



Application for Building and Zoning Permit

Town of New Lebanon
PO Box 328
New Lebanon, New York 12125
Phone: 518.794.8884
Fax: 518.794.9694

REV: 08.01.17
Pg. 1 of 2

Tax Map No.: 8-1-55
Application No.: 20-053
Zone District: _____

Date: 8/11/2020
Expires: _____
Est. Cost: _____

A PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK

Answer all of the following. The undersigned hereby applies for a permit to do the following work/use, which will be done in accordance with the description, plans and specifications submitted, and such special conditions as may be indicated on the permit. All construction will be in accordance with the ICC Uniform and Energy Code, the Town of New Lebanon Zoning ordinance and other applicable codes, laws & regulations.

APPLICANT INFORMATION

Applicant Name: Joseph A. Mauro Mailing Address: 1431 State Rte 20 New Lebanon, NY 12125
Site Location (911 Address): " " Phone: 914-406-6907
Nearest Crossroad: Adams Crossing Email: joemauro427@gmail.com

PROPERTY OWNER INFORMATION

Property Owner Name: Same as above Phone: days: _____ eves: _____ cell: _____
Mailing Address: _____
Physical address: _____

NATURE OF PROPOSED WORK

New Structure Addition Alteration Replace Demolition Other "Use"
 Business Sign Fence Pool/Pond Home Occupation Retail Business

OCCUPANCY: Unit Dwelling Accessory Building Agricultural Bus/Ind. Other Use

Project Use/Description: Use of existing garage for automotive repair (see narrative)

Ht: approx 18' Width: 28' Length: 36' Floor Area _____ Total Sq. Ft. _____

CONTRACTOR INFORMATION

General Contractor: _____ Phone: _____
Plumber: _____ Phone: _____
Electrician: _____ Phone: _____
Architect/Engineer: _____ Phone: _____

New York State licensed architect plans attached? (2 sets required) Yes No N/A Other plans attached? Yes No
Plot plan must be attached showing all property lines, structures, well, septic and all planned setback [front, side & rear]

Wetland/Protected Stream/Floodplain Exists? Yes No

I hereby apply under the Zoning Ordinance of the Town of New Lebanon, NY and the ICC Uniform & Energy Code for a permit to construct or alter a building and/or accessory structure or to perform a land use activity as set forth above. I have arranged for the necessary Workman's Compensation insurance if applicable and provided the attachments shown on the reverse. I grant the Building Inspector and/or Zoning Officer permission to enter the property for required inspections.

I certify that the statements herein contained are true to the best of my knowledge and belief and I have read the instruction on the reverse side of this application.

This property may border a farm, as defined in §102-2 of the Code of the Town of New Lebanon. Residents should be aware that farmers have the right to undertake farm practices which may generate dust, odor, smoke, noise and vibration. The risk of any impact of these agricultural uses on the purchase of property is specifically to be borne by the purchaser of that property.

Signature of Applicant: Joseph A. Mauro
Owner Signature: Joseph A. Mauro

Before commencing any construction activity, the owner or operator of a construction project that will involve soil disturbance of one or more acres must contact the New York State Department of Conservation to obtain coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity.

Two sets of plans and specifications for the proposed work shall be submitted with the application, and specification shall be in accordance with the State Education Law, Section 7307 and 7209. This law requires the seal and signature of a licensed architect or professional engineer be affixed to all plans submitted, EXCEPT for farm buildings, residential buildings of fewer than 1,500 gross sq. ft. or to alterations costing under \$20,000.00. The applicant may request that the requirements of plans and specifications be waived where the work to be done involves minor alterations or are otherwise unnecessary.

A driveway cut MUST be approved from the appropriate department. For a town road, the Highway Superintendent must approve. For a County road the County Highway Dept. must approve. For a State highway, NYS-DOT must approve. Approval must be obtained before a building permit is issued.

