

**MINUTES OF THE REGULAR MONTHLY MEETING OF
THE TOWN BOARD OF THE TOWN OF NEW LEBANON
HELD ON JUNE 8, 2021**

Present: Tistrya Houghtling, Supervisor
Norman Rasmussen, Councilmember
Deborah Gordon, Councilmember
John Trainor, Councilmember

Absent: Jesse Newton, Councilmember

Recording Secretary: Marsha “Marcie” Robertson, Town Clerk

Others Present: Samantha Long, Court Clerk
Steve Powers, CAC Member & CSC Chair
Bruce Shenker, NL Rep to CC Enviro Mgmt & CSC member
Marc Anthonisen, CSC Advisor
Monte Wasch, BEDC Chair
Sharon Powers, BEDC
Adelia Moore, CAC & CSC Member
Peg Munves, CAC & CSC & BEDC Member
Erminia Rasmussen, BEDC
Christine Dreyfus, MOW
Bob Gilson, CAC & CSC Member
David Farren, CAC Chair
Mary Young, NL Rep to CC Office for the Aging
Michelle Hoffman, New Lebanon Library
Member of the Public

CALL TO ORDER:

The meeting was called to order at 7:02pm by Supervisor Houghtling. A moment of silence was held, followed by the flag salute. The meeting was held in person at the Lebanon Valley Fire Department (LVPA), 523 US Route 20, New Lebanon, NY 12125 and live streamed for the public at:

https://townhallstreams.com/towns/new_lebanon_ny

MINUTES:

The minutes of the **May 11th, 2021 Regular Meeting** were reviewed. A motion was made by Supervisor Houghtling, seconded by Councilmember Gordon and approved unanimously with the exception of Councilmember Newton who is absent to approve the minutes as typed.

FINANCIAL:

Supervisor's Report:

Since this was an in person and live streamed meeting the Supervisor's Report as of May 31, 2021 was available to the public via the Town Clerk's email and the Town website and the Town Board was emailed the Supervisor's Report by Supervisor Houghtling.

A motion was made by Councilmember Rasmussen to accept the Supervisor's report as typed. The motion was seconded by Councilmember Trainor.

Roll Call Vote:

Councilmember Trainor -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Rasmussen -	Aye
Councilmember Newton-	Absent

PRIVILEGE OF THE FLOOR:

Thom Rigg spoke on behalf of the American Legion and in partnership with the LVPA, they are requesting to have a Flag Retirement Ceremony on July 17th, 2021 at 4:00pm in Shatford Park. To retire an American Flag properly it has to be burned in a Flag Retirement Ceremony. They plan to have trucks and members of the LVPA on scene to ensure safety and control of the fire. Thom stated that they do not need the use of the pavilion just a grassy area in the park. If anyone in the community has any worn, torn or tattered flags that they wish to have retired there will be a drop off box at Country Squire to collect them. Please consider coming out to be a part of the ceremony to honorably dispose of unserviceable flags and help support the American Legion.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously with the exception of Councilmember Newton who is absent to authorize the American Legion to use the Shatford Park on July 17th, 2021 if the pavilion is not currently rented to use that location and if the pavilion is rented on that day to use some other area in the park.

Adelia Moore, CAC, CSC member spoke as a CAC member about the green tubes in the park. She stated that the tubes have a purpose, they are translucent to allow filtered light to the plants, they protect the plants from deer, they help the plants to grow faster straighter and stronger. Adelia thanked the forty volunteers who came in seven shifts over five days putting in at least 225 volunteer hours and thanked Councilmember Newton for his help with the logistical planning, soil and water as well as volunteering. Adelia also mentioned that they had three young families during the five days and that it was wonderful to have kids involved.

Adelia stated that she wanted to respond to some people driving by and that she has spoken to that this was somehow a surprise to them. She stated that she thinks they are all surprised by the tube technology and when you see them it is surprising. She continued to

state that in reality it was widely publicized in Grow the Valley, the Town Newsletter, posters around town, on Facebook, The Eastwick Press, Columbia Paper so it was not a secret. She can attest to that because volunteers came from all of the different advertisements, including the United Way in Albany.

Adelia stated that never the less, they do regret that because of the pandemic they were unable to have the kind of public education they might have planned in the before times and that they will have in the future.

Adelia gave a brief summary of the education:

Why did they plant these plants?

Answer: If you get close to the stream you can see that there has been some serious erosion on one side and that will continue. It is caused by severe storm events and floods rather than by the stream just running by on a daily basis and New Lebanon is in a flood plain. Since 2011 there have 37 insurance claims in the town of New Lebanon due to flood damage, compared to 9 claims for the next most frequent number of claims in another town. Our infrastructure needs the help of trees and shrubs to help absorb that water.

The layering of the roots with shrubs at one level, understory trees and then large trees provides different level of roots to both absorb water and cleanse it as it goes to the stream onto the Wyomanock and the Hudson Rivers. The leaf surface of the trees also absorbs carbon.

Even if we weren't in a period of climate change we are in need of more shade in the park. Some of the trees are shade giving, some are shade loving, some are flowering, some are tall and short, some are even ground cover conifers deciduous. As they manage the organization of the planning and the planting, they kept in mind all of these different kind's plants and the different conditions along the stream, they also made a big effort to keep in mind that while the DEC and the Trees for Tribes project is primarily a conservation project, they knew that they were putting this in their town park beloved by so many. She stated that they made an effort to keep some areas open for access to the stream, for picnicking, for frisbee, etc. She stated that they held back 30% of the plants that were delivered and they will determine as time goes on what will happen to those. They will be doing further thinning and grouping in modification in response to some community concerns.

Adelia stated that the CAC meetings are always public, their next one is next Monday at 6:30pm in the pavilion and they hope that anyone that is concerned will come and speak to the CAC either to get questions answered or to give them advice on what they would like.

Finally, Adelia stated that they are native trees and shrubs, they should be hardy. They have gorgeous flowers. The shrubs are mostly flowering and those that aren't have beautiful full leaves. She stated that plants need water but gardeners need patience and she thinks we all need special patience for these tubes to come off. She hopes that we will all be rewarded and if not us, our children and grandchildren.

See Adelia Moore's email to the Town Board:

To the Town Board:

I will be speaking this evening during privilege of the floor at the beginning of the regular meeting of the board, but wanted you to have a more detailed statement in writing as well, and the attached materials, as follows (not necessarily attached in this order):

- 1. A spreadsheet of the plants received with brief descriptions and sizes (ShatfordPlantList)*
- 2. Photos I downloaded of some of the many plants planted (first ten photos, labeled)*
- 3. The press release we sent to local papers (google link below above photos of plants)*
- 4. Our flyer, designed by Sharon Cohen Powers (05-2021-tree-planting.V3)*
- 5. A digital copy of a document you probably already received, the final planting proposal with map and list of the plants (TFT planting proposal)*
- 6. Before and after photos of other Trees for Tribes project in NYS (images .000, .001, .0014, .0015)*
- 7. Report on flood insurance claims from 2011 ("Resized")*
- 8. Photos from the planting process (jpgs 1208-1231)*
- 9. Demonstration Video of Trees for Trib project manager (1208.mov)*

*As you know, I am a new member of the Conservation Advisory Council, having taken on the last year of Cynthia Creech's term. David Farren will also speak this evening in his capacity as chair of the CAC, with more details about the background and the grant process. And Peg Munves will speak about ongoing plans for maintenance of the project. We are speaking this evening because we have finished phase 1 of the Shatford Park Trees for Tribes project. We wanted to take this opportunity to report on it and to respond to some concerns we have heard about from town residents. **It is unfortunate that the pandemic has prevented us from doing the public education events that we might have done in normal times.***

Anyone driving by Shatford Park over the last week must be shocked by the appearance of 375 green tubes, the most visible sign of Trees for Tribes. They're changing the park! An understandable reaction.

Each translucent tube is protecting a small native shrub or tree seedling from deer, helping the plant grow fast, straight and strong, and filtering light to maximize growth.

***The plants were planted in seven volunteer shifts over five days, for a total of about 225 volunteer hours.** I would like to publicly thank those volunteers who were cheerful, energetic and effective even in cold, rainy weather. This includes both Tistrya and John, who came to plant, and Jesse who did so much logistical work with soil and water and plants that we truly could not have done it without him.*

***We had over 40 volunteers, including three families.** Having children planting with us was a special treat, not only because of their enthusiasm and energy, but knowing that they would be the ones to benefit the most, and would remember their own participation in New Lebanon history.*

Before I get into why we planted the plants, let me emphasize that this project was vetted and approved by the entire town board, as David will describe. The project was also widely publicized, in the Eastwick Press, our paper of record, the Columbia Paper, the Climate Smart

Communities Facebook group and personal social media pages and personal email networks of at least two CAC members, flyers posted around town, county corporate volunteer programs, the United Way, community groups such as the NL Women's Club, other area newsletters, and most importantly, the Town Newsletter and Grow the Valley email newsletter. In short it was no secret!!! A number of people came and spoke to us during the planting to learn about what we were doing.

***Why did we plant all these plants?** David will give you background and more detail, but the gist is this:*

- 1. The tributary has already experienced **erosion** from storms, and with a changing climate, will experience more as there are more severe storms.*
- 2. New Lebanon is, as you know, on a **flood plain**, and our infrastructure is not equipped to deal with flooding. As reported in the attached flood insurance report, New Lebanon had 47 claims, far more than any other towns listed.*
- 3. The **layered root system** of shallower shrub roots and deeper tree roots, extended over a large area like the area we have planted, can be vital in **cleansing rainwater runoff** before it gets to the stream and on the larger tributaries and ultimately the Hudson River.*
- 4. As wild swings of weather in the last two weeks and the heat of this week make only too clear, **our climate is changing: we will need more shade**. Some of our trees are tall shade giving trees; others are so-called understory shade-loving trees, like the flowering dogwood. Some are dry soil loving and other wet soil loving both trees and shrubs.*
- 5. We made an effort throughout the planning and planting process to **keep in mind the conservation goals and the park setting**. We held back close to 30% of the plants allotted by the DEC, and have some further thinning and grouping of plants in mind in response to townspeople's concerns.*
- 6. Since we have planted **only native trees and shrubs**, they should be hardy. We expect the town residents will come to enjoy the **bright displays of flowers and leaf colors**, along with the increase in habitat for insects, birds, and other creatures.*

*We regret that the pandemic prevented us from more public education before the project, but **we plan to hold a public event in the coming months** to answer questions and explaining the project in more detail.*

We hope that interested town residents will attend our CAC meeting, which is, as always, open to the public. It is next Monday, June 14, at 6:30 in the pavilion, and speak during our allotted public time. They may also email us at nlcac.munves@gmail.com with suggestions.

[Link to press release sent to Columbia Paper and Eastwick Press](#)

<https://docs.google.com/document/d/1ShSXtuXUGwG8mS0278J9Np0js9SC4ruv1q0DxwVG0>

See Addendum A

Cassidy Lancelin stated that he has a tree company in town and he does landscape tree work. He stated that he has been doing this for about fifteen – twenty years, all over CA

and NY. He stated that he has dealt with all kinds of planting and maintenance of these plantings, and he congratulated Trees for Tribs and the job that they did over at the park.

Cassidy stated that he thinks that someone had to come and stand up and express the concern that they might have gone a little overboard in their space use of the plants. He stated that he agrees with the previous speaker said about the need for erosion control and screening and wildlife habitat and all of the good things that come with planting trees. He stated that when he plants a tree, he spends a day or two just looking around and deciding where he will put the tree. He stated that it is really important to him to plan for the future, in the next ten, twenty, thirty, forty, fifty years, trees live over a hundred years.

