



**Town of New Lebanon  
Planning Board Regular Meeting Minutes – unapproved  
12/21/2022**

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Present:	Elizabeth Brutsch	Planning Board Chairperson
	Jim Carroll	Planning Board Member
	Josh Young	Planning Board Member
	Monte Wasch	Planning Board Member
	Brent Gawron	Planning Board Member
	Steven Muse	Planning Board Member
	Greg Hanna	Planning Board Member

Absent: None

Others Present: Stephanie Ferradino- Town Attorney , Jon Tingley- Town Attorney, Anthony Murad-ZBA Chairman, two 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 7:11 pm.

**II. Regular Meeting:**

**Case No: PB 2022-20 Ashley Zapp (FFM Group, LLC)**

The applicant would like to open a retail market.

Board Chairperson Brutsch explained that at the last meeting the following documents were requested from the applicant:

1. A letter from the Septic Company in regards to the current conditions of the septic
2. The AG District Letter
3. An amended map.

All of the above documents have been received and are on file.

Board Member Hanna read the Resolution aloud.

The Resolution will be filed by the P/Z Clerk with the Town Clerk within five business days.

There are two changes to the Resolution. Forest and vegetation and food desert will be removed, The wording of must comply with all conditions in order to obtain a building permit will also be removed.

Board Member Wasch made a motion to accept the Resolution with noted amendments. Board Member Gawron second the motion. The vote carried as follows:

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

**Case No: PB 2022-021 Minor Subdivision & PB 2022-024 SP/SPR- Carolyn Mlodzianowski TM # 8.-1-62.111**

**Minor Sub-Division-** A three-acre parcel is proposed to be sub-divided out of 22+/- acre parcel.

**SP/SPR-** Retail requires a Special Permit & Site Plan Review in the Commercial- Industrial Zone per use table.

Steve Vukas from Primemark Properties presented the board with an updated site plan. The building will be just under 11,000 square feet on 3.2 on a 3.2 square foot parcel. It will be a retail store and a low impact user of utilities.

The revised plan consisted of the parking being moved to the side of the building rather than the front. The customer entrance will also be located on the side of the building. Landscaping will be added out front for screening along with a 6-foot wooden fence to shield the neighbors., There will be 33 parking spaces provide. Based on the town code the number of parking spaces provided should be 112. As per Town Attorney Ferradino the parking count can be modified by the Planning Board and does not require an appearance before the Zoning Board of Appeals.

The aesthetics of the building will consist of a flat building line with gabled parapets and awnings. The property is located on a state road; therefore, the p/z clerk will send the county a referral following a motion and approval by the Planning Board.

Board Chairperson Brutsch requested a \$5,000 escrow from the applicant.

Board Chairperson Brutsch inquired about the mechanical items on the roof. She would like to see them shielded from sight. The applicant stated that they will provide shields on the east side of the building.

The store hours are tentatively 8:00 AM- 10:00 PM. Dark sky lights will be installed. The applicant wasn't sure about the exact dimensions of the signs that will be installed, but they will comply with the town sign codes. A sign package will be provided by the applicant prior to the next Planning Board meeting in accordance with deadlines.

Board Member Gawron asked if the driveway would line up with the elementary school driveway. The applicant stated that the busiest hours would be on the weekends and that the driveway would not be lining up with the driveway of the elementary school.

Board Member Hanna made a motion to have the clerk send the application to the county for referral. Board Member Carroll seconded the motion. The vote carried as followed:

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

Board Member Hanna made a motion to make the New Lebanon Planning board the lead agency and initiate coordinate review. Board Member Wasch second the motion. The vote carried as follows:

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

Board Chairperson requested that the applicant provide a traffic study in addition to the other items above.

**Case No: PB 2022-022 Joseph Stauch TM # 8.-1-6.121**

Lot Line Adjustment- 50' Parallel Property Lot Line Adjustment- "No Construction"

Chairperson Brutsch explained that the applicant would like a lot line adjustment so that he could gift land to his daughter in the future.

Board Member Muse made a motion to waive the public hearing and approve the lot line adjustment. Board Member Wasch second the motion. The vote carried as follows:

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

**Case No: PB 2022-023 Jessica Muadin TM # 18-1-49**

Special Use Permit for short term rental at 215 County Route 34.

The applicant explained that she would like to provide a short-term rental which would include the maximum six parking spaces. The property has its own septic and well. The home has three bedrooms which are located on the upper floor and there are no bedrooms in the basement. The maximum guests would not exceed 10. The house is approximately 1,200 square feet.

Chairperson Brutsch asked for the following items to be submitted to the clerk ten days prior to the next meeting and referenced the language in the code that may request additional items:

- Updated map to include: Applicants name, Application Date, scale, where the parking will be, etc

Board Member Carroll made a motion to move the meeting to a Public Hearing. Board Member Muse second the motion. The vote carried as follows:

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

**Reichert Resolution**

There were no changes to the resolution.

Board Member Wasch made a motion to approve the Resolution. Board Member Hanna second the motion. The vote carried as follows:

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

### **Local Law 6**

The Board discussed the local law. Town Attorney Jon Tingley explained the moratorium. This is a recommendation to the Town Board from the Shaker Preservation Committee in regards to preserving the history of the town.

Board Member Young explained that he spoke to all of the homeowners that the law would affect and that they are all happy with the law. Board Member Carroll stated that if additional parcels were added prior to adoption, he would like those homeowners to also agree to be included. The Board agreed to include this with the recommendation to the Town Board.

Chairperson Brutsch will draft a letter of recommendation to the Town Board.

### **Approval of Minutes**

November 16, 2022

Board Member Carroll made a motion to accept the minutes with the changes noted. Board Member Gawron second the motion. The vote carried as follows:

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

### **Executive Session**

Camp DD Article 78

Board Chairperson Brutsch made a motion to enter into executive session with both town attorneys at 8:30 PM.. Board Member Carroll second the motion. The vote carried as follows:

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

Board Member Brutsch made a motion to end the executive session and 8:50 PM. Board Member Wasch second the motion. The vote carried as follows:

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

Board Member Wasch read the Resolution of Settlement of Litigation. Chairperson Brutsch stated that the resolution will be filed by the P/Z clerk to the Town Clerk within five business days,

Board Member Gawron made a motion to approve the Resolution. Board Member Muse second the motion. The clerk did a roll call vote and the vote carried as follows:

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

#### **Camp DD Columbia County Planning Board Referral Resolution**

Board Member Gawron read the resolution. Board Member Wasch made a motion to accept the resolution, Board Member Gawron second the motion. The clerk did a roll call vote, the vote carried as follows:

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

Board Member Wasch made a motion to adjourn the meeting at 8:50pm. Board Member Carroll seconded the motion. The vote carried as follows:

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

Michelle Bienes

Planning Board Clerk