The applicant shall notify the Code Enforcement Officer of any changes in construction contained in the application during the period for which the permits in effect. A permit shall be issued when the application has been determined to be complete. The authority conferred by such permit may be limited by conditions, if any, contained therein. A building permit issued pursuant to this part shall be prominently displayed on the property or premises to which it pertains.

A building permit issued pursuant to this part may be suspended or revoked if determined by the CEO that the work to which it pertains is not proceeding in conformance with the Uniform/Energy Code or with any condition attached to such permit, or if there has been a misrepresentation or falsification of a material fact in connection with the application for the permit.

A building/zoning permit issued pursuant to this part shall expire one year from the date of issuance or upon the issuance of a Certificate of Occupancy (other than a temporary C/O), whichever occurs first.

The permit may, upon written request, be renewed for successive one year periods, provided that (1) The permit has not been revoked or suspended at the time of the application for renewal is made; (2) The relevant information in the application is up to date; (3) The renewal fee is paid.

A third party electrical inspection company is required for all electrical work.

You must contact this office after each stage of construction completion so that the required inspections may be scheduled. Failure to do so may result in fines, a stop work order and/or legal action. A final Certificate of Occupancy or Certificate of Compliance can only be issued when all of the required inspections have been made. Absolutely no one is to occupy this building without first obtaining a Certificate of Occupancy/Compliance.

Zoning Officer Review

Date Received: 8/12/20

#20-053
8-1-55
Joe MAURO

Fees	
Amt:	<u>25-00</u>
Date:	<u>8/12/20</u>
Ck No:	<u>170</u>
Receipt No:	<u>80629</u>

Approved & Referred to the Building Inspector for Building Permit Issuance

Approved does not need to be referred to the Building Inspector

Application does not require Zoning Review and has been directly referred to the Building Inspector

Application Denied Referred to ZBA Reason for denial:
Request for Auto Repair in the C-R Zone requires SP/SPR according to use table Adopted 7/14/20

If denied, you may appeal the denial to the Zoning Board of Appeals by filing a written appeal on the form available from the Planning & Zoning Clerk within sixty days after the date of the denial, specifying the grounds thereof and the relief sought.

^{PB} ZBA Approved Date of ^{EB} ZBA Approval: _____ Special Conditions: _____

Zoning Officer Signature: _____ Date: _____
Cissy Hernandez and/or Jeff Hattat

Building Inspector Review

Date Received: _____

Approved Denied Reason for Denial: _____

Fees	
Amt:	_____
Date:	_____
Ck No:	_____
Receipt No:	_____

Building Inspector Signature: _____ Date: _____
Cissy Hernandez and/or Jeff Hattat

Attachments and Instructions

Attachments Provided by Applicant:

<input type="checkbox"/> Construction Plans	<input type="checkbox"/> Proof of Insurance
<input type="checkbox"/> Plot Plan	<input type="checkbox"/> Constr. Debris Removal Doc.
<input type="checkbox"/> Health Dept. Approval	<input type="checkbox"/> Sign Details
<input type="checkbox"/> Driveway Approval Doc.	<input type="checkbox"/> Subdivision Map
<input type="checkbox"/> Floor Plan	

Instructions Provided to Applicant:

<input type="checkbox"/> Ponds/ Pools	<input type="checkbox"/> Res. Constr. Requirements
<input type="checkbox"/> Insurance	<input type="checkbox"/> Electrical Inspectors.
<input type="checkbox"/> Setbacks	<input type="checkbox"/> Sign Requirements
<input type="checkbox"/> Dig Safely Info.	<input type="checkbox"/> Home Occ. Requirements
<input type="checkbox"/> Other _____	<input type="checkbox"/> Driveway regulations

August 11, 2020

To Whom It May Concern:

Re: 1431 State Route 20, New Lebanon, NY 12125

My name is Joseph A. Mauro. I have been a resident of New Lebanon since 2014. I have been frequently coming to the area since 2007 participating in events at Lebanon Valley Dragway. I moved to New Lebanon to continue pursuing a career in the automotive industry. The track, as well as a small-town community, are some of the many reasons that drew me to move upstate.