Cassidy stated that when he saw the Trees for Tribs planting design, he wasn't at the Town Hall and he wasn't able to express an opinion. He stated that unfortunately he has to be the guy to come here and cocoo all of their hard work and say that this doesn't look right. He stated that he thinks they did a good job as far as creating a restorative habitat for the creek, he thinks that is great. He stated that is what we want to do with our rivers that have issues like that. However, he stated the other side of this coin is the use of this park and the character of this park and the way it has been part of this town for many years. He stated that there haven't been any changes like this as far as planting 500 trees and taking over 2 acres of this park, that land isn't going to be useable for throwing frisbees, it's going to be a whole other habitat. He stated that he'd like to ask the people in the town if that is what they want, he knows that the board voted on it but he is here on behalf of all of the people that weren't here to make this decision with you. Also, he stated that this design and this plan of this many trees in this small of a space. There are over 127 hardwood trees that are going to be thirty, forty, hundred feet tall and it's going to change the character of the park in a very large way. He stated that people driving by will no longer be able to see the softball fields, no longer be able to see nice grass lawns. He stated that it is a great idea to plant the creek and to have garden space but this is a 2-acre takeover of the park. He stated that this is more of an arboretum project, this is not erosion control. The erosion control ended in the creek. We have plenty of grass, we don't have a problem with storm runoff, we don't have a problem with pollution in the park. He stated that it rains, the grass is a pervious surface, it soaks it up. He stated we don't have any wildlife habitat in the creek, it is a tiny little creek, no racoons living in there. He stated that he just wanted to speak up about this, he doesn't want to see the trees get ripped out, he's not here to say they should all get torn out. He stated that he thinks that they did good, but you are signing the entire town up for another fifteen years of care and really shaping this and making it happen, which he thinks is a great thing but he thinks they over did it with this planting and 400 trees in 2 acres is too much. He stated that he thinks it is going to need a lot of thinning and redesign work and he thinks there a lot of people that just think that it is a takeover of their space.

Cassidy continued to say that he is willing to work with it, he doesn't want to see it get torn out and he doesn't see anybody that has the time to try to fix it and try to replant it. He stated that it would have been great if it was done by the Wyomanock and helped out instead of just taking 500 trees and putting them right in that spot with a post hole digger

one after another, boom, boom, boom, mass production. He stated that there is no artistic flow to this, there is no taste and it is not something that people will look at and say that it looks great now. Cassidy stated maybe fifteen years from now, with a lot of luck and a lot of help, and he'd like to be part of it but he just thinks that it didn't need to be so much, not for stream erosion, and there goes 2 acres of our park. He stated that is how he feels and a lot of people are really upset about it and he is here to be one person speaking up for those people who weren't here.

Supervisor Houghtling responded to Cassidy and stated that the last time they spoke, he stated that he would like to be involved in potential advice or other ideas that he had, she is hoping that he can go next Monday to the CAC meeting which is where they are going to talk about any potential modifications. So, if he has some ideas, which it sounded like he did, she encourages him to go to the pavilion next Monday at 6:30pm and meet with the CAC and maybe present some of those ideas.

Cassidy responded that he would like to meet with the CAC and he hopes that they got thing figured out. He stated that he'd like to talk to them about how they plan to maintain the 400 trees and water and care for them. He stated that one of his proposals is if we are going to create stream buffer habitat, which is Trees for Tribes, which is created by 600ft X 80ft X 60ft and the plans shouldn't be to try to mow in there, it is really going to become overgrown. He is proposing if you are going to create a habitat like that to just give it back to nature but don't make it so big. He stated that he doesn't want to see the trees come out, he doesn't want to dig it, he doesn't have time to do it, who does? He stated that it is already in, he thinks they went a little crazy but he knows they have a plan to thin it out a little bit.

Supervisor Houghtling stated that she knows there is a full maintenance plan and she encourages him to find out more.

Cassidy stated a large buffer for a small stream, but other than that he is all for planting trees.

Peg Munves stated that they appreciate Cassidy and the others for coming the other day. Peg stated that overall, the plan has been modified quite a bit, they have held back 25% of the plants and they are not sure what they are going to do with them yet.

Peg stated that Donnie Sears, Park Maintenance Superintendent has been involved right from the start and has been advised every step of the way. She stated that the Maintenance of the Trees for Tribes project is a large part of the planning for a project like this. Since Oct 2020, Park Maintenance Superintendent, Donnie Sears has been included in conversations about how the plantings can be best spaced so he can mow and do his maintenance with the least amount of disruption to his work. We know his ability to do his job is key for the Town and the park. On Monday June 7, he was able to easily mow the South side of the park, the Route 22 side. We check in with him frequently and will continue to.

Almost everything was planted with enough space for his mower, and we are continuing to make adjustments. Water is of course a large part, right now IS the main part, of keeping the project a success. We are making sure that we have enough volunteers scheduled to keep the plants watered. For now, while the tubes are on the plants, mowing ability is very important for roots to develop. Later, when the plant tubes come off, we will proceed with the next phase of the project, perhaps creating some paths perhaps and adding some butterfly and bee attracting plants if needed. The shrubs that are planted are all flowering and will provide lots of food for pollinators and nesting for birds.

We will be moving plants around and adjusting things all summer. The CAC is committed to the long-term care of Shatford Park and hope that members of our community will also take ownership and joy from helping maintain it. We welcome anyone to our CAC meetings which are the second Monday of every month at 6:30, currently at the Park Pavilion.

Peg stated that she thinks this is a great project for the town, it is very forward thinking of New Lebanon, the CAC appreciates the Town Board doing it. She stated that she thinks it is a tremendous improvement in the park and she realizes that it is a shock for people, but they appreciate the town being so forward thinking.

Supervisor Houghtling stated that she received 15 emails for privilege of the floor and she asked the rest of the Town Board and the audience if it is okay for Town Clerk Robertson to include the 15 emails into her minutes by cut and paste.

Peg Munves asked if Supervisor Houghtling could summate?

Supervisor Houghtling responded yes; they were all in support of the Trees for Tribes program. Some people felt strongly that they wanted them read into to record and she asked how the rest of the Board felt. It was a unanimous no to reading the emails and to have them added to the minutes for the meeting.

Robert Gilson POF email:

Dear Tistrya

I am writing to express my support for the Trees for Tribes project in Shatford Park. While, the project does not look like anyone expected at present, the intention is to repair the riparian corridor. It will take some time, but 10 years from now, the section of the park where trees and shrubs have been planted will begin to look very different. In the coming years, the flora planted will help to mitigate soil erosion along the stream bank, while helping to purify the water flowing into the stream. In the long run, the benefits of this project will far outweigh the current unsightliness.

Sincerely, Bob

Nina Keller POF email:

Tistrya, please thank all who helped make trees grow in the park on our behalf. If you can please read this poem by Joyce Kilmer. Nina Keller and Rich Adago

Trees

BY JOYCE KILMER

I think that I shall never see

A poem lovely as a tree.

*A tree whose hungry mouth is prest
Against the earth's sweet flowing breast;*

*A tree that looks at God all day,
And lifts her leafy arms to pray;*

*A tree that may in Summer wear
A nest of robins in her hair;*

*Upon whose bosom snow has lain;
Who intimately lives with rain.*

*Poems are made by fools like me,
But only God can make a tree.*

Hollis Reh & Sal Shariff POF email:

It has come to my attention that there is a potential problem with continuing our town's tree planting project. I am unable to understand this. What could anyone possibly object to? Helping our environment? Preventing potential problems for our town? Doing our part in making our planet a better and safer place? Protecting our children's futures?

Our town is so proudly participating in the Climate Smart program. We tout our accomplishments. Yet we might object to planting trees? How is that even possible?

I can't even imagine that you might vote to do this. I truly hope not. To say that I would be disappointed would be an understatement.

Thank you for listening. Hollis Reh and Sal Shariff

Monte Wasch POF email:

I am wholly in favor of the tree planting project in Shatford Park. I believe it will add to the beauty and variety of the park landscape. I planted four fruit trees in the early planting project at Shatford, and I feel the current effort will only add to the Park's attractiveness.

Best regards, Monte Wasch

Jay Aronson POF email:

Dear Supervisor Houghtling,

I wish to add my support for the Trees for Tributaries project for which members of this community had the foresight and follow through to write a grant and organize the planting of these remarkable trees. My partner and I even spent half a day digging and planting this past

week. We know that trees are essential for clean air and water. Trees enhance not just the quality of our lives but once established the root systems will help stabilize the soil from the periodic flooding of the Wyomanock. We would hope that we can all find a way to enjoy the open space of the park with the addition of a future shade grove of trees and shrubs. The green tubes are temporary and will ensure that more of these seedlings can survive. We must consider the long-term benefits of this project.

Thank you to all who made this project possible.

Sincerely, Jay Aronson & William O'Neill

Erminia Rasmussen POF email:

Good morning, this letter is to the Town Supervisor and the Town Board Members.

I understand that there has been some backlash about the Trees for Tribes project.

As a resident of the town, I fully support the project. I much appreciate the efforts and endless hours by the volunteers on this project. It is no small task.

It appears that this project is a conservation and ecology project to improve wildlife habitat, water quality and storm resilience. Therefore, we must keep in mind the benefit that we, as residents, will reap over the years.

Thank you, Erminia Rasmussen

Tom Gerety POF email:

As a lover of trees and gardens and an active volunteer in town, I write to you and the Board to comment on the differences of opinion about the Trees for Tribes planting project in Shatford Park.

1. To me, the most important lesson for the Supervisor and the Board is that the park needs an overall plan. Major changes--whether the installation of the skate park or the riparian plantings along the 22 corridor--should be presented to the Board and to townspeople with maps and sketches as well as characterizations of the changes to the various experiences people have in the park at different times of the year--and day. Thus, some critics of the riparian trees object to obstruction of the view for the passing cars and trucks, while others argue that the traffic and pollution should be obstructed for the sake of the air and water. In the case of the skate ramps, people have objected to both the likely noise of the skateboards and of course to the inevitable injuries and their probable costs; but no one doubts that young people enjoy the thrill and challenge of skateboarding.

2. A second lesson in this is that the recruitment of volunteers for town efforts such as the riparian planting should always engage the full attention and commitment of elected town officers. The Board as a whole voted to support this effort and three members of the Board volunteered with many of us in weather hot and cold to dig and plant. But it is not at all clear to me that the Board as a whole understood the project or stood (and stands!) behind it. That will discourage good people from New Lebanon and other towns who want to help out as the town seeks to improve.

3. I myself support the riparian project, both for its environmental impact and for its long-term effect on the look and feel of the park. Like many parks in many towns, playing fields requiring close mowing occupy most of the acreage. There are relatively few wooded areas and relatively little shade. One sees walkers in the park in the morning but little usage besides games and practices at other times. Some have pointed to the surrounding woods, nearly all of which are on private land. Climate change will worsen this situation in the decades to come. We need more

trees and shrubs and more un-mowed parkland. The best parks mix lawns with areas of trees and shrubs.

4. I am sure that the CAC would like to further accommodate concerns about the density of the planting. They have held back many of the trees and shrubs. And the town--and its various streams-- could use well-chosen plants, shrubs and trees in other settings besides Shatford Park. But this means that the Supervisor and the council members will have to deal with the NY DEC and the Hudson River Estuary Project to see what flexibility they will allow us. Volunteers on committees are not in a position to negotiate effectively with the state or an important nonprofit with regional responsibilities.

Thank you, Tom Gerety

Ken Boudreau POF email:

Good morning,

I wanted to voice my support of the tree/shrub planting efforts at the park.

I will admit being a little confused when I saw what was going on...However, it was explained to me that their purpose was to protect the water quality of the stream, provide habitat and reduce traffic noise and pollution.

Seems like "no brainer". Thanks for doing this. Ken Boudreau

Sandra Kingsbury & Ted Timreck POF email:

Dear Tistrya,

It has been wonderful watching the trees appear in Shatford Park and envisioning the pleasure they will bring to our town. I had an opportunity to walk around and notice the many different kinds of trees that have been planted - so much better than the rows of only maples or pines that we so often see. It makes a lot of sense to use this lovely public space to create habitat, stop erosion, cut down on what needs to be mowed and to provide shade and variety in our park.

Our yard is so tiny and has so many trees already that we can't really plant more so I feel especially grateful to New Lebanon. Huge thanks to you and to everyone who organized and worked so hard to make this happen.

Our Kindest Regards, Sandra Kingsbury & Ted Timreck

Kendall Cornell POF email:

Hi Tistrya,

I just wanted to write a quick note to say I am excited about the tree project in Shatford Park. I think it is going to look wonderful and provide shade (and interest) to the town park. I understand that it is a change for people, but I think the ecological health of the park will be the better for the trees.

Thanks for all you do! Best, Kendall Cornell

Sarah Westwind POF email:

I am so pleased with the planting of trees and shrubs in Shatford Park. Besides helping prevent erosion, the plantings have other wonderful benefits. All those native plants will soon begin to

attract butterflies, birds, bees and other pollinators of which there has been a precipitous decline in recent years. One cause of this decline is habitat loss, and extensive lawns, on which a single plant (grass!) grows, is something we can remedy. There is a growing movement to "shrink our lawns", and the Shatford Park project will show the benefits of this with plenty of berries for birds, flowers for nectar, trees for nesting and shade and much more. There is still plenty of lawn in the park for outdoor activities. And the tubes that are protecting the young plants will come off in a few years to reveal the beginning of a beautiful ecosystem.

