



TOWN OF NEW LEBANON  
ZONING BOARD OF APPEALS APPLICATION

Application fee = \$35.00 plus any reimbursement of public notice publishing fees which are approx. \$25.00 dependent upon characters/words

1. Name of Applicant: Lebanon Valley Auto Racing Corp
2. Date: 10-11-16
3. This Application is for: (CHECK ONE)
  - Appeal From a Determination by the Zoning Enforcement Officer (attach completed Appeal Statement form)
  - Appeal: Interpretation of Zoning Classification Boundary
  - Area Variance (attach completed Area Variance Application and SEQRA forms)
  - Use Variance (attach completed Use Variance Application and SEQRA forms)
  - Special Permit for \_\_\_\_\_ (identify use) (attach completed SEQRA form and drawings showing compliance with relevant requirements of Article EIGHT, Section 7 and Article TWELVE, Section 5(c) of the Zoning Ordinance)
4. Applicant's Mailing Address: PO Box 9, W. Lebanon NY 12195
5. Location of Property Involved in this Application: 1746 US  
Route 20, W. Lebanon NY 12195
6. Tax Parcel Identification: 7-2-4
7. 911 Address if available: 1746 US Route 20
8. Zoning District(s) in which Property is Located: Comm/Res.

FOR CLERK'S USE:

Date Received: 10/11/16 Application Number: ZBA-2016-020

Fee Paid: 35.00/Rec 592773

Was Application complete when received? Yes  No

If No: Date when completed: \_\_\_\_\_

Date of meeting when Application will be first reviewed by ZBA: 11/1/16

Referred to: Planning Board on \_\_\_\_\_ County Planning Board on \_\_\_\_\_



TOWN OF NEW LEBANON  
ZONING BOARD OF APPEALS

APPLICATION FOR AN AREA VARIANCE

1. Name of Applicant: hebaron Valley Auto Racing Corp
2. Date: 10-11-16
3. Describe, and identify by section number, the Zoning Law requirements from which you seek relief. (Attach a drawing showing the problem and your solution.)
4. Describe the impact to (a) abutting property owner and (b) the neighborhood that would result from granting your request for a variance.
5. Describe other means you have considered to accomplish your objective that do not require a variance and your reasons for rejecting them.
6. List the names and addresses of owners of all property within 100 feet of your property and within 100 feet of any road frontage that is directly opposite your property's road frontage. (The ZBA Clerk will assist you with this.)
7. Attach a drawing showing all features that are relevant to the variance you are seeking, such as the location of the structure or use in question, and the adjoining properties, roads, etc.



Lebanon Valley Auto Racing, Corp.  
1746 US Route 20 • PO Box 9  
West Lebanon, NY 12195  
www.lebanonvalley.com  
Phone: 518-794-9606  
Fax: 518-794-7889

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October 11, 2016

Town of New Lebanon  
P.O. Box 328  
New Lebanon, NY 12195

RE: ZBA Application for an Area Variance for Signs

To: Whom it may concern:

We are Applying for Area Variance for our oversized signs for 2 reasons:

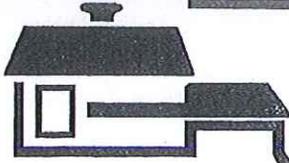
- 1.) Signs were installed before the Sign Regulations were enacted and we were Advised by Albert Wheeler to build the signs before the Regulation was enacted.
- 2.) Our Signs are proportional to the size of the commercial/relational business.

We are also asking for a Variance for the off premises sign for HL Fuel, please see attached letter from HL Fuel. It was designed to be an advertisement on site for Racing Fans.

We have been a member and an asset to this community for over 60+ years and would appreciate your consideration in this matter

Very truly yours,

Howard Commander



***HL Propane Co. Inc.***

October 11, 2016

Town of New Lebanon  
P.O. Box 328  
New Lebanon, NY 12195

RE: ZBA Application for a Variance for an off premise sign.

To: Whom it may concern:

Lebanon Valley Auto Racing, Corp. is applying for an Variance for our off premise sign on their property.

