



## **Town of New Lebanon**

Planning Board regular meeting minutes –approved  
October 21, 2015

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**Present:** Ray Herrmann, Planning Board Chairman  
Michael Blatt, Planning Board Member  
Jerry Grant, Planning Board  
Greg Hanna, Planning Board Member  
Bob Smith, Planning Board Member

**Absent:** Josh Schuster, Planning Board Member

**Others Present:** Robert & Jane Delaney, Joanne Amlaw, Deb Gordon, Phoebe, Dan Evans, J.J. Johnson-Smith, Carl Aiken

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Upon the closing of a public hearing Chairman Herrmann called the regular meeting of the Town of New Lebanon Planning Board to order at 7:35.

### **Minutes Review:**

Upon review of the August 19, 2015 minutes Bob Smith moved to accept them as submitted. The motion was seconded by Greg Hanna and carried unanimously.

### **Regular Meeting:**

#### **Case No. : PB-2015-011: The Phoenix Project of Eastern NY - TM #19.2- 1- 66**

Deb Gordon is requesting Site Plan Approval only on the store (19.2-1-66) however is submitting depictions of the residential abutting lot as well (TM# 19.2-1-67)

Latest Map Notes: issue date 10.09.15 / revised map rev. #1 add SDS location 10.21.15

Carl Aiken presented on behalf of Deb Gordon and explained that the building are old and are in a pre-existing non-conforming situation and she is in the process of restoring them. With regard to the septic soil tests proved that the site contained good soil. Each lot has been perc'd as depicted on the map as test holes #1, #2 and #3. They have explored the existing septic system and the DOH does not get involved in system modification however; Mike DeRuzzio suggested a holding tank if a Butcher Shop was to be conducted at the store. [Mr. Aiken to forward communication with the DOH for the file].

Michael Blatt asked if each of the two parcels would contain their own septic to which Mr. Aiken replied "yes".

Chairman Herrmann asked about the 5ft. setback depiction of the sewage treatment area. Mr. Aiken said that the requirement is 10 ft. for new construction and he thinks that he can meet that 10 ft. requirement on a revised plan for the next meeting.

Chairman Herrmann noted that the parking requirements cannot be met in this pre-existing non-conforming situation and recommended that the applicants apply to the ZBA for a variance. Chairman Herrmann would also like to obtain feedback from Mike DeRuzzio at CCDOH.

Deb Gordon said that she is rehabilitating the structures on 'spec' and does not know how or what the buildings will be used for by potential buyers.

Jerry Grant suggested a lot line adjustment between the two parcels for better conformance with the regulations by reducing the residential lot. He also suggested painting the 'accessible striping' on the west side over the proposed treatment area rather than on the east as depicted as this would open up one additional parking space as the striping is not for parking it is foot traffic for entering and exiting the vehicle.

**Case No.: PB-2 015-008: Delaney, Robert & Jane (TM# 29.-1- 62 & 64)**

Request to merge the above noted parcels together  
Latest Map Notes: last revised survey update 09.12.15

Upon review of the lot line adjustment request to merge the above noted parcels a motion was made by Jerry Grant and seconded by Bob Smith to waive the scheduling of a public hearing. The motion carried on the following vote:

Ray Herrmann	Aye
Michael Blatt	Aye
Jerry Grant	Aye
Greg Hanna	Aye
Josh Schuster	Absent
Bob Smith	Aye

Bob Smith moved to approve the request to merge the above noted parcels. Jerry Grant seconded the motion that carried on the following vote:

Ray Herrmann	Aye
Michael Blatt	Aye
Jerry Grant	Aye
Greg Hanna	Aye
Josh Schuster	Absent
Bob Smith	Aye

**(Con't Case No.: PB-2015-001: Amlaw, Joanne (TM# 02.1-1-8 & 10.3-7-72)**

Request for two lot subdivision and lot merger. The applicant would like to subdivide the gravel bed property from her resident property using the creek as the dividing line. She would further like to take a very small lot; less than 1 acre (10.3-1-72) and merge it with the gravel piece

The Board acknowledged the written withdrawal of the above noted application

**Case No.:PB-2015-009: Amlaw Gravel Pit (TM# 20.1-8)**

Request for Site Plan Review re Minor adjustment to existing maps for permit term 2015 – 2020 – Latest Map Notes: update for renewal 06.06.15

Bernadette Brusco, representing Joanne Amlaw, explained the Board that this is request is not actually an expansion. The DEC is referring to it as a “minor adjustment” because in 2009 a settling pond was installed under the supervision of the DEC however; upon a recent inspection it was noted that the DEC does not have the documentation and now want the pond shown on the map. The amount of acreage affected is .02A

Bob Smith moved to schedule the public hearing for next month’s regularly scheduled meeting and referred the application to CCPB for their review/recommendations. Greg Hanna seconded the motion that was carried on the following vote:

Ray Herrmann	Aye
Michael Blatt	Aye
Jerry Grant	Aye
Greg Hanna	Aye
Josh Schuster	Absent
Bob Smith	Aye

**Adjournment:**

Chairman Herrmann declared the meeting adjourned at 8:50 pm

Respectfully Submitted

Cissy Hernandez  
Planning/Zoning Clerk