Amy Jesaitis POF email:

Dear Ms. Houghtling:

I am writing to congratulate the Town of New Lebanon on implementing the Trees 4 Tribes project. I came down from Albany to help with planting and was impressed by Town's foresight to undertake this. The shrubs and trees will benefit the creek and the people of New Lebanon, now and in the future. Among other things, the creek will benefit from decreased erosion and increased filtering of pollutants. In addition to having a healthier creek, people can enjoy the beauty and diversity of flowering plants, shade the trees will provide, and the mental health that comes with spending time in nature.

It was a pleasure being a small part of the process. I look forward to seeing the growth of the plants on subsequent visits.

Again, kudos on a great project, well executed.

Sincerely, Amy Jesaitis

Gabriel Amir Bisio POF email:

Hi there my name is Gabriel Bisio and I live in New Lebanon. I just volunteered with the trees for troops program planting trees in the park, and I'm just so glad that the town is doing this! I think it's great that we are remediating our landscape and planning for the future by investing in a tree planting project that will have big payoffs in the decades to come.

Thank you, Gabriel Amir Bisio

Elizabeth Poreba POF email:

Dear Supervisor Houghtling,

"A society grows great when old men plant trees whose shade they shall never enjoy," says a Greek proverb. I thought of that when I spotted the promising little grove of sticks in Shatford Park.

I'm pretty sure they weren't all old, and they definitely were not all men, but still, the volunteers who planted those saplings were demonstrating, with their unselfish work, that they believe in New Lebanon's promise and resilience.

So, my thanks to all who organized and carried out this effort to protect our town from future flooding and to provide cooling shade for future citizens.

Elizabeth Poreba

Noah Palmer POF email:

Dear Supervisor Houghtling,

I am writing to express my support of the ongoing tree planting project at Shatford Park in New Lebanon, begun May 2021.

Trees are an enduring investment in future generations of residents, and a long-term improvement in the ecological infrastructure of our beloved natural community. Most importantly, the new trees in Shatford Park will create a gorgeous stream habitat for people to visit and enjoy. The wonderful little creek that runs through the park, whose walls are swiftly eroding, will be, in years to come, shaded by trees and shrubs, creating a habitat for children to play in the Summertime, dog walkers to walk their dogs year-round, and song birds to grace in the Springtime.

There is still plenty of open lawn for residents to enjoy, play on, and see the beautiful view. This project will support an entirely new corridor of shady beauty in the park, creating a new way of experiencing nature right in New Lebanon.

I strongly support continued planting of trees in Shatford Park as originally planned.

Thank you, Noah Palmer

BUDGET AMENDMENT #5 OF 2021:

Supervisor Houghtling stated that everything in this budget amendment is related to the conversation that the Town Board already had about Jeff Hattat becoming the CEO and the board didn't want to touch the contingency to make that happen, so they went to different departments who all were open to giving back some training funding money and other things. Supervisor Houghtling stated that the only other things was that there were two departments that offered money and it actually wasn't in their budget, so she did have to pull \$850.00 from contingency to make it happen.

General Fund:

\$ 1,500.00	from A-7310.11 (Youth Program – Personal Serv.)
\$ 2,000.00	from A-1110.14 (Justices – Personal Serv. – Deputy Clerk)
\$ 500.00	from A-1220.4 (Supervisor – Cont. Expense)
\$ 300.00	from A-1355.4 (Assessor – Cont. Expense)
\$ 200.00	from A-1010.4 (Town Board – Cont. Expense)
\$ 1,000.00	from A-1410.4 (Town Clerk – Cont. Expense)
\$ 690.00	from A-8664.4 (Code/Zoning – Cont. Expense)
\$ 750.00	from A-8010.4 (Zoning – Cont. Expense)
\$ 750.00	from A-8020.4 (Planning – Cont. Expense)
\$ 750.00	from A-1440.4 (Engineer – Cont. Expense)
\$ 800.00	from A-1680.4 (Central Data Processing – Cont. Expense)
\$ 850.00	from A-1990.4 (Contingent)
\$ 10,090.00	to A-8664.12 (Code/Zoning – Deputy CEO)

A motion was made by Councilmember Rasmussen and seconded by Councilmember Trainor to approve the above noted budget amendment.

Roll Call Vote:

Councilmember Trainor -	Aye
Councilmember Gordon -	Aye

Supervisor Houghtling -	Aye
Councilmember Rasmussen -	Aye
Councilmember Newton-	Absent

AUDIT OF BILLS:

2021 BILLS:

General Nos. 163 through 207, in the amount of \$60,748.15;
Highway Nos. 55 through 68, in the amount of \$49,285.00; and
Escrow No. 9, in the amount of \$525.00;
As listed on Abstract No. 6 dated June 8, 2021.

A motion was made by Councilmember Trainor to pay the bills. The motion was seconded by Councilmember Gordon.

Roll Call Vote:

Councilmember Trainor -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Rasmussen -	Aye
Councilmember Newton-	Absent

OLD BUSINESS:

Town Logo & Slogan:

Supervisor Houghtling stated that this is really just an update. The final logo was completed in black and white, color and white and also in two different layouts for each, one with large font and a small image and one with smaller font and a larger image.

See Addendum B

Supervisor Houghtling stated that we had a request from the Outreach & Marketing subcommittee of the BEDC.

Sharon Powers on behalf of the committee stated that they were very happy with the way that the logo was presented and they had a lot of buy in from the town and they felt that the slogan was a little more rushed and they didn't have as much input. She stated that they tried to devise a system where they could get more input from the town which will be a two-part thing that they sent out to the Town Board. Sharon stated that they are going to have a call for slogans to get people to present them and ways for people to submit them at the Community Picnic which is August 1st. She stated that they want to get as many ideas in from the public as they can and then the subcommittee along with the BEDC will narrow it down to about three to five choices plus the one that the Town Board decided on, Historically Natural, and they will have a survey. Sharon stated that they hope to have all of the results and present to the Town Board at the October meeting.

Supervisor Houghtling stated, to clarify for the public and the Town Board, one of the reasons that they felt rushed with the slogan is that she misunderstood that the slogan had to be in with the logo and that is not true. She stated that is no rush, that they can take their time as a community to really develop a slogan that the community is behind.

Supervisor Houghtling stated that the slogan that the Town Board decided on at the last meeting, she received a lot of feedback from people that they did not like it.

A motion was made by Supervisor Houghtling, seconded by Councilmember Gordon and approved unanimously with the exception of Councilmember Newton who is absent to accept the proposal from the BEDC and allow them to move forward with the plan as proposed.

Highway Asset Management Plan:

Supervisor Houghtling stated that Councilmember Newton is absent and Councilmember Rasmussen stated that he doesn't have an update.

Cover for Highway Garage Fuel Tank:

Supervisor Houghtling stated that Councilmember Newton is absent, no update.

Land Donation Offer:

Supervisor Houghtling stated that at the last month we approved moving forward with acquiring the land with the estimates the attorney provided. He estimated the survey needed about \$1,500, Supervisor Houghtling reached out to Fred Haley, a local surveyor and he quoted \$4,000 for the survey, which is obviously significantly different from what the Attorney expected it to be. Supervisor Houghtling stated that she did receive an email this afternoon from the Attorney that he did reach out to other surveyors. The other surveyors coming back at \$7,800, \$8,800 and \$9,000. So, the \$4,000 figure from Fred Haley is actually very reasonable, he is a local surveyor, he is very familiar with the town and most on the properties in it. Supervisor Houghtling stated that the Attorney said because we have already moved forward with the Environmental Review and all of these other things, but this is a significantly different price that they should come back to the board for an approval on the quote from Fred Haley.

No questions from the other board members.

A motion was made by Supervisor Houghtling to approve the proposal from Fred Haley in the amount of \$4,000 for the survey at the donation property. The motion was seconded by Councilmember Trainor.

Roll Call Vote:

Councilmember Trainor -

Aye

Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Rasmussen -	Aye
Councilmember Newton-	Absent

Federal Funding for Towns – Schedule Public Input Session:

Supervisor Houghtling stated that the Town of New Lebanon will be receiving \$280,000 from the American Rescue Plan funding from the federal government. The Town Board feels that this is a lot of money and that it should be at least one if not more public input sessions where the residents can come and talk about how they think the money should be spent. Supervisor Houghtling stated it is very specific and restrictive as far as what we can spend the money on, that guidance is still coming out. The Town Board was hoping by waiting a month later that they would have more guidance, and that is not the case.

Supervisor Houghtling stated that herself and Councilmember Gordon took a training with the Association of Towns specifically on this and also on her seat with the County Board of Supervisors, she did a training with the Association of Counties and the message across the board is to slow down. Towns will have until December of 2024 to spend this money, slow down until there is clear guidance and clear guidelines as to what towns can spend the money on because if towns spend outside of the guidelines it will have to be paid back.

Supervisor Houghtling stated that if the board is okay, she would like to keep it on the agenda month to month until they feel like they have a clear definition for spending, then go out for public opinion.

Supervisor Houghtling stated that in her training and her research it is very clear that any lost revenues from COVID that the town can show were lost, they can use the funding for it without restriction, ex. summer camp and lost court fines and fees.

The board agreed this will be tabled until they have more information.

Skatepark:

Supervisor Houghtling stated that she is going to discuss it but no decision will be made until Councilmember Newton is present because it is his baby.

Supervisor Houghtling stated that we are at the point of needing to lay the concrete slab for the skatepark and the question is where should it go in the park. Councilmember Newton feels very strongly that it should go between the tennis courts and the playground on the flat grassy spot there.

Supervisor Houghtling stated that she personally feels very strongly that that is not an ideal location. She has heard from multiple residents as well as our Summer Camp Director that that field is used for Summer Camp and parking for various functions. Supervisor Houghtling stated that skateboarding is also loud and having it in that location

may create issues with pavilion rentals, miscellaneous functions and Summer Camp and effect how much people can use the skatepark.

Supervisor Houghtling stated that there is a spot in the park that she plans to walk with Councilmember Newton and show him. It is behind the baseball and softball fields, it is a nice flat spot, raised up and not in a low wet area.

Supervisor Houghtling stated that Councilmember Newton has a concern about the possible extra expense to bring in the concrete truck to that area. Supervisor Houghtling stated that she feels strongly that finding the ideal spot is the first step and very important and then they can navigate how to make it happen in the chosen location.

Councilmember Rasmussen asked if they have considered the donated land?

Supervisor Houghtling stated that the problem with the donated land is that by the time they get it in the condition to pour a slab, it would take too long. The skatepark is not meant to sit out like it is dismantled and unsealed.

Councilmember Trainor stated that he has seen several emails with arguments to put the skatepark in the area that Supervisor Houghtling has suggested, somewhere away from the pavilion and the tennis courts.

Councilmember Gordon stated that she is intrigued by Councilmember Rasmussen's idea, she realizes that the timing is problematic, although she suspects that there are ways of "mothballing" the pieces of the skatepark. She stated that the donated land is similar to a much larger conservation area in the same general neck of the woods, Hand Hollow Conservation area which offers the same kinds of amenities of walking trails and water features, etc. She stated that those amenities are redundant but a skatepark is not at all redundant, it would be a magnet for that area. She thinks it would make sense to attract people to the west end of town.

Supervisor Houghtling stated that during COVID, a lot of the youth turned the pavilion into a skatepark. It wasn't being rented, so they were allowed to do this. We are back to renting the pavilion now so they had to be asked not to bring their skatepark structures to the pavilion and Supervisor Houghtling then received a lot of inquiry as to when the skatepark will be up and running. She stated that she thinks the realistic time frame to get the donated land ready to be used is around the two-to-three-year time frame and doing it in Shatford Park is the best chance of having it available for use in the very near future.

Town Clerk Robertson stated that after listening to all of the Town Board discussion and from a resident and a parent standpoint she thought that one, the skatepark cannot sit the

way it is without being damaged and that would be an issue to possibly damage a very expensive skatepark that the town received for free. She stated her second thought was about safety and that the area in Shatford Park is better monitored, more visible and more accessible in the event of a serious injury. The donated land area at the other end of town will not be as visible or accessible.