We have a contract with Lebanon Valley Speedway for our sign; this sign is designed for advertisement on site to Racing Fans. This sign has proven to be a substantial asset to our business.

We would request that you allow Lebanon Valley Speedway to maintain this sign on our behalf.

We appreciate your consideration in this matter

Very truly yours,

Harry Hicks

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Harry R. Hicks, President • P.O. Box 98, West Lebanon, NY 12195  
Days (518) 794-9066 or 766-4950 • Service 24 Hours (518) 794-9080 • [www.blfuel.com](http://www.blfuel.com)

WHITE - Special permit & Use variance- Ch. Lankin began by reading the Local and County Planning Board recommendations. Member Kirschmann asked the difference between a boarding house and bed & breakfast. White said in her opinion, the boarding rooms are rented on a monthly basis and a bed & breakfast on a nightly basis. Hulbert said she denied the application due to the fact that it use to be an old age home and this is changing the use. Hulbert did point out that the water and septic were checked and passed. The question was also brought up if the water had to be checked every year and Peggy Hawkins said it did not.

Member Murad made a motion to grant the use variance and special permit, to be limited to five rooms for the Bed & Breakfast in addition to the existing uses, and that there should be 1 parking space provided for each room. Seconded by Kirschmann, approved unanimously.

COMMANDER - replace a sign at the speedway- Ch. Lankin read the Local and County Planning Board recommendations, and ZEO Hulbert explained that she denied it because of the size.

Commander told the board that he just wanted to get rid of an "ugly sign" and replace it with a better looking one. He also stated that he owns 1 3/4 of a mile on each side of the road, and none of the abbutters objected to a new sign.

Hulbert said it is predated, so he can replace it with the same dimensions as long as it is no more non-conforming.

Kirschmann feels it may not be setting precedence becuase it is a unique facily and the magnatude of the place.

Hawkins stated that the sign can be upgraded or repainted as it stands, as long as it is the same sign.