I am a Certified Master Technician with 12 plus years of career experience. I graduated Valedictorian of my class from Universal Technical Institute in 2008. To continue my career goals, I wish to open a business where I can pursue my dreams of becoming a business owner.

Presently, I own a house with a fully detached structure (28' x 36') on 25 acres off of State Route 20. This area was recently rezoned to commercial/residential. I wish to open a sole proprietor automotive repair business with myself as the only employee, at this time. This business would be conducted in an existing building with no further construction necessary. It would also be by appointment only and have no through traffic. I would be selective as to the scope of work, specialized repairs, and number of vehicles seen per day/week.

Due to my experience and expertise training, this business would not be a typical "auto repair station" i.e. no walk-in basic services such oil change or tire rotation. I would work on complex issues such as expert vehicle diagnostics and engine repair.

Further, this pre-existing structure is totally secluded. As detailed below, it is located after an already existing driveway approximately 600 feet from State Route 20. The only building that is visible from the structure is my residence which is over 200 feet away. There are also wood buffers of several hundred feet surrounding all sides.

Below are my responses pertaining to 205-13 D(7) concerning motor vehicle repair shops:

- a. While I am aware that (a) states the lot shall have a minimum frontage along the principal street or highway of at least 150 feet, I will be requesting a variance due to my road frontage being less than this distance. Further, and notably, this footage should not be applicable to the pre-existing structure (hereinafter "the garage") as it is set-back after roughly 600 feet of driveway. The garage is not visible from the road and in a wooded setting. From an aerial view, there is an industrial building (owned by someone else) in between the garage and State Route 20.
- b. To my knowledge, there is not a church, school, library, playground, or similar place of public assembly within 500 feet.
- c. The garage is located more than 25 feet from any other building. There will be no pumps, lubricating devices or any other buildings nearby.

- d. The only entrance/exit is an already existing approved driveway.
- e. There will be no outdoor storage of motor vehicles or parts pertaining to the business. There is approximately 200 feet of natural screening of very high tree line between the garage and the next building which is approximately 300 feet away and on a lower grade surface.
- f. There will be no outdoor storage of motor vehicles pertaining to the business. There will be no sale, rent or display of trailers, mobile homes, boats or other vehicles.
- g. There will be no selling of gasoline.
- h. There will be no gas pumps.
- i. – m. There will be no sale of gas, or gas pumps, therefore these items pertaining to gas canopies, gas canopy lights, gas canopy signs, tanks, pump islands, etc. are not applicable.
- n. Route 20 traffic will not be impacted in any way. This business will be customer work by appointment only.
- o. This item is not applicable as there will be no fuel deliveries needed for this business.
- p. This item is not applicable as the proposed business is not a gas station nor involved with gas in any way.
- q. This proposed business will NOT be engaging in motor vehicles sales. Repairs to motor vehicles will be conducted in an already existing enclosed building.

Further, pursuant to Chapter 205, it is my position that the opening of my proposed business meets this chapter requirements as the pre-existing structure is more than adequate to conduct automotive repair. I authorize the Planning Board to review my site plans. Enclosed is a rough sketch detailing the layout of the structure in conjuncture with other buildings and Route 20. As previously stated, there are no further construction or alterations needed to open my proposed business. I request permission to erect a business sign at street front and on garage. Specifications to be followed pursuant to town regulations.

