



Planning Board Application

Town of New Lebanon Planning Department

PO Box 328 | New Lebanon, NY 12125 | Ph: 518.794.8884 | Fax: 518.794.8883

CHECK APPROVAL(S) REQUESTED

- Minor Subdivision (includes lot line adjustments)
Major Subdivision
Site Plan Review (SPR)
Special Permit with Site Plan Approval (SP/SPR)

FOR OFFICIAL USE

Date Rec'd 10/20 PB# 2020-008
Building Permit Application # 20-087
Zoning Classification:
Fee Paid: Pd 10/29/20/20

Date: 20-20 Tax Map No(s): 19.2-1-60
Project Name: The Joshua Project (Warehouse)
Site Location: 502 Columbia Turnpike New Lebanon NY
Total number of lots being created: NA Total Land Area: NA

ORIGINAL

McHelle

Applicant Information

Name of Applicant (please print): The Jonathan Carey Foundation
Mailing address: 90 Delaware Ave Delmar NY 12054
Phone: 518-852-9377 Cell: 518-852-9377 Fax:
Signature: [Signature]

\*if the applicant is not the property owner, please submit owner authorization

Property Owner Information

Name if Different from Applicant: (please print) New Lebanon Valley Investors LLC
Mailing Address Different from Applicant: 90 Delaware Ave Delmar NY 12054
Phone: 518-852-9377 Cell: 518-852-9377 Fax: 518-475-0200
Signature: [Signature]

Surveyor Information

Surveyor Name: License No.
Company Name & Address: NA
Phone: Cell: Fax:

Engineer Information

Engineer Name: License No.
Company Name & Address: NA
Phone: Cell: Fax:

PLEASE CHECK APPROPRIATE SPACE: I consent to the extension of the 62-day Public Hearing and review period. (See instruction item #4). Yes No

Please describe the nature of your proposed project, including the proposed use and a construction schedule (attach additional paper if needed):

The Joshua Project is about receiving donated bottles & cans - through the Jonathan Carey Foundation to help vulnerable children. Space to be left of the Family Dollar as Warehouse Space - minimal work needed & will be accomplished within a few weeks of approval.

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: <i>The Joshua Project - Through the Jonathan Carey Foundation.</i>			
Project Location (describe, and attach a location map): <i>502 Columbia Turnpike, New Lebanon NY - space to the left of family Dollar in strip mall</i>			
Brief Description of Proposed Action: <i>The Joshua Project is about receiving donated bottles &amp; cans through the Jonathan Carey Foundation to help vulnerable children. Current empty storage space to be used as warehouse space</i>			
Name of Applicant or Sponsor: <i>The Jonathan Carey Foundation</i>		Telephone: <i>518-852-9377</i>	
		E-Mail: <i>info@jonathancareyfoundation.org</i>	
Address: <i>90 Delaware Ave</i>			
City/PO: <i>Delmar, NY</i>		State: <i>NY</i>	Zip Code: <i>12054</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<u>NA</u> acres	
b. Total acreage to be physically disturbed?		<u>NA</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>NA</u> acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>NO plumbing in space</u> _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

Shoreline    Forest    Agricultural/grasslands    Early mid-successional  
 Wetland    Urban    Suburban   *n/a*

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?      NO      YES  
     

16. Is the project site located in the 100-year flood plan?      NO      YES  
     

17. Will the proposed action create storm water discharge, either from point or non-point sources?  
If Yes,  
a. Will storm water discharges flow to adjacent properties?      NO      YES  
        
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?      NO      YES  
        
If Yes, briefly describe:  
\_\_\_\_\_  
\_\_\_\_\_

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?      NO      YES  
If Yes, explain the purpose and size of the impoundment: \_\_\_\_\_  
\_\_\_\_\_

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?      NO      YES  
If Yes, describe: \_\_\_\_\_  
\_\_\_\_\_

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?      NO      YES  
If Yes, describe: \_\_\_\_\_  
\_\_\_\_\_

**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor/name: The Jonathan Carey Foundation - Michael Carey Date: 10-20-20  
Signature: *[Signature]* Title: Founder

Project:

Date:

**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Project: \_\_\_\_\_

Date: \_\_\_\_\_

**Short Environmental Assessment Form  
Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)

- Yes  No **Is the access road to the project a Town/County or State Road or highway?**  
(New York State Town Law: § 280-a)
- Yes  No **Is any of the property within the flood plain?** If yes, the flood plain area will need to be clearly labeled and lightly shaded on your survey map. (The County will not except dark shading).
- Yes  No **Is any of the property within a DEC regulated wetland?** If yes, you may be required to contact DEC to conduct a site visit to flag the area.
- Yes  No **Is any of the property within an ACOE regulated wetland?** (ACOE = Army Corps. Of Engineers)
- Yes  No **Will one or more acres be disturbed by this project?** If yes, you will be required [under NYS DEC regulations] to develop a Storm Water Pollution Prevention Plan SWPPP in order to obtain coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity.

The project occurring within 500 feet of (Check all that may apply):

- A municipal Boundary
- County or State Park or recreation either existing or proposed
- State or County road or right-of-way, either existing or proposed
- State or County owned building or institution
- Stream or drainage channel owned by the County or for which channel lines have been established
- Active farm operation within a County Defined Ag. District

**BY SIGNING THIS APPLICATION, THE UNDERSIGNED DOES HEREBY GRANT PERMISSION TO MEMBERS OF THE TOWN OF NEW LEBANON PLANNING/BUILDING DEPARTMENT TO ENTER UPON MY PROPERTY FOR THE PURPOSE OF EXAMINING SAME BY REASON OF AN APPLICATION NOW PENDING BEFORE SAID BOARD**

STATE OF NEW YORK     }  
COUNTY OF COLUMBIA   } ss  
TOWN OF NEW LEBANON   }

I, Michael J. Carey hereby depose and say that all statements contained in the papers submitted herewith are true.