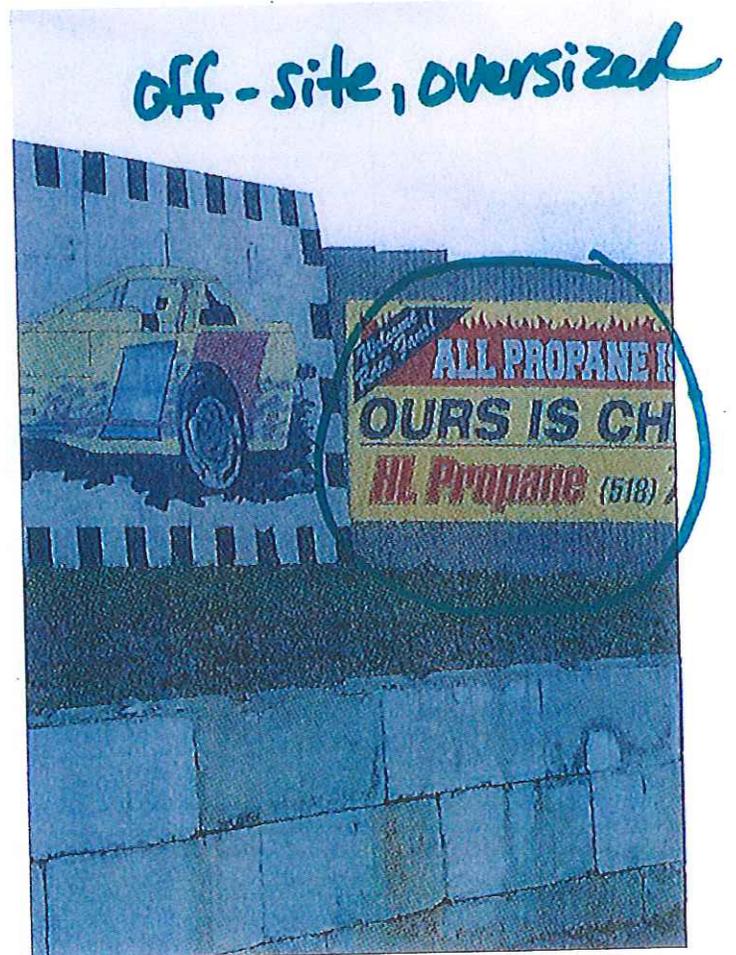
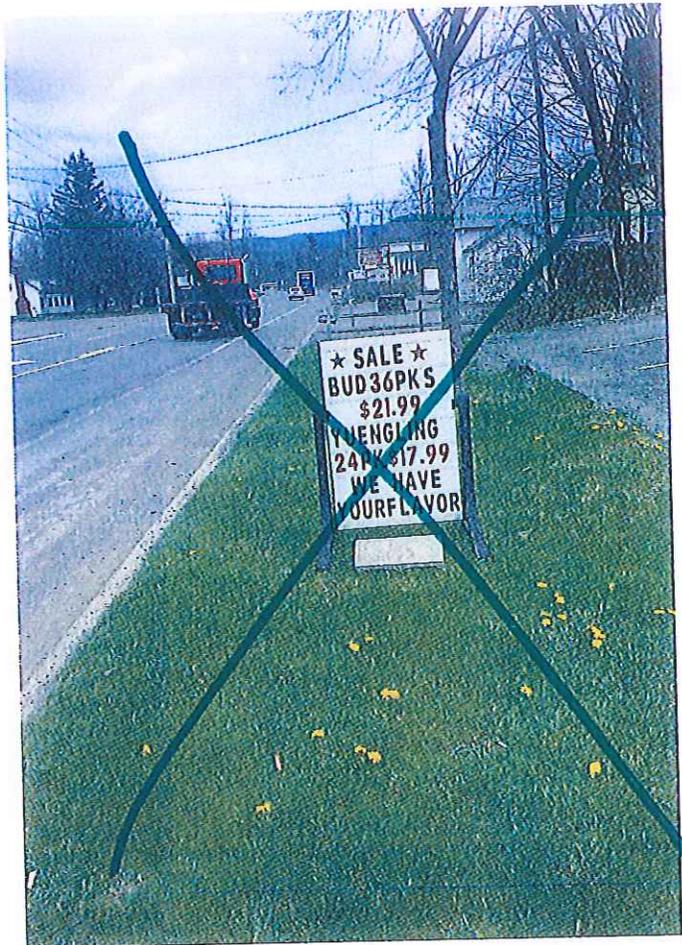
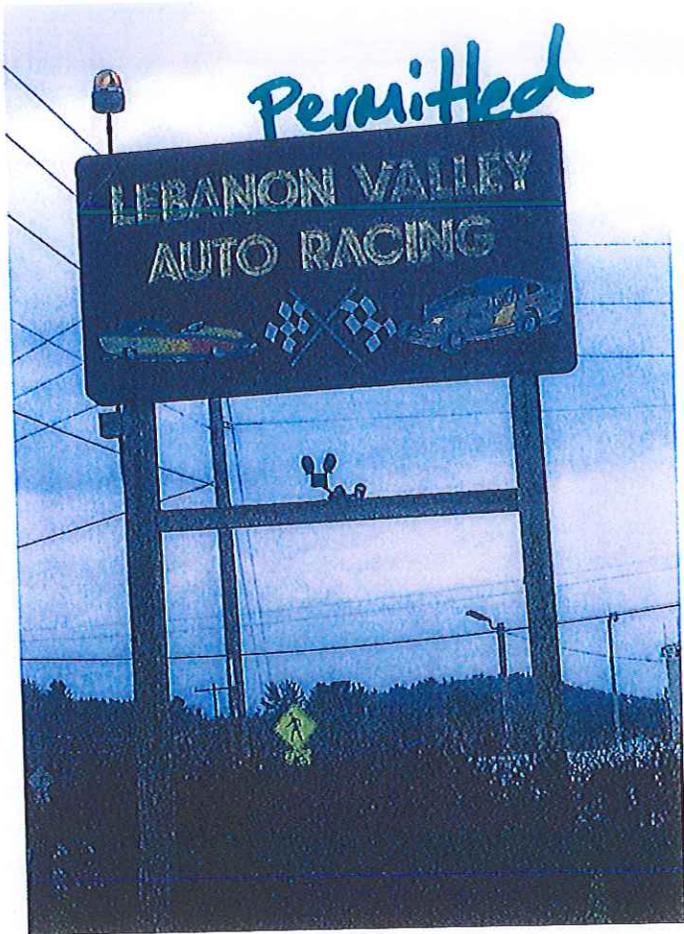
Member Dropkin made a motion to deny the sign variance requested due to the fact that it would set a precedence with other business in Town.