Supervisor Houghtling stated that the emergency response is a very valid piece because you can't drive over the Wyomanock, so the response time would be much longer and hindered by the surroundings, the park provides much better accessibility in the event of an accident.

Peg Munves, CAC, CSC stated that she agreed with Town Clerk Robertson. She also stated for the record that she is in the park at least three days a week training and working her dog and the park is quite underused.

Erminia Rasmussen stated that she also agreed with Town Clerk Robertson. She also asked that down the road when the donated land is ready, can the skatepark be moved?

Supervisor Houghtling stated that it could, but the only expense that the town has is laying that concrete slab which even with volunteer hours is approximately \$20,000 in materials. So, once it is there, it is kind of there to stay.

Cassidy Lancelin suggested another possible space to locate the skatepark on the other side of the tennis court on the edge of the bank across from the bathrooms.

Adelia Moore stated that skateboards are very noisy, so if the park is located anywhere near the pavilion, it could be an issue.

Cassidy Lancelin stated another concern would be the parking for the pavilion rentals and how much that space is used for parking.

Supervisor Houghtling stated that she thinks the location that she found is ideal it's getting the logistics of getting the concrete down there.

Supervisor Houghtling stated that this will be tabled as it is Councilmember Newton's baby.

Planning Board Vacancy:

Supervisor Houghtling stated that we have one Planning Board vacancy and we did receive two letters of interest, however today she did receive an email from Tyler Fogg one of the applications who withdrew his letter of interest. He realized that it wasn't a time

commitment he could make at this time. Supervisor Houghtling stated that we are down to one letter of interest from Steve Muse, he was interviewed earlier.

A motion was made by Councilmember Trainor, seconded by Supervisor Houghtling and approved unanimously with the exception of Councilmember Newton who is absent to appoint Steve Muse to the Planning Board with a term expiring 12/31/2024.

Ethics Board Vacancies:

Supervisor Houghtling stated that we have two vacancies on the Ethics Board, one does have to be filled by a Town Staff member. She stated that we did receive two letters of interest, one from Monte Wasch who is a Planning Board member and the Chair of our BEDC, so he does check the Town Staff box and one from Richard Adago. Supervisor Houghtling stated that they interviewed Richard tonight, the Town Board declined to interview Monte because they had already interviewed him for this board not that long ago.

A motion was made by Supervisor Houghtling, seconded by Councilmember Rasmussen and approved unanimously with the exception of Councilmember Newton who is absent to appoint Monte Wasch to the vacancy on the Ethics Board that expires 12/31/2023.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously with the exception of Councilmember Newton who is absent to appoint Richard Adago to the vacancy on the Ethics Board that expires 12/31/2024.

BEDC Vacancies:

Supervisor Houghtling stated that we have two vacancies on the BEDC and we only received one letter of interest. As is standard, the Town Board deferred to Monte Wasch as the Chair of the BEDC as to a recommendation on the letter of interest that they received.

Monte Wasch, BEDC Chair stated that he and the committee recommends that they appoint Danielle Kuffel.

A motion was made by Supervisor Houghtling, seconded by Councilmember Gordon and approved unanimously with the exception of Councilmember Newton who is absent to appoint Danielle Kuffel to the Business & Economic Development Committee.

Supervisor Houghtling stated that she doesn't know if they go back out for letters of interest but she encourages anyone watching tonight, anyone here in attendance, the BEDC is a wonderful committee that has done a lot of really great things for our local businesses. Because of Monte Wasch and the BEDC's work through COVID, we received the most grants out of any town in Columbia County, something like 9 out of 20, it was very disproportionate to our size. Thanks to Sharon, Erminia, Anna and the Outreach & Marketing subcommittee they have put out a Business Directory. They do a lot of work to

help support our local businesses. She stated if anyone is interested, please let her know as they would love to have a full committee.

NL Rep to CC Traffic Safety Council Vacancy:

Supervisor Houghtling stated that we had one vacancy, we did not receive any letters of interest. It is every other month meeting in Hudson, you are the liaison between the Town of New Lebanon and the County and State DOT. If anyone has any interest in helping with traffic safety, the roads, advocating for paving on Route 22, etc. please contact Supervisor Houghtling because she would love to have somebody in this position.

DCO Request for Dog Fecal Stations in Shatford Park:

Supervisor Houghtling stated that at the meeting this was tabled to allow Councilmember Newton to speak with Park Maintenance Superintendent Sears and Dog Control Officer Banker. Supervisor Houghtling did not receive any update so this will be tabled in Councilmember Newton's absence.

Estimates for Highway Furnace:

Supervisor Houghtling stated that she spoke to Councilmember Newton and he has not received a second estimate yet but it really needs to be in sometime in September or October so it is okay to table this another month.

Water Test Results:

Peg Munves, CAC, CSC stated that we were lucky to get some free testing from the Department of Health, the testing concluded in April and it was very good news. We had twenty-one town residents who agreed to be tested and confidentially share their result with the town, and thank you to those participants. The town has been starting to look through the water in the town for the last few years, this was a huge expense savings for the town to get these tests done. The DOH was interested in testing each geologic substate in town. Working with Steve Winkley who is preparing a water source study for us, he picked some excellent areas through town, so we got a sample of each geologic area. These tests inform the Town of how our well water is, and we tested in every geologic substrate, and that this is a piece of our long-term studying of the Town's water. Steve Winkley is using these results in his soon to be completed Source Water Study for the Town.

Peg read this note from one of the DOH testers, Braden Savage:

It was great meeting and working with everyone around New Lebanon. The overall quality of the water is good. Coliform detection rate was well below what we normally see, and except for a single arsenic and E. coli detection, there wasn't really anything that concerned me. The water is pretty hard, but that isn't something of too much concern. Coliforms are used as an indication of vulnerability of a well, if bacteria can get in the well, other contaminants can as well. Since there were so few coliform detections, I would say you are in pretty good shape.

Peg Munves added that the coliform positives were almost 100% likely to be caused by spring wells being used, not deep wells. The surface water carries whatever is on the ground, including pollutants and animal feces into those shallow wells.

Peg Munves continued to say that they did special testing around the Ceramaseal (Fire) pond and the Bouchard Junkyard, both have long been concerns for residents and there is no contamination of downgradient wells of heavy metals and other things that were tested. This is great information but we are further exploring this.

Peg stated that any questions that came up from the residents were handled quickly and thoroughly by her and the DOH.

David Farren, CAC Chair added that New Lebanon was one of only three communities across New York State chosen for this pilot program.

Supervisor Houghtling thanked Peg Munves and David Farren for all of their hard work.

Town Safety Plan and Town Hall Potential Re-Opening:

Supervisor Houghtling stated that CDC came out with guidance that if you are vaccinated you are safe to not wear a mask and if you are not vaccinated you should still be wearing a mask. New York State then came out with guidance that was based on the CDC recommendations but contained another element that said when the vaccine status is unknown, all in the room should wear a mask. Supervisor Houghtling stated that she did talk with the County Attorney in detail, he worked with the County on amending their safety plan that basically says if you are an employee of the County and you have provided proof to the County that you are double vaccinated, you do not need to wear your mask when you are not public facing.

Supervisor Houghtling stated that she only felt comfortable as one of five on a board that makes the decisions to pull the safety plan back to the same level as the County has because it has been vetted by the Attorney, it was his recommendation that we not go looser than that.

Supervisor Houghtling stated that we are in the office category, so our requirements are different than that of retail.

Councilmember Rasmussen stated that this sounds more like our lawyer's recommendation and not the law.

Supervisor Houghtling stated that she sent the link directly to the rest of the Town Board to New York State and it is a strong recommendation, so it does not mean that we as a Town Board could decide that we put a sign on the door stating if vaccinated you do not have to wear a mask and if not vaccinated you must wear a mask.

Councilmember Rasmussen stated that he would recommend that they go at least that far.

Councilmember Gordon asked how the other staff members feel about it?

Samantha Long, Court Clerk stated from the Court's point of view she received a poster from the third jurisdiction that said they don't care if you are vaccinated or not, you must still wear your mask in Court.

Supervisor Houghtling stated that in her conversation with other staff members, she did hear that the way things are working now are perfectly fine. Supervisor Houghtling stated that unless they take the stand that health screenings aren't required, they still have to be done.

Supervisor Houghtling stated that for the amount of time that it takes the Town Clerk's office to do a dog license, the person is leaving quicker than they would leave if we screened them in, let them in sold them the dog license, let them out, then we have to sanitize and enter a cleaning log.

Town Clerk Robertson stated the screening and sanitizing definitely will take more time and right now this time of year, it is doable. Come the fall when hunting licenses go on sale and the Town Clerk's office is very busy, if we continue with the screening and sanitizing, there will be a very long wait at times.

Supervisor Houghtling stated that she would like to add to this conversation that she did ask the County Attorney today because he is on the calls with the state. She asked when are they just going to say we don't need to do any of the screening, sanitizing, etc.? The strong suspicion is within the month the state will say you won't have to do all of this.

Councilmember Trainor stated that he thinks maybe they should go with the way it is working now, hope for the best and revisit it.

A motion was made by Councilmember Rasmussen, seconded by Councilmember Trainor and approved unanimously with the exception of Councilmember Newton who is absent to authorize Supervisor Houghtling the authority to completely amend or eliminate the towns safety plan as soon as NYS allows the town to eliminate any part of it.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously with the exception of Councilmember Newton who is absent to authorize Michelle Bienes, Summer Camp Director to work with Supervisor Houghtling to

create a current safety plan as of the opening of camp based on whatever the current guidelines are by New York State.

Offer to Take Down Rotting Trees on Local Roads Proposal Update:

Supervisor Houghtling stated that there was an offer to take down rotting trees on local roads, the town insurance company was a hard no, volunteers may not operate chain saws.

NEW BUSINESS:

Bid for Park Fencing:

Supervisor Houghtling stated that Councilmember Newton asked at last month’s meeting that we go out to bid for park fencing but he asked that this gets tabled because he is not here.

Bid for Power to the Mower Shed in Park:

Supervisor Houghtling stated that Councilmember Newton asked at last month’s meeting that we go out to bid to run power to the mower shed in the park but again he asked that this gets tabled because he is not here.

Highway 284 Agreement Amendment:

Supervisor Houghtling stated that we ended up receiving a lot more from CHIPS funding from NY State than we expected. She stated that every year the Town Board and the Highway Superintendent enter into the Highway 284 Agreement that both parties agree to where the CHIPS funding will be spent. The original 284 Agreement, general repairs was \$306,526 and that has increased to \$459, 968. Supervisor Houghtling stated that item #2 on the 284 Agreement didn’t get changed but Councilmember Newton wanted it written on the agreement *plus all roads lined out on the attached document from Peckham Road Corp.*. This is a written breakdown of each road where the chip seal is being done: Brickyard Rd; Darrow Rd; Shaker Rd; Canaan Rd; Lovers Ln; Cemetery Rd; West Hill to Rte 20; Old Post Rd; Schoolhouse Rd entire length; Schoolhouse Rd basketball hoop to CR 34. This was written in on the Highway 284 Agreement before approving.

A motion was made to approve the amended Highway 284 Agreement with the addendum from Peckham Road Corporation. The motion was seconded by Councilmember Trainer.

Roll Call Vote:

Councilmember Trainor -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Rasmussen -	Aye
Councilmember Newton-	Absent

Library Request:

Michelle Hoffman from the New Lebanon Library introduced herself as the newly appointed

Director of the library and to update the board and the public. The library has been working remotely throughout the pandemic, and they are slowly getting back to full service. Their remote programming will start to transition back to in person this month, including the summer reading program. Michelle stated that there also some grant initiatives that they are taking on. Something you may see around town are some new free little libraries that they have built, these will be a means of getting free books into the hands of kids and over time it will become a sharing station. They are hoping to have at least three around town for folks to take a book or leave a book. There is a story walk that is a joint project with Shaker Museum that should be launching shortly and it will feature three different story books over the course of the summer on one of their trails where the books are broken apart, laminated and put on signs along the trails.

Michelle stated that she is looking forward to partnering with the town and specifically the Recreation Commission and the Summer Youth Program.

Michelle stated that come October there is an initiative that a lot of the other libraries take part in called the Great Give Back, so the library is looking for a one-day service project that they can get a bunch of the community involved in. If anyone has any ideas please reach out to Michelle at the Library.