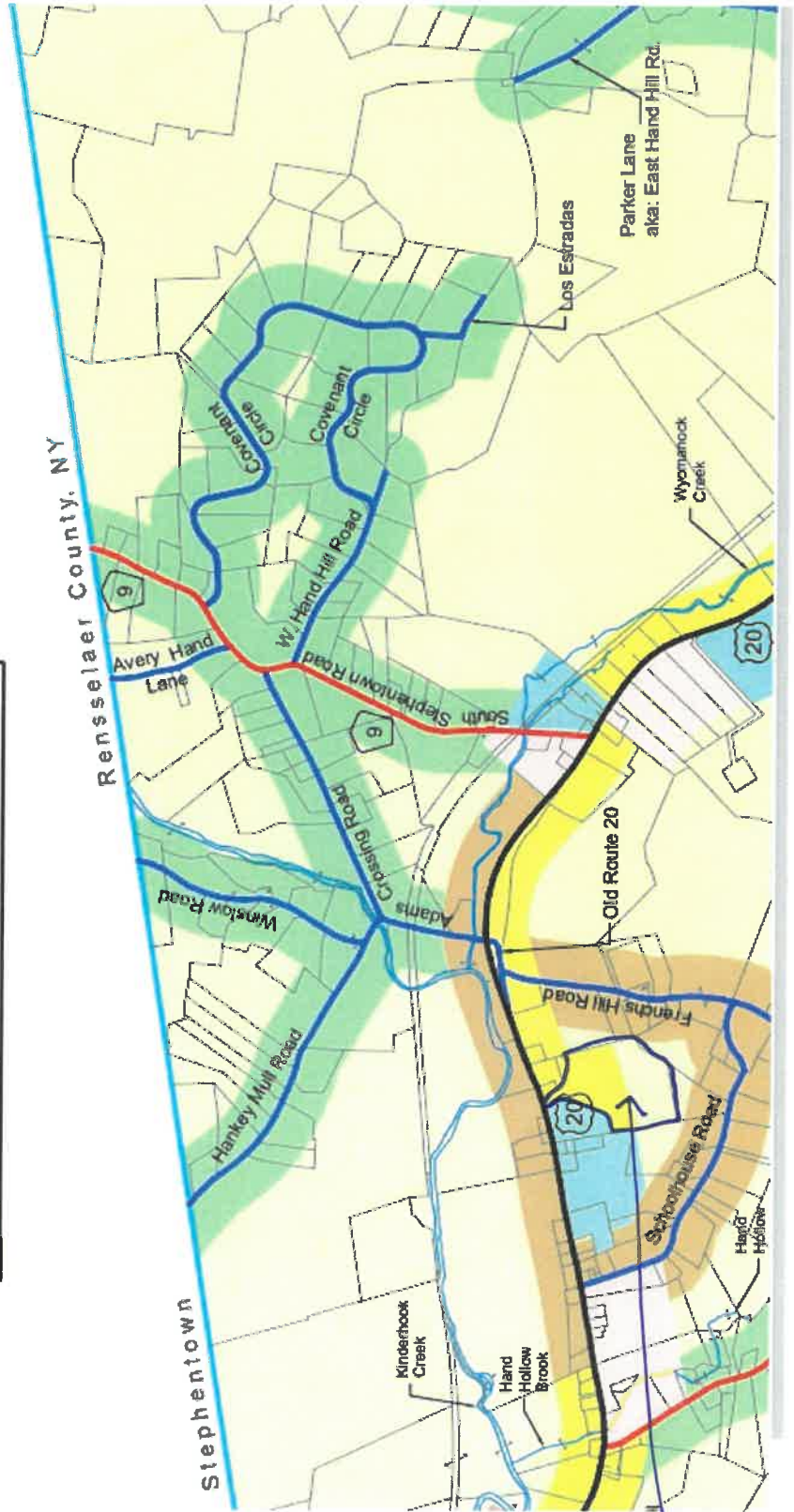
Based on the above, I respectfully request a review of my application to continue pursuing the opening of this business. Should further information be required, I will provide same upon request.