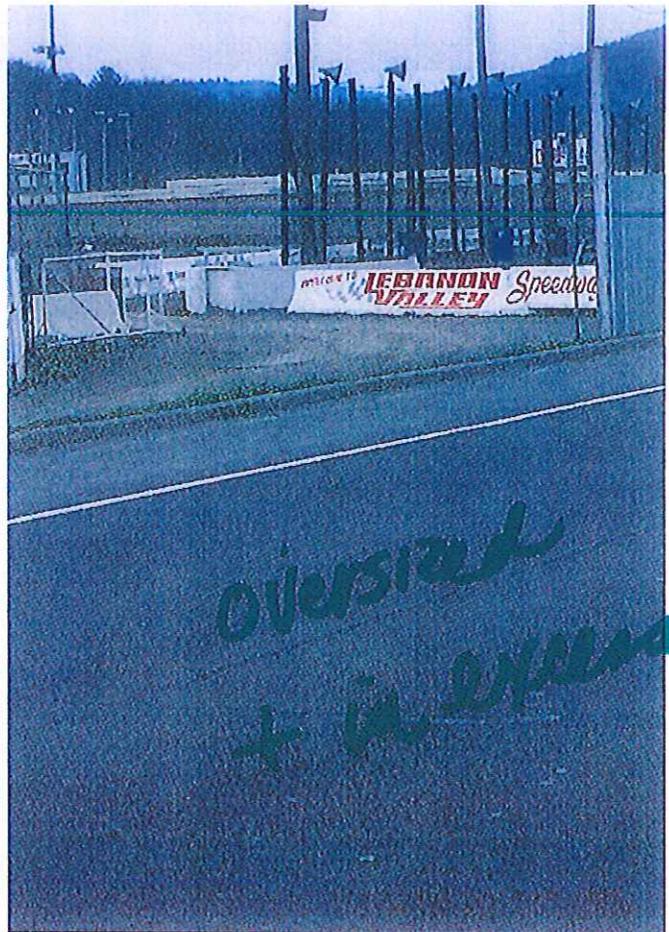
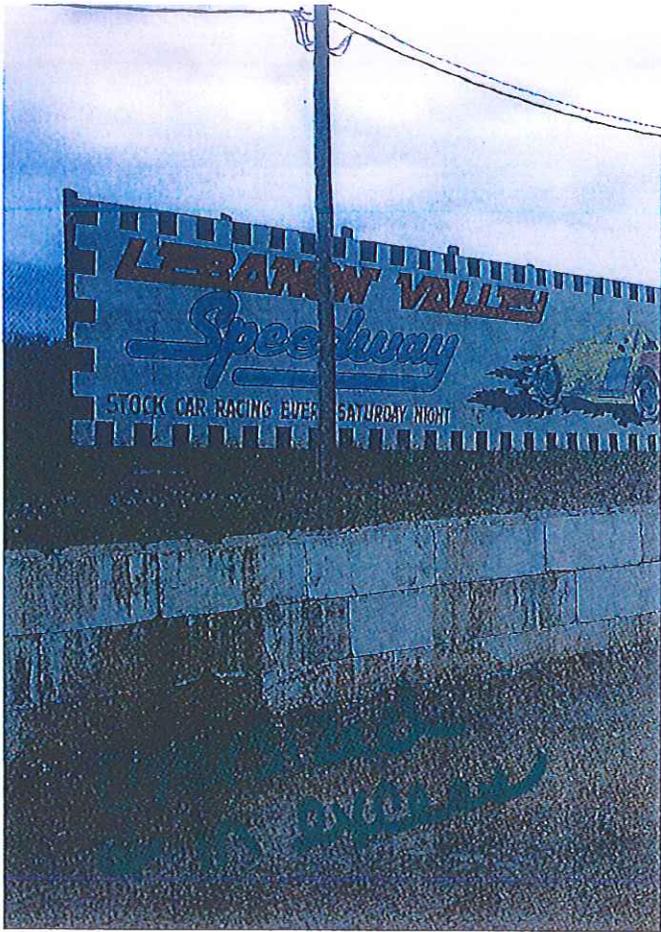
No second to the motion.