Councilmember Trainor stated that he thinks the transition from Moriah to Michelle has gone very well, he has been zooming into the board meetings and they are well run, constructive and he knows there is some investigation on improving the financial situation. He stated that it is an impressive continuation of the tradition.

New Building Department Applications:

Supervisor Houghtling stated that the Quad Board has been working on more user-friendly applications for the Building Department, Planning Board and the ZBA. She stated that the Town Board she doesn't think has ever officially adopted Building Department applications, because this is a different process and changes a lot of the current process, the Town Attorney thought that it would be good for the Town Board to officially adopt these applications with language included in the motion that the Building Department, Planning Board and ZBA can amend the applications as needed because as they start to use them they may see things that need to be amended.

Supervisor Houghtling stated that part of the reason that this came about was that people were consistently questioning why they needed to do things and questioned the law where it says what is required of applicants. This just really defines it all.

A motion was made by Supervisor Houghtling, seconded by Councilmember Trainor and approved unanimously with the exception of Councilmember Newton who is absent to adopt as presented to the Town Board tonight, the Building and Zoning permit application instructions, the Zoning Review/Verification application step 1 of 2, the Building Permit/Compliance application step 2 of 2, the Commercial Tenant Occupancy verification application, the Planning Board application and the Zoning Board of Appeals application.

See Addendum C

Fee Schedule Resolution – New Fee:

Supervisor Houghtling stated that along with the application changes, because there is a new process, they need to determine a new fee. They set a low fee to try and make it as easy as possible but also make sure to cover their costs. She stated that they are adding in a \$25.00 fee under additional fees called Tenant Occupancy verification fee. She stated that she also put an “*” under Chapter 81 because she would probably go to Chapter 81 looking for this fee.

TOWN OF NEW LEBANON

RESOLUTION #20, 2021

ADOPTION OF TOWN OF NEW LEBANON FEE SCHEDULE

JUNE 8, 2021

At a regular meeting of the New Lebanon Town Board, held at the New Lebanon Firehouse (LVPA), 523 State Route 20, New Lebanon, NY and on town hall streams, duly called and held on the 8th day of June, 2021, the following Resolution was proposed and seconded:

Resolution by Supervisor Houghtling
Seconded by Councilmember Rasmussen

ADOPTION OF REVISED FEE SCHEDULE

WHEREAS, the Town Board of the Town of New Lebanon deems it to be in the public interest to amend the Town’s existing fee schedule;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves and adopts the Town of New Lebanon Fee Schedule, a copy of which is annexed hereto; and

BE IT FURTHER RESOLVED, that the Town of New Lebanon Fee Schedule as annexed hereto and adopted hereby shall supersede all previous fee schedules of the Town of New Lebanon to the extent same is inconsistent therewith; and

BE IT FURTHER RESOLVED, that the Town Clerk shall maintain a copy of this Resolution and the fee schedule adopted hereby, and shall make same available for copying and inspection in accordance with law and as the Town Board may direct.

Upon the question of the foregoing Resolution, the following Town Board Members voted “Aye” or “Nay” for said Resolution:

Roll Call Vote:

Councilmember Jesse Newton	Absent
Councilmember Norman Rasmussen	Aye
Councilmember Deborah Gordon	Aye

Councilmember John Trainor
 Supervisor Tistrya Houghtling

Aye
 Aye

The Resolution, having been approved by a majority vote of the Town Board, was declared duly adopted by the Supervisor of the Town of New Lebanon.

Dated: June 8, 2021

Marcie Robertson, Town Clerk, Town of New Lebanon

Town of New Lebanon Fee Schedule

Fees Derived from Code

The fees referred to in the Code sections enumerated below shall be as follows:

Chapter 71, Animals

Single-Year Application	Application Fee/ Senior Citizen Discount	Mandatory Surcharge	Total Fee/With Senior Citizen Discount
For each dog that is spayed or neutered	\$6.50/5.50	\$1	\$7.50/\$6.50
For each dog that is unsprayed or unneutered	\$12.50/\$10.50	\$3	\$15.50/\$13.50

Optional Three-Year License (When Qualified)	Application Fee	Mandatory Surcharge	Total Fee
For each dog that is spayed or neutered	\$12.75	\$3	\$15.75
For each dog that is unsprayed or unneutered	\$23.55	\$9	\$32.55

**Impoundment Fees: Seizure Fee + Shelter Fee + Emergency Veterinary
 Costs/Expenses**

Seizure Fee

First Offense in 1 year period	\$20
Second Offense in 1 year period	\$30
Each Offense Greater than 2 in 1 year period	\$50

Shelter Fee

Per day fee (first ten days)	\$35/day
After tenth day, add'l flat fee	\$300

Any impoundment fees not paid to C-G Humane Society shall be remitted to the Town

Chapter 81, Building Code Administration

§ 81-4K Building Permits

Roofing Permit	\$50.00
Heating Appliance Installation Permit	\$50.00
New Electric Service Installation Permit	\$50.00
Demolition Permit	\$35.00
Driveway Permit (for driveways regulated under Uniform Building and Fire Prevention Code)	\$50.00
All Other Building Permits	Depends on cost; \$50 minimum
Cost of up to \$2,000	\$50
Cost above \$2,000	\$50.00, plus \$4.00 per \$1,000 of additional estimated cost or fraction thereof

§ 81-4I Renewals of Building Permits

First Renewal (12 months)	\$50.00
Second Renewal (Additional 12 months)	50% of original permit fee; \$50.00 minimum

	Additional Renewals (Each additional 12 months)	50% of original permit fee, plus 5% of original permit fee for each renewal obtained beyond first 2 renewals; \$50.00 minimum
§ 81-5D	Special Inspection	\$50.00
§ 81-7F	Certificates of Occupancy	
	Single-Family and Two-Family Residential	\$50.00
	All Other Structures/Occupancies	Depends on project cost
	Project cost of up to \$100,000	\$100.00
	Project cost of more than \$100,000 but not more than \$150,000	\$150.00
	Project cost of more than \$150,000	\$200.00
§ 81-10G	Operating Permit	\$100.00
§81-11D	Firesafety/Property Inspections	Maintenance \$50.00 per unit (i.e., per tenant space, per building, etc.)
§81-13B	Certificate of Occupancy/Compliance Search	\$50.00

****Tenant Occupancy Verification Fee listed below under additional fees****

Chapter 88, Campgrounds

§ 88-5C	Camping ground license fees	
	At the time of application for the permit	\$25
	Upon issuance of the license	\$5 per site based upon the maximum number of sites shown in the application
	Minimum fee	\$25

Chapter 101, Entertainment, Public

§ 101-12 License application fee \$200

Chapter 129, Junkyards

§ 129-5A Application/Renewal \$100

Chapter 145, Mobile Home Parks

§ 145-7 Mobile home park license fees

At the time of application for the permit \$25

Application/Renewal \$20 per site

Chapter 152, Parks and Recreation

§ 152-3 Pavilion rental fee

Resident \$50

Nonresident \$150

Chapter 179, Subdivision of Land

§ 179-6A(7) and C Application for minor subdivision \$100 plus \$50 per lot

§ 179-8A Application for major subdivision \$500 plus \$50 per lot

Chapter 185, Taxation

§ 185-1 Charge for mailing second (or subsequent) notices \$2

Chapter 205, Zoning

§ 205-11B	Zoning Permit Application	\$25.00
§ 205-11C	Certificate of Zoning Compliance	\$50.00
§ 205-12C	Appeals to ZBA (including interpretations, use variance, and area variance applications)	\$35.00
§ 205-13C	Special Use Permit Application	\$50.00
§ 205-14E	Site Plan Application	\$50.00

Additional Fees

Subject	Fee
Tenant Occupancy Verification Fee	\$25
Marriage license (see Domestic Relations Law § 15)	\$40
Marriage transcript	\$10
Death transcript	\$10
Birth transcript	\$10
Individual Town Code chapters and individual ordinances	\$5 per booklet plus \$0.50 per page to a maximum fee of \$25 per booklet
Town History books	\$15
Comprehensive Plan copies	
Color copy	\$35/copy
Black-and-white copy	\$25/copy
Summer Youth Program ^{1,2,3}	

¹ Additional fees will be charged for on-site and off-site programs and field trips. These fees will be set by the Summer Youth Camp Director based on the cost of the program or field trip.

² Registration fees will be waived for children of Town of New Lebanon employees.

³ Registration fees must be paid for the entire season. Participation for only part of the season will not result in discounted registration fee.

Subject	Fee
Early registration fees (applicable where final payment is received by June 15)	
Resident (Town taxes paid to New Lebanon)	
1 child	\$480/season
2 children	\$720/season
3 children	\$882/season
4 or more children	\$1002/season
Local nonresident (Town taxes not paid to New Lebanon; school taxes paid to NLCSD)	
1 child	\$810/season
2 children	\$1,200/season
3 children	\$1,620/season
4 or more children	\$1,920/season
Nonresident (Town taxes not paid to New Lebanon; school taxes not paid to NLCSD)	
Per child	\$1,620
Registration Fees (applicable where final payment is not received by June 15)	
Resident (Town taxes paid to New Lebanon)	
1 child	\$600/season
2 children	\$900/season
3 children	\$1,102/season
4 or more children	\$1,252/season
Local nonresident (Town taxes not paid to New Lebanon; school taxes paid to NLCSD)	
1 child	\$1,013/season
2 children	\$1,500/season
3 children	\$2,025/season
4 or more children	\$2,400/season
Nonresident (Town taxes not paid to New Lebanon; school taxes not paid to NLCSD)	
Per child	\$2,025
Swim Program Fees	\$40 per session \$70 for two sessions
Returned check ⁴	\$20

⁴ Said fee will be charged for all checks returned by a financial institution for nonpayment (such as “insufficient funds”; “uncollected funds”; etc.) and notice thereof will be prominently posted in any place where payments are accepted and will be included on any application for which checks are accepted as payment.

Highway Annual Bids – Calcium Chloride; Sand, Stone & Gravel; Fuel; and Equipment:

Supervisor Houghtling stated that we need to go out for annual bids for the Highway Department. Our current bids run through July 31st of 2021, so this bid process would be from August 1st of 2021 through July 31st of 2022.

A motion was made by Supervisor Houghtling, seconded by Councilmember Rasmussen and approved unanimously with the exception of Councilmember Newton who is absent to go out to bid on Calcium Chloride; Sand, Stone & Gravel; Fuel and Equipment for the Highway Department with bids due by July 9th, 2021 at 4:00pm to be accepted at our July 13th, 2021 Town Board meeting for a term to run August 1st, 2021 through July 31st, 2022.

COMMITTEE/LIAISON REPORTS:

Assessor (Councilmember Rasmussen):

Councilmember Rasmussen stated that there is no news to report.

Building Department (Councilmember Rasmussen):

Councilmember Rasmussen stated that there is no news to report.

Business & Economic Development (Councilmember Gordon):

Monte Wasch, BEDC Chair stated that they met last night but unfortunately due to other schedules of some of the members, they did not have a quorum, so they did not have an official meeting. Monte stated that they will be presenting notes, not minutes of that meeting.

Monte stated that they welcomed Danielle Kuffel as an observer and he is grateful to the Town Board for appointing her tonight.

Monte stated that they had a discussion on a number of topics. They discussed setting up a process for interviewing businesses that want to locate in New Lebanon so they can have a standard way of gathering information about what they intend to do and what their business plans are with the purpose of encouraging those businesses and answering any questions they may have about town procedures and being able to get a better idea of where they are going.

Monte stated that they held discussion about infrastructure, specifically whether or not the town should be spending money now to do a feasibility study for water and sewer in the central business district of New Lebanon, commonly thought of to be the stretch from the blinker to the Hess station. The committee, informally decided that they would not bring it up at this time. Monte stated that there are conflicting opinions about the necessity and the buy-in from the businesses that exist as to whether or not they want that kind of improvement in town, for which they would have to pay taxes in the form of a special business district for the maintenance of

the water and sewer installation once the capital expenditure has been made. There are ample funds from federal, state and other sources for capital but no funds for maintenance. The maintenance would have to be a town obligation and that obligation would be met by a special taxing district as it is in other towns that have made those same improvements. Monte stated that this a lively topic that is open for discussion and they will continue to try to encounter the businesses in the center of town and see if they can create advocacy for such a project.

Councilmember Gordon stated that the reason that is it important to bring up the subject of infrastructure now is because of the federal stimulus, there is money available now for a feasibility study that may not be available in approximately five years. She stated that these studies can cost tens of thousands of dollars.