SWORN to before me this 21st day  
Of October, 2020

NOTARY PUBLIC Ashley C. Saviano

**ASHLEY C. SAVIANO**  
Notary Public, State of New York  
Reg. No. 01SA6391554  
Qualified in Columbia County  
My Commission Expires May 13, 2023



# Application for Building and Zoning Permit

*Zoning Review Fee 25.00*

Town of New Lebanon  
PO Box 328

New Lebanon, New York 12125

Phone: 518.794.8884

Fax: 518.794.9694

REV: 01.13.17  
Pg. 1 of 2

Tax Map No.: 19.2-1-160  
Application No: 20-087  
Zone District: \_\_\_\_\_

*Please attach a  
Narrative Explaining Proposed Use  
AS well as a Floor Plan*

Date: 10-1-20  
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: Michael Carey Mailing Address: 90 Delaware Ave Delmar NY 12054  
Site Location (911 Address): 502 Columbia Turnpike Phone: (518) 852-9377  
Nearest Crossroad: Route 22 Email: yahiso10@msn.com

#### PROPERTY OWNER INFORMATION

Property Owner Name: New Lebanon Volley Investors Phone: days:  eves: \_\_\_\_\_ cell: (518) 852-9377  
Mailing Address: 90 Delaware Ave Delmar NY 12054  
Physical address: 90 Delaware Ave Delmar NY 12054

#### NATURE OF PROPOSED WORK

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

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

Project Use/Description: Change of use former Ega unit 1A  
Storage area - would like to collect donated bottles & cans to help children.

Ht: \_\_\_\_\_ Width: \_\_\_\_\_ Length: \_\_\_\_\_ Floor Area \_\_\_\_\_ Total Sq. Ft: 2,400

#### CONTRACTOR INFORMATION

General Contractor: \_\_\_\_\_ Phone: \_\_\_\_\_  
Plumber: \_\_\_\_\_ Phone: \_\_\_\_\_  
Electrician: \_\_\_\_\_ Phone: \_\_\_\_\_  
Architect/Engineer: \_\_\_\_\_ Phone: \_\_\_\_\_

New York State licensed architect plans attached? (2 sets required)  Yes  No    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 *Michael Carey*

Signature of Property Owner *Michael Carey*



## Narrative

- To use existing storage area which was formerly part of a grocery store space years ago to collect donated bottles and cans to help children.
- Small vestibule area would be open for people to enter and drop donated bottles and cans through an opening in the existing new load bearing wall - similar to openings in used clothes drop boxes.
- \* Main purpose is to help vulnerable children - orphans, abandoned & abused children through the Jonathan Carey Foundation which is a 501 C3 charity not for profit.

Unit #1A

No Plumbing installed  
No interior lighting

Former grocery store  
Now empty storage area  
Approximately 2,400 sq ft.

Approximately  
100'

Opening for people to drop buss  
of donated bottles & cans

Vestibule Area

AFFIXED  
lighting  
pre Existing



Town CEO <ceo@townofnewlebanon.com>

**Valley Plaza - Storage (Warehouse) - Unit 1A - Next week's agenda item**

1 message

Town CEO <ceo@townofnewlebanon.com>

Wed, Oct 21, 2020 at 4:18 PM

To: billbanker <billbanker@rocketmail.com>, Elizabeth Brutsch <nlpb.brutsch@gmail.com>, Greg Hanna <nlpb.hanna@gmail.com>, Greg Hanna <potatoe@peoplepc.com>, Jim Carroll <nlpb.carroll@gmail.com>, Michael Blatt <nlpb.blatt@gmail.com>, Paul McCreary <psmpece@gmail.com>, Robert Smith <AngusBob@gmail.com>, Robert Smith <k9sheps@yahoo.com>, Robert Smith <nlpb.smith@gmail.com>, Tegan Cook <nlpb.cook@gmail.com>, William Banker <nlpb.banker@gmail.com>, monte@fairpoint.net, Monte Wasch <mwasch@townofnewlebanon.com>

Cc: Michelle Bienes <pzclerk@townofnewlebanon.com>, Stephanie Ferradino <stef@ferradinofirm.com>

Dear Chairman Brutch and Planning Board Members:

Attached please find the second application from Mr. Michael Carey, owner of the Valley Plaza. He wishes to use the narrow unit (the remainder of space left over from when the Family Dollar moved into the former IGA) as area to store empty bottles and cans donated by the public. The proceeds of which will go to his Children's Foundation. His plan is to create a slot in the partition wall in the existing vestibule where folks can deposit off their donated empty cans/bottles as depicted on his drawing.

The only definition that I could find in the use table to fit this type of use is "Warehouse" which requires a special permit and site plan review. Mr. Carey is perfectly fine with that but is hoping that he can submit the attached application even though the first encounter requires a sketch plan conference (pre-application meeting) so that if the Board was so inclined, they could accept it as both a sketch plan conference and preliminary if the board deemed the submission complete enough to do so.

There is no plumbing or electrical to the storage space. This is just a storage space with no employees and the change of occupancy permit will need to indicate such since there is no bathroom (from a NYS Codes perspective).



**Cissy Hernandez, Code/Zoning Enforcement Officer**  
Town of New Lebanon  
14755 State Route 22N / PO Box 328  
New Lebanon, NY 12125  
Ph: (518) 794-8884  
Fax: (518) 794-9694

www.townofnewlebanon.com

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