Member Murad feels it will not have a detrimental effect on the neighborhood and feels it is not setting precedence. Murad made a motion to approve the sign variance, sign being no bigger in any dimensions than the existing sign. Seconded by Sandstrom, passing with Lankin, Murad, Kirschmann, and Sandstrom voting yes, Dropkin voting no.

COMMANDER- variance to place a mobile home at the race track for a night watchman. Ch. Lankin began by reading the Local and County Planning Board recommendations. It was also stated that Jim Schaket has been living in the trailor for two years.

Commander told the board that he was averaging 10-15 breakins a year until the trailor was put in, and he had to go to the Federal Crime Insurance Co. for





**TOWN OF NEW LEBANON**

Code Enforcement  
PO Box 328  
New Lebanon NY 12125  
Ph: 518.794-8884  
Fax: 518.794-9694

# VIOLATION NOTICE

Citation Number: C16-019



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**Certified Mail and First Class**

May 10, 2016

Lebanon Valley Auto  
PO Box 9  
West Lebanon, NY 12195

RE: Violation(s) of Chapter 162. Signs and Poster Control Law located  
Location of Violation(s): Lebanon Valley Speedway - Us 20; New Lebanon 12125  
SBL# 7.-2-4

Dear Property Owner:

According to records of the Town of New Lebanon Assessor, you are the owner of the above referenced property.

As a result of a visual inspection conducted on 4/22/2016, your property was found to be in violation of Chapter 162-Sign and Poster Control Law as outlined on the attached page(s).

These violations must be corrected by the respective compliance dates listed at which time a re-inspection of your property will be made. Please have all violations corrected by that time otherwise a court appearance ticket shall be issued. This is the final request for your compliance.

Thank you for your anticipated cooperation. Should you have any questions or comments, please feel free to contact me.

Respectfully,

*Kent J. Pratt*

Kent J. Pratt

Code/Zoning Enforcement Officer

# TOWN OF NEW LEBANON

## CODE ENFORCEMENT

### OUTSTANDING VIOLATIONS AND CORRECTIVE ACTIONS REQUIRED

**Property Address:** Us 20

**Complaint #**C16-019

**Business Name:** Lebanon Valley Speedway

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**Violation Date:** 4/22/2016

**Comply By Date:** 6/10/2016

**Issued To:** Lebanon Valley Auto

**Code:** Town Code\Chapter 162. Signs & Posters\H.

**Code Description:** Two signs off site may be permitted by the Planning Board for business located in New Lebanon only, if necessary to direct customers to the place of business. The primary intent shall be directional and not for advertising. In every zoning district, the total square footage of each sign shall not exceed nine square feet.

**Number of violations under this section of code:** 1

**Area Involved:** Exterior Signage

**Corrective Action:** Remove HL propane oversized off-site sign or contact this office to apply to the Planning Board/Zoning Board for proper approvals or to file an appeal

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**Violation Date:** 5/10/2016

**Comply By Date:** 6/10/2016

**Issued To:** Lebanon Valley Auto

**Code:** Town Code\Chapter 162. Signs & Posters\3E.(1)

**Code Description:** E. An exterior business sign located in a commercial, recreational commercial or industrial district shall be permitted in connection with any authorized business or industry located on the same premises and meeting the following requirements:

(1) Two signs are permitted with any legally established business; one freestanding, the other attached to the building, and neither to exceed 24 square feet.

**Number of violations under this section of code:** 5

**Area Involved:** Exterior Signage

**Corrective Action:** Remove the excessive/oversized signage or contact this office to apply to the Zoning Board of Appeals for an appeal/variance