Supervisor Houghtling stated that she feels very strongly that the government should never force something onto people other than for health and safety reasons. She stated that since it is only a small part of our community that will pay for this, are they even interested.

CAC & Environmental Management & Climate Smart Task Force (Councilmember Gordon):

David Farren, CAC Chair stated that what he had to say might be a bit repetitive to what Peg and Adelia had to say. He stated that he will submit it to Town Clerk Robertson to include in the minutes.

David stated that he did want to reiterate that they have been in touch with Donnie Sears, Park Maintenance Superintendent since October 20th, 2020 and Peg Munves has made it a point to be in touch with him on a weekly basis since. David stated that he saw Donnie today and he was not upset about any mowing in the areas of the trees.

David added that he applied for a grant that Town Clerk Robertson helped to submit through NYS Grants Gateway for revising the town's Open Space Inventory that dates back to 2014 and is very much focused on the current Comprehensive Plan which is dated 2005. David stated that they expect the Comprehensive Plan for 2021 or 2022 and the grant is timed for them to revise the Open Space Inventory with the new Comprehensive Plan in mind. The grant is also meant to create for the first time for the town an Open Space Index, which values the open space that we have in priority order.

David stated that today they had their first training on Critical Environmental Areas. We applied for the free assistance through a competitive process. Hudsonia, specifically Gretchen Stevens, and Estuary Program staff provided the training to CAC and CSC members and a team of town officials. We found the first session to be excellent. It was recorded and we anticipate five to six more over the coming months. Training will be via

Zoom for the foreseeable future and always for an hour at 4:00 P.M. on the Tuesday of Town Board meetings.

Supervisor Houghtling stated that for those that didn't get that notice, it is the Town Board meeting day, 2nd Tuesday every month from 4:00-5:00pm.

The following is David Farren's submitted report for the minutes:

I am David Farren and pleased to chair the Town of New Lebanon Conservation Advisory Council, which the town created in 2009 and I joined in 2012. On behalf of my fellow CAC members – we are seven in all – I am happy to provide background information on the Trees for Tribes project in Shatford Park that may or may not have been highlighted by Adelia Moore or Peg Munves earlier during privilege of the floor.

Trees for Tribes expects a good faith effort from the Town of New Lebanon. Once they hand off a project, it's up to us to meet their expectations. Their experience in town parks since 2007 has been that initial skeptics and outright resisters usually become supporters once tree tubes come off and plantings mature. True, Shatford Park's future has been altered. CAC members and many New Lebanon residents see that as a good thing. We acknowledge differences of opinion and have adjusted our plans, and will adjust them, accordingly. In the end, however, we stick to our vision of a wooded section of the park that will serve to reduce erosion along a major tributary of the Wyomanock and mitigate floodwaters, which are sure to come.

Our application for 500 tree and shrub seedlings for spring planting, submitted in February with Deputy Supervisor Doug Banker's signature (Supervisor Tistrya Houghtling was in quarantine with her family at the time), included a second planting area requested by Tistrya and Jesse Newton. Peg and I had walked through the park with them last October. At that time, we also met with Donnie Sears, the park maintenance supervisor, to alert him to the possibility of tree plantings. The total area for planting we applied for seemed reasonable to hold the seedlings we requested based on ratios suggested by Trees for Tribes.

We were awarded 525 seedlings weighted towards flowering shrubs, which Trees for Tribes suggests grouping tightly, and restricted to the major stream corridor. Peg reached out to Phyllis Stoller, a local landscape designer, and Phyllis devoted many volunteer hours working with Peg, me and Adelia to alter the variety of species, their numbers and the planting plan provided by Trees for Tribes. In the end, Trees for Tribes adjusted the seedling numbers downwards and accepted many changes in species. They were firm, however, in insisting on a mix that included understory shrubs and trees and to restricting planting to a single designated area along the major stream. On delivery day scheduled for May 27 and likely the following day, our kick-off day for volunteers, they would operate an auger to dig all the holes, a huge saving in volunteer hours and labor.

Trees for Tribes cautions that only 80% of the planted seedlings are likely to survive no matter how well we maintain them. Jesse Newton arranged for the delivery of 5 yards of topsoil to the park

and ordered a case of starter fertilizer, which volunteers used to amend the soil to give the seedlings a good start. Any leftover topsoil can be used elsewhere in the park by the town.

Regarding publicity, the CAC had posted a video report in last summer's town newsletter on the first Trees for Tribes plantings in New Lebanon. Anyone who viewed the video would have seen plenty of tree tubes. Peg shot and edited the video, a thorough presentation of the Trees for Tribes approach to creating riparian buffers. The CAC also posted an article on the Shatford Park proposal in this year's February 1st town newsletter, not knowing if it would be awarded, and another in the May 1st town newsletter announcing the award and providing details. As Adelia pointed out earlier, the global pandemic made it impossible for us to host the kind of public education session with Q and A that we would like to have scheduled.

CAC members are committed to this project over the long term and will work with Donnie Sears and the Town Board to maintain the plantings as needed. We will remove tubes and stakes once the survivors thrive and anticipate the need to prune and possibly transplant. In the meantime, with help from volunteers and campers in the Summer Recreation Program, we will water, water, water and remove tubes and stakes for seedlings that fail to grow. All stakes and tubes should be removed in two to three years depending on how well the seedlings fare. Trees for Tribes auger operators dug the holes with mowing in mind and as Peg confirmed earlier, Donnie has been able to mow without restrictions. Please be patient and keep in mind that towering vertical trunks beneath spreading canopies will soon enough improve the vista from Route 22, enhance the health of the stream corridor and draw visitors to the park.

In other CAC news, I applied for a Hudson River Estuary Program grant on behalf of the town that was due at 3:00 P.M. on June 2nd. The CAC seeks grant funding over two years to work with a consultant in updating our 2014 Open Space Inventory to bring it in line with the updated Comprehensive Plan expected later this year and in creating a first-ever Open Space Index for the town. Thanks to Marcie, we submitted the grant application through the NYS Grants Gateway under the wire. The application had to be completed online and more than once I went to save 2,000 newly typed words only to be kicked out. When I signed back in, there were no words.

We had our first training session on Critical Environmental Areas this afternoon. We applied for the free assistance through a competitive process. Hudsonia, specifically Gretchen Stevens, and Estuary Program staff provided the training to CAC and CSC members and a team of town officials. We found the first session to be excellent. It was recorded and we anticipate five to six more over the coming months. Training will be via Zoom for the foreseeable future and always for an hour at 4:00 P.M. on the Tuesday of Town Board meetings.

That's it. Our monthly meeting will be next Monday starting at 6:30 P.M. in the Pavilion and is open to the public. Thank you for listening.

Steve Powers, CSC Chair stated that the CSC received an excellent presentation on

Climate Vulnerability in New Lebanon from the Cornell grad students Jessie and Waqar last week. I have forwarded a copy to each of the Town Board members to review and it will be put up on the town website. They identified Key hazards - intense rain, drought, snow / ice storms, hurricanes, heat stress, invasive species as potential problems in the future. This research can help the town come up with its own hazard mitigation plan which will roll up into the county mitigation plan.

One of the main takeaways for me was that in their interviews they found that the LVPA has had difficulties filling their tanks with water at local ponds due to low water levels. This has delayed their arrival at fires and could be a big problem in the future with predicted drought conditions. The CSC will look into potential grant money to possibly purchase a tank that the LVPA could use. We will work with LVPA on this.

Rebecca Brenner from Cornell met with Tistrya, Marc and I and committed to supplying grad students every year to work with the CSC on projects in New Lebanon. We are thrilled with that as well.

As you can see, we received our bronze status signs from DEC and they will be posted around town.

We received the first NYSERDA \$5000 grant and have been approved for a second \$5000 grant for meeting the minimum requirements of the Community solar program. I will work with Marcie to get the docs submitted. We also received checks from Ampion totaling \$1300 for those residents who signed up for Community Solar. The Task Force is pursuing more residents to sign up.

Battery recycling program is up and running with boxes in 4 locations: the post offices, Country Squire and Town Hall. We already have enough to send 43 lbs for recycling to the company. We are participating in the outdoor Farmers Market and will have a box to collect batteries there as well.

We are working on a date for an electronics recycling day this summer.

The Repair Café is still being researched with a potential date this summer possibly during the Aug 1 town event.

Over 25 bikes from our bike program have been distributed to residents this Spring and another 15 are available. The Free Store rack in front of Dollar General is still thriving.

Marc Anthonisen prepared an Annual Report for New Lebanon CSC outlining a potential path to Silver.

The CSC will take over the reporting for the EV charging station soon. Tistrya can update.

Supervisor Houghtling stated that NYSEG has to receive payment for the new pole, as soon as they received it, hopefully later this week, next week they will be putting in the new pole.

Everything is at the Town Hall, the electrician is ready to install it, so as soon as the pole goes up the EV Charging station will be up. We are also getting signs from the County to promote and direct people to the charging station located on Tilden Lane.

Steve stated that the CSC is also involved with the county CSC as well as being members of their CSC Task Force. We are also mentoring other towns in their road to Bronze.

Supervisor Houghtling thank the CSC for their tremendous work. She stated that the grant money that we have been awarded on behalf of the CSC is going to the town accountant who is putting it into a special account that is delineated, that can carry over from year to year. So, if and when the CSC has a project that doesn't make us money but actually costs money, we will then have a pot of money there that was generated by the CSC.

Adelia Moore stated that one other project that has been completed is reusable tote bags which have CSC info on one side and Ampion information on the other. These will be given out at the Farmer's Market.

Bruce Shenker, Environmental Management stated that they voted on the Good Earth Keeping awards and the one of interest is the one that Marc Anthionsen is going to receive a Good Earth Keeping Award for all of the great work that he has done.

Bruce stated that the County Climate Smart is going full bore, they are going to be able to hire a full-time coordinator and they have a Cornell Graduate student as an intern who has already started. Bruce stated that the zero-waste reported, there is talk of doing composting at the transfer stations which seems like a logical idea. In May there were two presentations of the County NRI and the Town Clerk will post the link to those two presentations.

Fire, Law Enforcement & Emergency (Councilmembers Newton & Trainor):

Councilmember Trainor stated that their last meeting was mostly housekeeping but some interesting volunteer work. There is a little damage to one of the doors. They are conducting testing of equipment and hose testing. Councilmember Trainor stated that the important thing is that they had interviews with about four people who applied for membership. He stated that Ed Godfroy runs a very efficient meeting and does a good job.

Highway (Superintendent Winestock & Councilmembers Newton):

Supervisor Houghtling stated that Councilmember Newton is not present for highway, but she stated that Main Street still has the guardrails that need to be removed, it has not been done yet.

Supervisor Houghtling stated that the Town Board did pass a new key policy that all keys have to be filed in the Town Clerk's office, which has always been our key policy, but for some reason the highway garage keys were not on file in the Clerk's office. Supervisor Houghtling stated that the Town Board directed Highway Superintendent Winestock to do that and to this date they have not been filed with the Town Clerk's office.

Supervisor Houghtling stated that the Town Board requested that maintenance records for the highway equipment about four or five months ago and to date they have not received any maintenance records.

Historian & LVHS: (Councilmembers Trainor):

Historian:

Councilmember Trainor summarized the following report submitted by Bisty Sheffer-Winig, Town Historian:

**Historian's Report
May 10 – June 8, 2021**

Met with Glenn Fisher to talk about and share research information, web sites, and archival materials.

Participated in a meeting of the Columbia County Historians historic maps subcommittee. A template for inputting information will be presented to the full group at the June 17 Zoom meeting. The purpose of the map is to draw visitors to the county and provide them with information on historic sites in each town.

Participated in a Region 4 Association of Public Historians of NYS Zoom meeting. The discussion centered on the 250th Birthday of the United States of America in 2026. Columbia County is planning for its celebration. Each town in the county is encouraged to have its own celebration

- I propose that the town consider planning a celebration working with the LVHS, me, and representatives from the community – business, religious, education.

Continue to answer inquiries and research.

Upcoming events

June 17 - Zoom meeting with the Columbia County Historians group

June 21 – Attending meeting of the LVHS board

June 22 - Meeting with Glenn Fisher

Call with the Town of Canaan historian who has footstones from a cemetery and believes the stones are Shaker. We will meet after the phone call to look at the stones and start research on them.

