



**Town of New Lebanon
 Planning Board Regular Meeting Minutes – approved
 1/18/2023**

Present: Elizabeth Brutsch Planning Board Chairperson
 Jim Carroll Planning Board Member
 Steven Muse Planning Board Member
 Greg Hanna Planning Board Member

Absent: Josh Young Planning Board Member
 Monte Wasch Planning Board Member
 Brent Gawron Planning Board Member

Others Present: Stephanie Ferradino- Town Attorney , Jon Tingley- Town Attorney, Jeff Hattat,
 Cissy Hernandez, Steve Vukas and two members of the community

I. Call to order:

Chairman Brutsch called the regular meeting of the Town of New Lebanon Planning Board to order at 7:06 pm.

II. Regular Meeting:

Case No: PB-2022-023 – Short Term Rental- Jessica Maudin

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

Property Owner: Jessica (Alia) Muadin, representing herself

Chairperson Brutsch noted that the board received an updated map including North arrow and scale. Chairperson Brutsch asked for a motion to send to CCPB, as discussed in the public hearing. Board Member Greg Hanna motioned, Board Member Jim Carrol second. Chairperson Brutsch informed the Property Owner that after CCPB meeting that the Planning Board would make a decision at the February meeting.

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

Case No: PB-2022-005 – Site Plan Review – Camp DD, LLC

Site Plan Review – Applicant is seeking approval of a self storage facility

Chairperson Brutsch noted that they had a revised short environment assessment form part 2 and part 3 and two draft resolutions, one approving the site plan and one to approve the SEQR. The Chair invited the Town Attorney to address the Board on the motions.

Jon Tingley, the - Town Attorney, spoke to the Town Planning Board about taking action on the application after receiving the recommendations from the CCPB Meeting. Jon summarized that this case was subject to litigation. The subject of the so ordered stipulation of settlement provided that the application was to be remitted to the Planning Board who would proceed diligently and promptly with the review of the application, which would be at their next regularly scheduled Planning Board meeting, which was that night. Jon read through the Resolution approving the site plan review, Resolution adopting a negative declaration, and part 2 and 3 of SEQR. If the Planning Board voted to approve the resolutions and the SEQR findings, all paperwork would need to be filed with Town Clerk within 5 days.

The Planning Board reviewed Short Form SEQR part 2 and 3. Board Member Steve Muse moved to issue a Negative Declaration motion and Board Member Jim Carroll Seconded. The motion was approved by the following Vote:

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

The Planning Board reviewed the Resolution to Approve the Site Plan Review. Board Member Steve Muse moved to approve the site plan review and Board Member Jim Carroll Seconded. The motion was approved by the following Vote:

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

Case No: PB-2022-021 - Minor 2-lot Sub-Division - Howard Commander [TM # 8.-1-62.211]

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

Agent: Steve Vukas- Bohler Engineering

The Planning Board discussed the map that had been submitted and comments received from the Town Engineer. The site map should include the entirety of the 22+/- acre parcel that is under consideration for sub-division. Flood zones and other items need to be identified, even if they are outside the proposed sub-division area. A new map is to be provided within 10 business days of the next Planning Board meeting.

Board Member Muse made a motion to send the application to Public Hearing at February's meeting. 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-	Absent
Board Member Muse-	Aye
Board Member Gawron-	Absent
Board Member Young-	Absent

Case No: PB-2022-024-Dollar General –Primax Properties [TM # 8.-1-62.111]

Special Use Permit/Site Plan Review - Retail requires a Special Permit & Site Plan Review in the Commercial- Industrial Zone per use table. The applicant has also requested a two-lot subdivision (PB-2022-021).

Property Owner: Howard Commander

Agent: Steve Vukas-Bohler Engineering

Steve Vukas-Bohler Engineering spoke about items that were of concern from previous Planning Board meetings and the items that being revised. They have received New York State DOT stage 1 approval which means DOT is okay with access and where it is located. They move on to the technical review t review comments provided by the Town Engineer, Barton and Loguidice Engineering Review.

Chairperson Brutsch read comments from the CCPB recommendations. Chairperson Brutsch stated that their recommendation is that it has no significant county wide or inner community impacts and therefore The Planning Board can take final action with a simple majority vote. She continued reading the recommendations and Steve Vukas answered when needed. SWPPP will be needed due to the amount of disturbance on the site. The Planning Board will contact Fire Chief to review the Site Plan in regards to emergency access.

Chairperson Brutsch read comments from Barton and Loguidice and Steve Vukas answered when needed.

Question 1 specifically identified the ruins on the parcel. Mr. Vukas showed picture of dilapidated building. Board Member Carrol asked about the building and if it was part of the construction area. Answered no. Chairperson Brutsch asked if the Planning Board wanted it removed before granting their final approval. All Board Members agreed it should be removed as a condition of the approval.

Number 5 on the engineers review talked about providing provisions for an EV charging station and Mr. Vukas said his client has never done this. Jeff Hattat, Code Enforcement Officer, stated that because New Lebanon adopted part of the Stretch Energy code that it is required that Dollar General at least install the conduit and the outlet for a station.

Number 8 and 10 talked about beautifying the front area to make it more visually appealing and a fence and trees so the house next door wasn't staring at the back of a building. The Board discussed their desire to see the existing mature trees on the East side of the parcel remain, and potentially a few additional ones added, pending the final location of the septic leech field. The applicant will review the leech field location and add trees if possible.

Number 12 talked about getting a whole original parcel site map that shows the whole 22 acres with the subdivision. . See discussion that was had in regards to the Sub-Division application above.

Number 14 and 15 talked about waiver to reduce parking spots from what was typically allowed. The Planning Board was ok with the reduction in required parking spots given the letter provided by the applicant outlining anticipated use by employees (5 to 6 in one day, across multiple shifts with 1 to 3 per shift) and customers.

Chairperson Brutsch inquired about changing hours of operation seeing if they can change closing time to 9pm because it is in a residential area. Mr. Vukas said he would bring it back to his clients.

Chairperson Brutsch informed Mr. Vukas that the Planning Board was requesting the long form SEQR for bigger projects, especially one that ground up. Mr. Vukas will send in Long Form as soon as possible to perform Coordinated Review

Board Member Muse made a motion to send it to Public Hearing at February's meeting. Board Member Hanna seconded the motion. The vote carried as followed:

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

Approval of Minutes

December 21, 2022

Board Member Carroll made a motion to accept the minutes with the changes noted. 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-	Absent
Board Member Muse-	Aye
Board Member Gawron-	Absent
Board Member Young-	Absent

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

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

Samantha Long

Planning Board Clerk