



Town of New Lebanon

Planning Board Regular Meeting Minutes – Unapproved
July 15, 2020

Present: Michael Blatt- Chairman
William Banker, Planning Board Member
Elizabeth Brutsch, Planning Board Member
Jim Carroll, Planning Board Member
Greg Hanna, Planning Board Member
Tegan Joy Cook, Planning Board Member

Absent: Bob Smith, Planning Board Member

Others Present: Cissy Hernandez- CEO, Jeff Hattat- Deputy CEO, 3 members of the public

I. Call to Order-

Chairman Blatt called the regular meeting of the Planning Board to order at 7:34 pm.

II. Regular Meeting

Case No. PB-2020–Nokomis LLC TM # 27.-1-25

Mr. Raymond Jurkowski was present from the firm of CPL which represents Nokomis LLC & Alan Stack. He was present to review the proposal. He explained that the current use for the property is farming. There are 75 acres. The intent for the use is to grow herbs, process them, dry them, then extract and bottle them for shipping. He explained that the 2 oz. bottles will be placed in a 2 x2 shipping boxes then shipped by UPS. There will not be retail taking place. This structure will be used as operational.

The storage building on site is in the midst of construction. With the existing building it is beneficial to connect the two buildings by joining them together. This is a traditional agricultural operation.

Chairman Blatt inquired about the site plan. There will be no additional parking added. The existing parking accommodates six vehicles. Mr. Stack explained that the loading area is near the existing barns. He also mentioned that the only vehicles that will be utilizing the loading dock would be UPS delivery trucks.

Mr. Jurkowski went on to explain the processing process. The herbs will be washed and then dried. Water is only being used for 2 hours which equals 80 gallons of H₂O. The extract will be taken from the product. The bi-product is composted on site. The process for sanitizing the bottles includes steam (heat & H₂O).

Mr. Jurkowski said that they contacted that Department of Health and he was told that they have no jurisdiction. Nokomis LLC did conduct a dye test and nothing came to the surface. The current existing building is where the drying area will be. There will be a courtyard in between the two buildings.

Chairman Blatt stated that he spoke to town attorney Stephanie on advisement on the application. The following is the e-mail received from Stephanie:

From: **Stephanie Ferradino** <stef@ferradinofirm.com>
Date: Tue, Jul 14, 2020, 3:37 PM
Subject: Nokomis Application
To: Michael Blatt <nlpb.blatt@gmail.com>

You inquired about whether the planning board would properly be reviewing the application that came in from the Nokomis project. I first inquired and was advised that the zoning in place for that parcel is RA2 for the first 500 feet and RA5 for the remainder of the property where the subject buildings are existing or proposed. I then reviewed your zoning use schedule to determine what type of review was necessary.

Based on our discussion and the submission information, it appears that this property falls within the town's definition of a farm (see attached). The property consists of land and buildings for the production of products produced on the premises. Farm is a permitted use in both zones and requires a zoning permit which is granted by right. No special use permit or site plan review is required.

Chairman Blatt asked if Nokomis LLC even needed to be here before the board. CEO Hernandez replied, "no, but thank you for being transparent. Board member Cook asked if there was any benefit in having a site plan. CEO Hernandez said that it would be only for inventory purposes. site plan review id not needed or required.

Board Member Brutsch asked if the community would be allowed in to tour the farm operations. Mr. Stack replied, "Yes, we welcome it".

Board Member Cook was worried that the composting might attract animals. Mr. Staack went on to explain that they use the soil food web, compost is properly aerated, and no animals would be around. Deputy CEO Hattat asked Mr. Stack what the noise was that is taking place on the property. He Wanted to know if the noise will be constant. Mr.Stack stated that the noise will only be taking place during construction.

Case No. 2020-002 (Lot Line Adjustment between Phillip Gellert and Uli Rose (19.-1-1 & 8.2-44)

Fred Haley- Agent

Preliminary review on a request for Lot Line Adjustment

Mr. Haley was present at the meeting on behalf of his client Uli Rose. The Rose property is located on Cemetery Road. Mr. Rose would like to sell most of the property. No new parcels will be created and the parcel line will move to the south. There will be no change of use.

Board member Banker inquired about the flood plains. He said that on the application it states that there are no flood plains. He continues to explain that there are flood plains. CEO Hernandez asked Mr. Haley to note on the plans in a light grey shaded area that flood plains exist. The flood plain area needs to be marked. Mr. Haley said that he will provide a revised map.

Board Member Elizabeth Brutsch made a motion to accept the lot line adjustment with the revision of the flood plain on the map. Board Member Cook second the motion. The vote carried as follows:

Chairman Blatt-	Aye
Acting Chair Brutsch-	Aye
Member Cook-	Aye
Member Carroll-	Aye
Member Hanna-	Aye
Member Banker-	Aye
Member Smith-	Absent

III. Approval of Minutes

February 19, 2020

Board Member Cook made a motion to accept the February 19, 2020 minutes. Board Member Brutsch second the motion. The vote carried as follows:

Chairman Blatt-	Aye
Acting Chair Brutsch-	Aye
Member Cook-	Aye
Member Carroll-	Aye
Member Hanna-	Aye
Member Banker-	Aye
Member Smith-	Absent

June 17, 2020

Board Member Cook made a motion to accept the June 17, 2020 minutes. Board Member Brutsch second the motion. The vote carried as follows:

Chairman Blatt-	Aye
Acting Chair Brutsch-	Aye
Member Cook-	Aye
Member Carroll-	Aye
Member Hanna-	Aye

Member Banker-
Member Smith-

Aye
Absent

Chairman Blatt adjourned the meeting at 8:30.

Respectfully submitted,

Michelle Bienes

Michelle Bienes
Planning/Zoning Clerk