Very truly yours,

Joseph A. Mauro

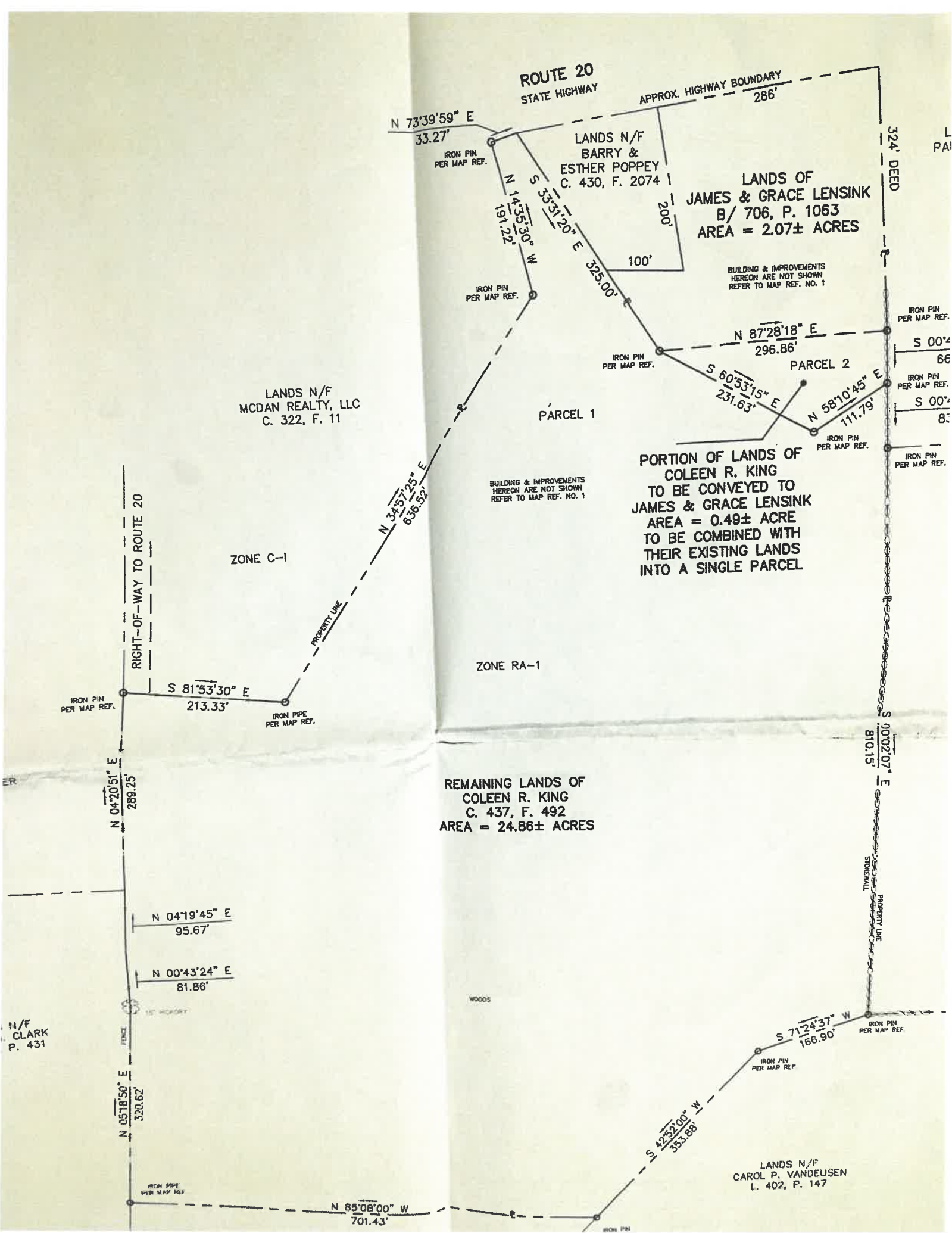
Enclosure

ZONING DISTRICTS		
Color	Abbreviation	Description
Light Green	RA-5	Residential-Agricultural/Conservation
Light Green	RA-2	Residential-Agricultural (2 acre)
Light Green	RA-1	Residential-Agricultural (1 acre)
Light Green	C	General Commercial
Light Green	C-Rec	Commercial-Recreational
Light Green	C-R	Commercial-Residential
Light Green	C-I	Commercial-Industrial



Subject Property

8.-1-55



ROUTE 20
STATE HIGHWAY

APPROX. HIGHWAY BOUNDARY
286'

N 73°39'59" E
33.27'

IRON PIN
PER MAP REF.