LVHS:

Councilmember Trainor stated that the LVHS is having it's first meeting since August of 2020, it will be June 21st, 2021 in the Shatford Park Pavilion. He stated that they are hoping to get back up and rolling and have some programs in the fall.

Justice Court/Constable (Councilmember Trainor):

Councilmember Trainor stated that the court is functioning now and things are going pretty well.

Library (Councilmember Trainor):

Councilmember Trainor stated that Michelle Hoffman is here and already reported on the NL Library.

Buildings, Parks & Recreation (Councilmembers Newton):

Supervisor Houghtling stated that Councilmember Newton is absent, no report.

Seniors (Councilmember Gordon):

Mary Young, NL Rep for Office of the Aging stated that she sent a copy of her report to the Town Board, she will not re-read it but asked the Town Board if they had any questions about it?

Mary stated that the NL Seniors program has restarted, they had forty members the first meeting, the last meeting they only had fifteen members. She stated that everyone is happy with the new space at the LVPA and they will be working with the Town and the LVPA to continue having their meetings at the NL Firehouse. She stated that their next meeting is in a couple of weeks and she will keep them posted.

Town Clerk Robertson asked Mary to provide the Town Clerk's office with their meeting and event schedule for the local seniors.

The following is the report that Mary submitted to the Town Board:

OFFICE OF AGING REPORT OF MAY 28TH MEETING

Some of the community centers have reopened. Attendance is low but they have just reopened, and the word needs to get out. The Meals on Wheels program continues with record numbers of meals be distributed. Drivers are needed for the Hudson area.

The call center remains open for COVID vaccine information, numbers of vaccines are slowing down, more centers are opening, and the health department is continuing to distribute information to allay resident's fears regarding the vaccine.

A grant has been obtained by the County to build a new center in the Simons Industrial Park Center in Greenport next to the Fire Training Tower. The goal is to combine the kitchen, office and provide a new larger space for a center. Work will start this summer for a design and contractor with groundbreaking hopefully in the fall.

Farmer's Market Coupons were not released as previously announced yet. The June newsletter should give the correct date and how to obtain them.

The OFA of Columbia County was asked by the advisory Board to collect information and numbers on the number of residents being served by various programs, broken down into Towns and present that to the Board so that they could present that number to the Town Boards. The goal would be to communicate to the Towns what is being done already and promote discussion on the need for additional or expanded programs.

Rachel from NY Connects reported that new staff are being orientated to the office to help with the needs. She also reported that there is a need for home health workers to assist in the programs. Anyone interested in further information could contact NY Connects and they will direct you to possible job opportunities.

The HEAP Program is now open for assistance in cooling programs and weatherization of your home. You can obtain information on their Facebook page Columbia Opportunities.

The next meeting is June 18th.
Submitted by
Mary Young, New Lebanon Rep

Volunteers (Councilmember Rasmussen):

Councilmember Rasmussen stated that there was one request, that they filed and there have been no new requests.

If anyone is interested in volunteering, please contact Councilmember Rasmussen at:
nrasmussen@townofnewlebanon.com.

Comparison Committee (Councilmember Rasmussen & Gordon):

Councilmember Rasmussen stated that he wasn't able to print for the public, but they have the first round of a spreadsheet comparing expenses and revenues of four towns: Canaan, Germantown, Stuyvesant and New Lebanon. Stephentown was also suggested but current data is not yet available. If/when it becomes available, we can add it to the spreadsheet. Based on this data, we are generating questions to be raised with our counterparts in the other towns. We expect those meetings to begin this month, depending, of course, on everyone's availability.

ANNOUNCEMENTS:

JULY:

Tuesday, June 13th at 7:00 pm – Regular Meeting at the Shatford Park Pavilion

PRIVILEGE OF THE FLOOR:

In addition to an in-person privilege of the floor, Supervisor Houghtling will read all comments, questions and concerns emailed to supervisor@townofnewlebanon.com during the meeting. Supervisor Houghtling stated she did receive one email during the meeting.

Supervisor Houghtling read the following email from **John Michael Deegan**:

Jeff has agreed at 5 town meetings to remove the two sets of guard rails in the Springs for the last three years.

No action has been taken and please no more excuses.

Supervisor Houghtling thanked him for his email and reiterated that the Town Board can ask nicely as can residents, but they do not have authority over making Highway Superintendent Winestock do things.

ADJOURNMENT:

A motion was made by Supervisor Houghtling, to adjourn the meeting at 8:57 pm. The motion was seconded by Councilmember Rasmussen.

Roll Call Vote:

Councilmember Trainor -	Aye
Councilmember Gordon -	Aye
Supervisor Houghtling -	Aye
Councilmember Rasmussen -	Aye
Councilmember Newton-	Absent

Respectfully submitted,

Marcie Robertson
New Lebanon Town Clerk

Addendum A

Volunteers Needed to Plant Trees in Shatford Park, New Lebanon, NY, Friday, May 28 and beyond.

MEDIA ALERT - FOR IMMEDIATE RELEASE

Wednesday, May 5, 2021

Contact: Peg Munves nlcac.munves@gmail.com

Event: Kickoff for Trees for Tribes, and ongoing planting of 500 native tree and shrub seedlings

When: Friday, May 28, at 9am until 10 am - Friday June 4 in three hour shifts (9-12, 12-3, 3-6).

Where: Shatford Park, parallel to NY Route 22.

Who: The New Lebanon Conservation Advisory Council, in conjunction with the Hudson Estuary Program and volunteers of all ages in teams of two. Covid protocols will be implemented.

What: Volunteers will plant 500 native tree and shrub seedlings in pre-dug holes on both sides of the Wyomanock Creek tributary that runs parallel to Route 22 in Shatford Park, New Lebanon, NY. Volunteers, including participants in the New Lebanon Summer Youth Program, will help water and take care of the seedlings all summer.

Why: This large project is part of the [Trees for Tribes](#) program of the Hudson Estuary project of the NYS Department of Environmental Conservation.

Volunteer details:

New Lebanon's Conservation Advisory Council won a grant for this project in which NYS provides the trees through the Colonel William J. Fox Memorial Saratoga Tree Nursery, trains volunteers, and digs the holes.

Volunteers are needed for planting, watering, and labeling trees. All are welcome to the kickoff event at 9 AM on May 28, and volunteers of all ages are needed to help with the work, which requires neither strength nor expertise, just enthusiasm and a desire to be with other members of the wider community in this project which will both stabilize the banks of the stream and beautify the park. We will also need volunteers for watering shifts once the project is completed and we will have sign up sheet AT the Park on your work day/s. Volunteers should plan on bringing the following: their own work gloves,

A mubnsbbA

drinking water and snacks. Optional but recommended if volunteers have them: a digging shovel, a trowel, a large bucket and a wheelbarrow.

Trees for Tribs: Info from NYS Department of Environmental Conservation

DEC's Trees for Tribs is a statewide program that has been working to reforest New York's tributaries - small creeks and streams that flow into larger rivers and lakes. The program's goal is to plant trees and shrubs along streams to create a forested riparian (streamside) buffer that helps decrease erosion, reduce flooding damage, improve wildlife and stream habitat, and protect water quality.

Vegetation, such as trees, shrubs, and grasses, along waterways creates a natural buffer that protects the water and provides many benefits. An established streamside buffer:

- slows down and filters run off, preventing pollutants from getting into the water,
- intercepts and slows water from heavy rains, reducing the instances of flooding,
- shades streams, creating cooler temperature conditions to support fish species such as trout,
- holds soil in place, preventing streambanks from eroding away during heavy rains, and
- provides food and habitat for invertebrates, fish and other wildlife.

The Hudson River Estuary Program

This program supports streamside plantings in the Hudson Valley. Owners or managers of properties near streams in the Hudson Estuary Watershed may apply for assistance for planting projects.

