and combine them with Mr. Preimsberger's property. Once the adjustment is approved the following will be the number of each acreage for each owner:

- Mr. Preimsberger current acreage is 5- adjustment will increase his acreage to 30 acres
- Mr. Gellert- current acreage is 77 acres- adjustment will decrease acreage to 52 acres.
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The two owners' properties are adjacent to one another. Board Member Wasch asked where the remaining 52 acres front. Mr. Haley explained that remaining acres front West Street.

Board Member Wasch makes a motion to waive the public hearing and approve the lot line adjustment. Board Member Gawron seconds the motion. The vote carried as follows:

Board Chairperson Brutsch-	Aye
Board Member Carroll-	Aye
Board Member Gawron-	Aye
Board Member Hanna-	Aye
Board Member Muse-	Aye
Board Member Wasch-	Aye
Board Member Young-	Absent

**Case No: PB: 2022-005 Special Permit- Melony Coons TM # 8.-2-63**

Applicant is requesting a special permit to remove an existing manufactured home and replace it with a larger manufactured home.

The current modular home on the lot is a three-bedroom home on a slab. The current house will be removed, a new slab will be poured and the new home will be installed. Currently, there is a working well and a working septic system.

Chairperson Brutsch requested the applicant to supply an improved map to scale including the title and date no later than March 2, to the clerk.

Board Member Gawron made a motion to approve the special permit pending the receipt of the updated map and to move to a public hearing. Board Member Carroll second the motion. The vote carried as follows:

Board Chairperson Brutsch-	Aye
Board Member Carroll-	Aye
Board Member Gawron-	Aye
Board Member Hanna-	Aye
Board Member Muse-	Aye
Board Member Wasch-	Aye
Board Member Young-	Absent

### **Sketch Plan Conference- (Pre-application meeting) Camp DD. LLc # 19.4-1-22**

Applicants having tabled their request for an RV Storage Facility are requesting a sketch plan conference to discuss approval of five self-storage units.

The applicant's attorney Mr. Don Hillmann explained that the application before the board was previously approved in 2017. This application is being revisited due to the tabling of the RV Storage application.

Mr. Diddio went through the plan for the five self-storage units. He explained that the entrance location hasn't changed and the storm water management system hasn't changed either. The D.E.C. will come out to look over the site.

The sight plan is good in both directions, the lighting, landscape and screening is the same that was proposed for the site in 2017.

Chairperson Brutsch asked what type of vegetation would be planted? Mr. Didio said that white pine and spruce trees will be planted. Mr. Didio goes over the full D.O.T entrance design, the traffic control, the signage, the paved entryway and the curbing details, He also explained that the elevation would be 10 foot, 5 inches to the ridge. Board member Hanna asked what size the doors would be. The doors will be 8 foot tall. Board Member Wasch asked about the full frontage and Mr. Didio explained that it is a 98-foot build and a 40 ft driveway. Mr. Didio told the board that the variance was granted by the Zoning Board in 2017. Board Member Carroll asked if the variance was still in effect. CEO Hattat state that the variance is still in effect.

Board Member Carroll asked if the buildings location could be moved south, an adequate distance from the wetlands. Board Member Carroll also suggested to make the appearance of the building appealing to the eye.

Attorney Hillmann voiced his concerns in regard to the process being challenging, and that the proposed storage unit is consistent with other storage businesses in town. He also noted that he does not want to go through the same process as they have done with the RV Storage application. The facility will be a classic style storage facility, one that is customary. The facility being proposed is the same facility that was approved in 2017.

Board member Hanna questioned why the previous approval was not completed. Mr. Diddio explained that the applicant felt it didn't work at that time and was exploring other options. Board Member Carroll expressed that he understood why the facility was approved but feels that he buildings are ugly. Mr. Didio said that the screening will provide a barrier year-round and you will not see the buildings. Board Chairperson asked if the entrance to the facility could be moved to the South and add more trees.

Board Member Wasch was concerned about vehicles impinging on the waterway on premise. Mr. Didio explained that there is existing gravel that will become reclaimed grass. Chairperson Brutsch suggested to change the access point or the aesthetic of the buildings. Board Member Hanna asked where the snow will be removed to. Mr. Didio responded that the snow will be moved to the back of the property.

Chairperson Brutsch asked if there will be pole lighting or just lights on the buildings. Mr. Didio explained that there will be lights installed on the buildings and no pole lighting. Chairperson Brutsch inquired about the color of the buildings. Mr. Didio explained that he needs to find out from the applicant what color the buildings will be.

Town Attorney Ferradino inquired about cars stacking the gate. She asked about the queuing up process for the vehicles. The turning radius would be 25 feet- 41 feet. Two vehicles can queue up at one time. Mr. Didio stated that they can make it deeper.

Mr. Didio asked if the board had a preference between trees verses berms, Board Member Gawron stated that trees are more appealing to the eye. Berms are hard to maintain and can be an eyesore.

Board Chairperson requested a \$5,000 escrow, The applicant s attorney Mr. Hillmann stated that he had a problem with supplying escrow because the project was previously approved. Board Chairperson

explained the escrow was needed for engineering review. Mr. Didio stated that there is not much for the engineer to review and he didn't think escrow was necessary. Chairperson Brutsch then requested an escrow of \$2,500.00.

Board Member Hanna made a motion to accept the application as a preliminary. Board Member Wasch second the motion. The vote carried as follows:

Board Chairperson Brutsch-	Aye
Board Member Carroll-	Aye
Board Member Gawron-	Aye
Board Member Hanna-	Aye
Board Member Muse-	Aye
Board Member Wasch-	Aye
Board Member Young-	Absent

### **III. Nokomis Discussion**

Chairperson Brutsch stated that she had received the engineering report. She mentioned that escrow has fallen below and needs to be replenished. Carroll made a motion for Nokomis to replenish their escrow account. Board Member Wasch second the motion. The vote carried as follows:

Board Chairperson Brutsch-	Aye
Board Member Carroll-	Aye
Board Member Gawron-	Aye
Board Member Hanna-	Aye
Board Member Muse-	Aye
Board Member Wasch-	Aye
Board Member Young-	Absent

### **IV. Minutes Approval**

Board Member Carroll made a motion to approve the January 19, 2022 minutes. Board Member Gawron second the motion, the vote carried as follows:

Board Chairperson Brutsch-	Aye
Board Member Carroll-	Aye
Board Member Gawron-	Aye
Board Member Hanna-	Aye
Board Member Muse-	Absent
Board Member Wasch-	Absent
Board Member Young-	Absent

### **V. Local Law # 1**

Town Attorney Ferradino explained that the SPR was approved in 2021. The only change in the current proposal is a clarification of the added language for "P".

TSP- (Town Board Special Permit) for telecommunication is being added. The question of why the TSPR was being removed came to surface. There is no special permit or no SPR needed. There is no oversight for approval.

Board Member Wasch questioned what was going on with the 911 communication tower. Board Member Gawron stated that the tower is needed. Board Member said that he understands that the tower is a need but that the approval has to be done properly. He also questioned who regulates the process if there is no oversight.

The board will compile their concerns in regards to the Local Law 1 and have them sent to the Town Supervisor no later than March 8, 2022.

Board Member Hanna made a motion to adjourn the meeting at 8:11 PM. Board Member Wasch second the motion. The vote carried as follows:

Board Chairperson Brutsch-	Aye
Board Member Carroll-	Aye
Board Member Gawron-	Aye
Board Member Hanna-	Aye
Board Member Muse-	Aye
Board Member Wasch-	Aye
Board Member Young-	Absent