



Town of New Lebanon

Planning Board Special Meeting Minutes – unapproved
June 27, 2018

Present: Ray Herrmann, Chairman
Michael Blatt, Planning Board Member
Elizabeth Brutsch, Planning Board Member
Greg Hanna, Planning Board Member
Josh Schuster, Planning Board Member
Bob Smith, Planning Board Member

Absent: Wes Powell, Planning Board Member

Others Present: Cissy Hernandez, CEO; Paul McCreary, Town Engineer; Chris Potter, Stewart's Shops Corp.; Mark Baumli, Town Board Member; Cynthia Creech, Court Clerk & CRC Member; Phyllis Hulbert and Sharon Wheeler

I. Call to Order

Chairman Herrmann called the Special Meeting of the Planning Board to order at 7:31 p.m.

II. Special Meeting

Upon conclusion of the Public Hearing on Case No. PB-2018-003, Chairman Herrmann called the resumption of the Special Meeting of the Town of New Lebanon Planning Board at 7:35 p.m.

Case No.: PB-2018-003: Stewart's Shops Corp. (19.2-1-48)
(Public Hearing) The Applicant is seeking a Special Permit with Site Plan Review for a new Stewart's Shop. [Plans revised 6/8/18.]

Chris Potter appeared on behalf of the Applicant which is proposing to redevelop the existing Mini Mart.

Chairman Herrmann advised the Board that they had to fill out a short Environmental Assessment Form and asked for a volunteer from the Board to complete the form. Member Michael Blatt offered to complete the Environmental Assessment Form, whereupon he read each question aloud and completed same with the Board's responses.

The Town Engineer, Paul McCreary said the Applicant has submitted an extensive traffic report at the request of the DOT. Mr. Potter confirmed the DOT had asked for that. Mr. McCreary said he did not foresee there to be an issue, but whether the DOT sees it that way or not is another matter. The levels of service were A and B – usually you only get concerned when it's D, E or F. So everything is fine there; in fact, he would even say that they did the right thing in terms of using the ITE Trip Generation book, but if you research what ITE does, they look at more common municipalities that have a much higher population level than the Town of New Lebanon, such as a Rochester suburb. That's why those numbers seem large. Mr. McCreary's own personal and professional opinion is that the numbers they are using are very conservative, so he sees them at a level A. Member Smith asked how

would traffic change anyway because you're getting rid of one store and getting a new store in its place, and the old store will be gone. How will the traffic be affected. Mr. McCreary said in doing their traffic analysis, they actually overestimated what the traffic will be.

Chairman Herrmann asked Mr. McCreary if he had any questions about the original Application regarding SEQRA; Paul McCreary said he believes the Applicant has rectified those issues. The Applicant has been very consistent with what's shown on their plans and what they've been stating to the Board all along.

Chairman Herrmann asked for a motion to accept the Negative Declaration, which motion was made by Member Michael Blatt and seconded by Member Robert Smith.

The vote carried as follows:

Michael Blatt	Aye
Elizabeth Brutsch	Aye
Greg Hanna	Aye
Wes Powell	Absent
Josh Schuster	Aye
Bob Smith	Aye
Ray Herrmann, Chairman	Aye

Chairman Herrmann asked if the Applicant had received their other approvals from the DOT and the Columbia County Health Department (septic and well). Mr. Potter said no they have not - they are still waiting on both of those approvals.

Chairman Herrmann said the Board needs to authorize this Clerk to send the SEQRA form to the County for them to review and asked for a motion, which motion was made by Member Greg Hanna and seconded by Member Josh Schuster. The vote carried, as follows:

Michael Blatt	Aye
Elizabeth Brutsch	Aye
Greg Hanna	Aye
Wes Powell	Absent
Josh Schuster	Aye
Bob Smith	Aye
Ray Herrmann, Chairman	Aye

Member Michael Blatt made a motion to approve this Application on the condition that the Applicant receives approval from the other agencies involved. Should those agencies request additional changes to the site, the Applicant will bring those revisions before the Board so they will know what's happening as the project moves forward. The motion was seconded by Member Robert Smith, and the vote carried as follows:

Michael Blatt	Aye
Elizabeth Brutsch	Aye
Greg Hanna	Aye
Wes Powell	Absent
Josh Schuster	Aye
Bob Smith	Aye

Chris Potter said they'll submit final plans to the Board once they receive those two permits. This way a final complete version of the plans will be signed by the Board. Chairman Herrmann said the Board has granted conditional approval, and he'll sign the final plans once clearance is received from the two outside agencies.

Chris Potter thanked the Board for holding this Special Meeting.

III. Minutes Review/Approval

Upon review, Member Robert Smith made a motion to approve the minutes of June 20, 2018, as submitted, which motion was seconded by Member Elizabeth Brutsch. The motion carried as follows:

Michael Blatt	Aye
Elizabeth Brutsch	Aye
Greg Hanna	Aye
Wes Powell	Absent
Josh Schuster	Aye
Bob Smith	Aye
Ray Herrmann, Chairman	Aye

The meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Donna M. Gedeon

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Planning/Zoning Clerk