LANDS N/F
BARRY &
ESTHER POPPEY
C. 430, F. 2074

LANDS OF
JAMES & GRACE LENSINK
B/ 706, P. 1063
AREA = 2.07± ACRES

BUILDING & IMPROVEMENTS
HEREON ARE NOT SHOWN
REFER TO MAP REF. NO. 1

IRON PIN
PER MAP REF.

N 14°35'30" W
191.22'
S 33°31'20" E
325.00'

100'

200'

LANDS N/F
MCDAN REALTY, LLC
C. 322, F. 11

PARCEL 1

PARCEL 2

PORTION OF LANDS OF
COLEEN R. KING
TO BE CONVEYED TO
JAMES & GRACE LENSINK
AREA = 0.49± ACRE
TO BE COMBINED WITH
THEIR EXISTING LANDS
INTO A SINGLE PARCEL

BUILDING & IMPROVEMENTS
HEREON ARE NOT SHOWN
REFER TO MAP REF. NO. 1

IRON PIN
PER MAP REF.

N 87°28'18" E
296.86'
S 00° 66'

S 60°53'15" E
231.63'
IRON PIN
PER MAP REF.

N 58°10'45" E
111.79'
IRON PIN
PER MAP REF.

IRON PIN
PER MAP REF.

S 00° 8'

IRON PIN
PER MAP REF.

RIGHT-OF-WAY TO ROUTE 20

ZONE C-1

N 34°57'25" E
636.52'

PROPERTY LINE

ZONE RA-1

S 81°53'30" E
213.33'

IRON PIN
PER MAP REF.

IRON PIPE
PER MAP REF.

REMAINING LANDS OF
COLEEN R. KING
C. 437, F. 492
AREA = 24.86± ACRES

S 00°20'07" E
810.15'

PROPERTY LINE

N 04°20'51" E
289.25'

N 04°19'45" E
95.67'

N 00°43'24" E
81.86'

N/F
CLARK
P. 431

N 05°18'50" E
320.62'

IRON PIPE
PER MAP REF.

N 85°08'00" W
701.43'

IRON PIN

S 71°24'37" W
166.90'

IRON PIN
PER MAP REF.

IRON PIN
PER MAP REF.

LANDS N/F
CAROL P. VANDEUSEN
L. 402, P. 147

Business Sign

ROUTE 20
STATE HIGHWAY

APPROX. HIGHWAY

N 73°39'59" E

33.27'

IRON PIN
PER MAP REF.

LANDS N/F
BARRY &
ESTHER POPPEY
C. 430, F. 2074

JAMES
B/
AREA

* Not Drawn to Scale
Δ = Tree Line

Industrial
Buildings

IRON PIN
PER MAP REF.

BUILDING
REFERENCE

LANDS N/F
MCDAN REALTY, LLC
C. 322, F. 11

PARCEL 1

IRON PIN
PER MAP REF.

N
S 60°51'
231.6'

PORTION OF LA
COLEEN R. 1
TO BE CONVEY
JAMES & GRACE
AREA = 0.49±
TO BE COMBINE
THEIR EXISTING
INTO A SINGLE 1

BUILDING & IMPROVEMENTS
HEREON ARE NOT SHOWN
REFER TO MAP REF. NO. 1

ZONE C-1

N 34°57'25" E
636.52'

Garage

ZONE RA-1

IRON PIPE
PER MAP REF.

PROPERTY LINE

Business Sign

E