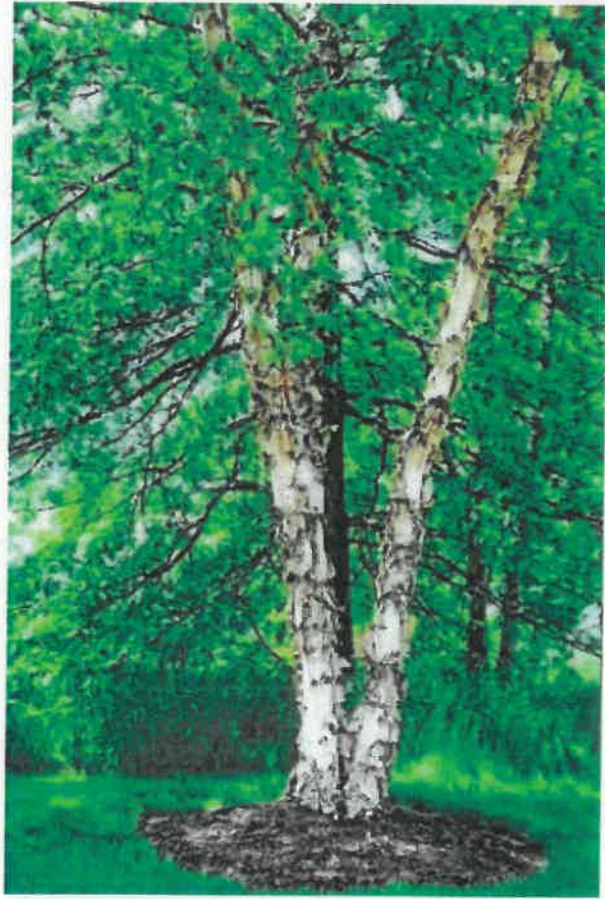


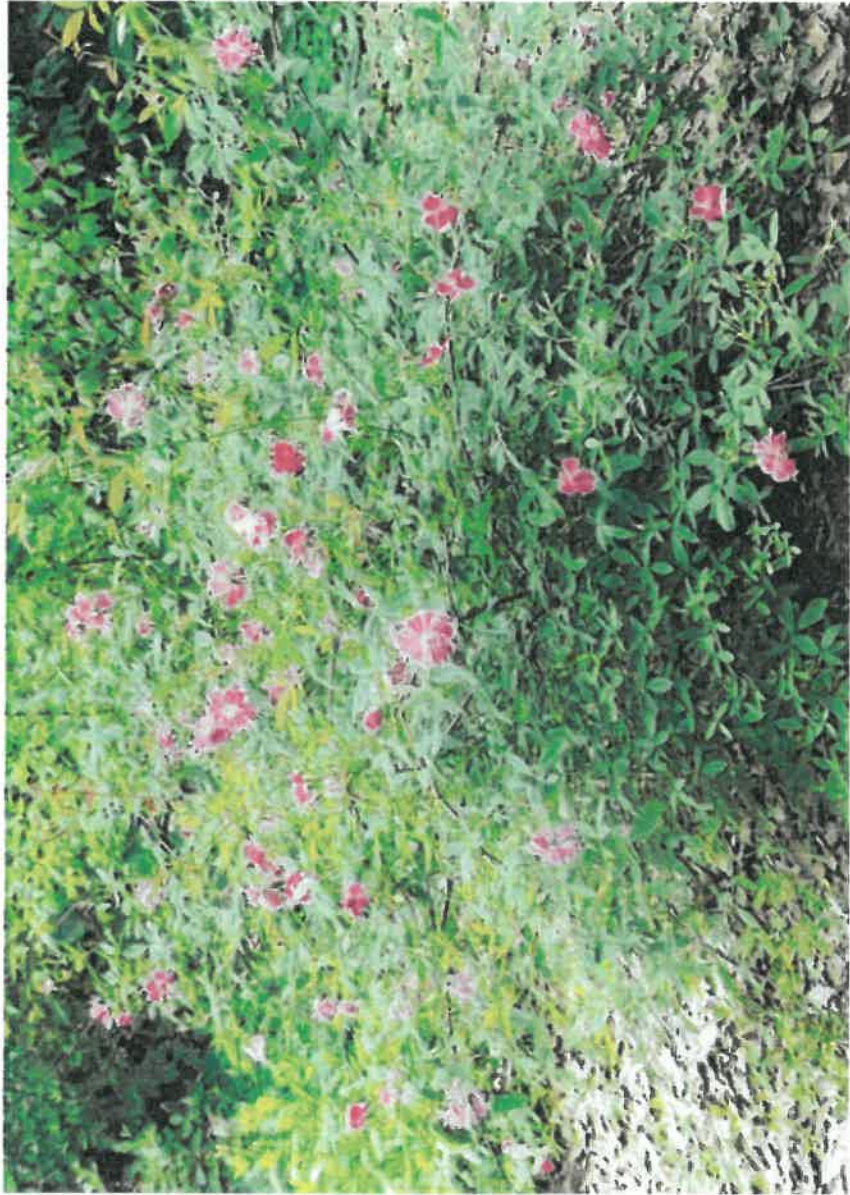


Marlin





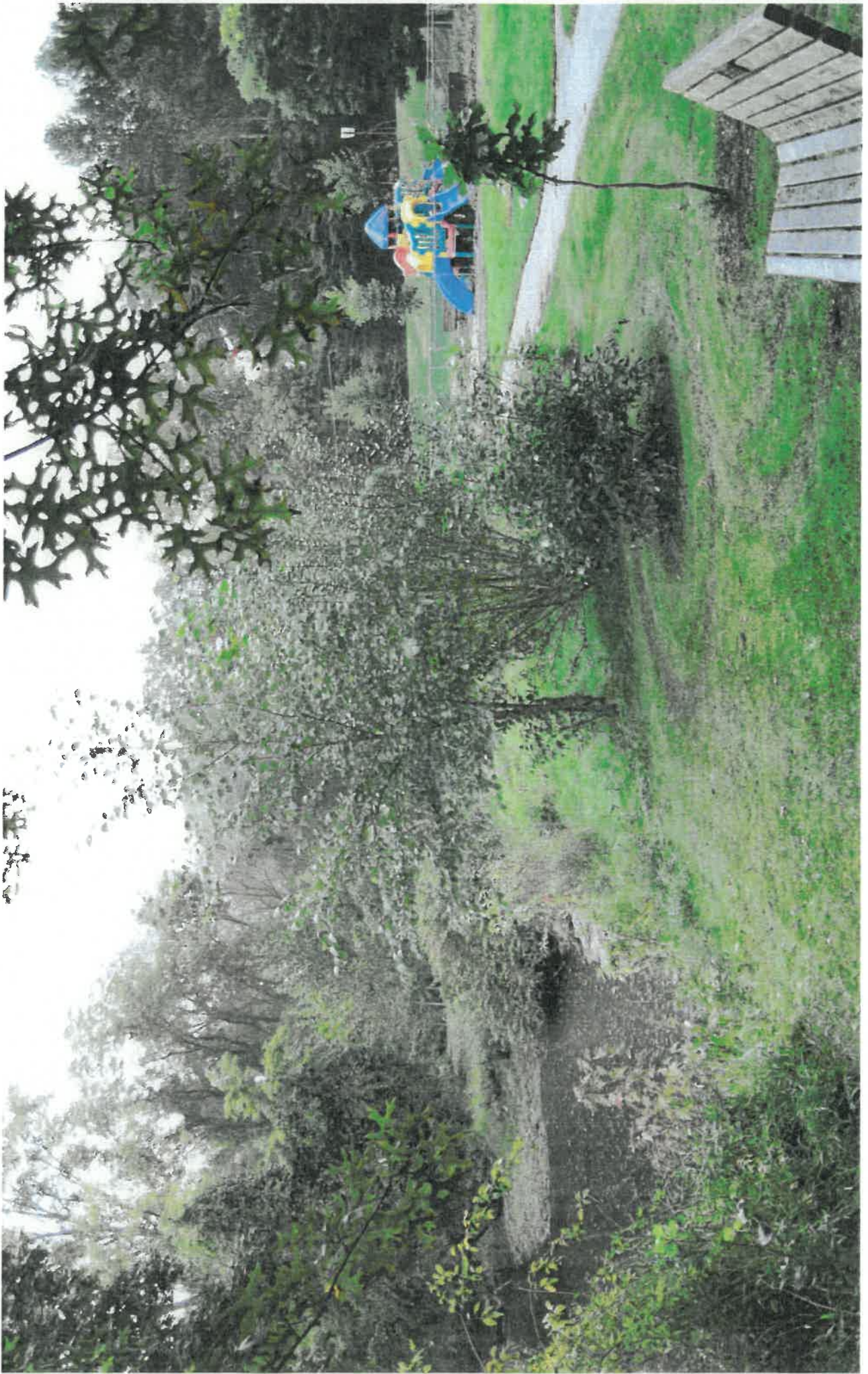




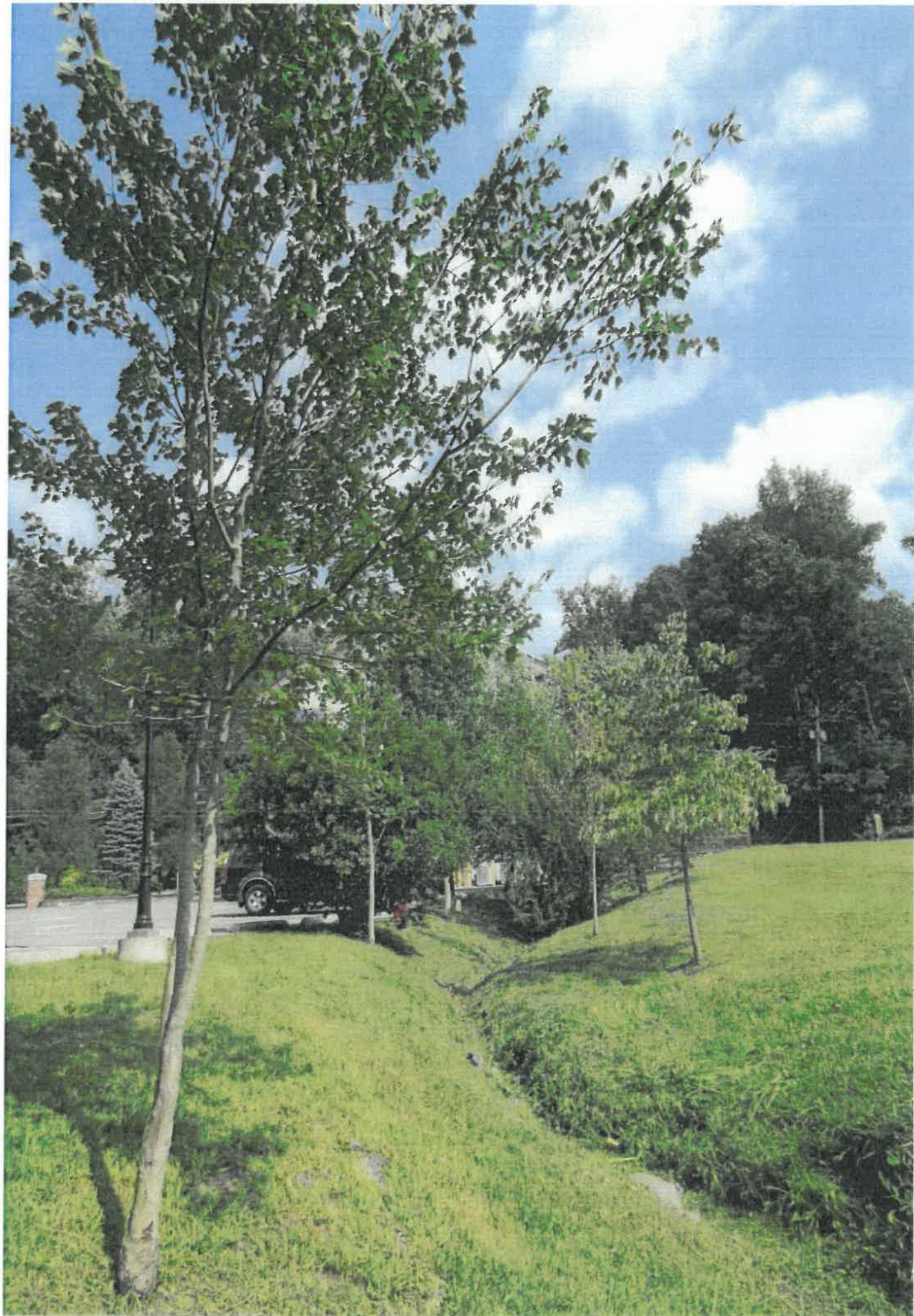












Shatford Park Spring 2021 - Trees for Tribes Master Plant List

Trees:

Scientific Name	Common Name	#	Tree Shrub/Vine	Light	Dry	Moist	Flood tolerant	Riparian Zone(s)	Height/Spread (ft)	Notes
<i>Acer rubrum</i>	Red Maple	7	T	Full sun	X	X	X	1 and 2	40-75' / spread < height	Moderate to fast growth rate. Common shade and street tree. Salt tolerant.
<i>Acer saccharum</i>	Sugar Maple	18	T	X	X	X	X	2	40-75' / spread 2/3 height	Moderate to fast growth rate. Prefers well drained soils. Used for maple syrup production. Declining vigor of seedlings.
<i>Ameletia canadensis</i>	Serviceberry	3	T or S	X	X	X	X	1 and 2	5-20' / variable spread	Best used at woodland edges. Sweet, edible fruit. Salt tolerant.
<i>Betula nigra</i>	River Birch	35	T	X	X	X	X	1	70' / spread = 40-60'	Wind firm, disease and insect free. Good for erosion control. Great winter interest w/bark. Fast growth in full sun. Salt tolerant.
<i>Coronaria canadensis</i>	Ironwood / Blue Beech	25	T	X	X	X	X	1 and 2	30-37' / spread = 40'	Good understory tree, shade tolerant, nice branching structure and winter interest w/bark. Fruit attracts many bird species.
<i>Cercis canadensis</i>	Eastern Redbud	5	T	X	X	X	X	1 and 2	20-30-40'	Aesthetically pleasing, pink flowers.
<i>Cornus florida</i>	Flowering Dogwood	30	T	X	X	X	X	2	40' / spread = 20'	Prefers rich moist soil, dogwood anthracnose a problem.
<i>Juniperus virginiana</i>	Red cedar	5	T	X	X	X	X	1 and 2	70-100' / spread = 35-50'	Reclamation on dry sites. Dense foliage. Fragrant tree with male and female trees. Females produce berry-like blue cones. Males have yellow pollen cones.
<i>Liriodendron tulipifera</i>	Tulip Tree	9	T	X	X	X	X	1 and 2	40-60' / spread = 10-20'	Beautiful yellow flowers and fall foliage. Good nectar source for honey bees. Tall and fast growing but has a narrow canopy.
<i>Pinus strobus</i>	White Pine	5	T	X	X	X	X	1 and 2	70-100' / spread = 20-50'	One of the most tolerant species as it withstands wind, heat, cold, drought, and crowding.
<i>Prunus serotina</i>	Black cherry	10	T	X	X	X	X	2	40-80' / spread = 20-40'	No compacted soils. Subject to pine weevil damage. Excellent choice for restoration on dry, sandy or rocky sites. Good water uptake.
<i>Quercus bicolor</i>	Swampy White Oak	11	T	X	X	X	X	1 and 2	75' / spread > height	Tolerates compacted soils and drought, good for wet areas, may be susceptible to Oak Wilt.
<i>Quercus rubra</i>	Red Oak	20	T	X	X	X	X	1 and 2	70-80' / spread > height	Fast growing, adaptable to a variety of soil conditions.
<i>Salix nigra</i>	Black Willow	5	T	X	X	X	X	1	35-50' / spread = height	Tolerates compacted soils, stakes used for bioengineering, fast growing, good for wet areas. Good water uptake.
<i>Tilia americana</i>	Basswood	20	T	X	X	X	X	1 and 2	100' / spread up to 65'	Very large tree with expansive roots, and edible buds.
TREE TOTAL 215										

Shrubs:

Scientific Name	Common Name	#	Tree Shrub/Vine	Light	Dry	Moist	Flood tolerant	Riparian Zone(s)	Height/Spread (ft)	Notes
<i>Ceanothus occidentalis</i>	Buttonbush	10	S	Full sun	X	X	X	1	8' / spread = height	Stakes used for bioengineering, but not the ideal species for this work; very good with inundation. Good nectar source for honey bees.
<i>Comus amomum</i>	Silky Dogwood	20	S	X	X	X	X	1	10' / spread = height	Stakes used for bioengineering. Fast growth rate, readily transplanted. Fruit favorite of birds, excellent choice for restoration on wet sites.
<i>Comus stricta</i>	Red-Osier Dogwood	20	S	X	X	X	X	1	8' / spread = height	Stakes used for bioengineering, berries food for birds, great winter interest w/red stem color. Can tolerate prolonged periods of standing water.
<i>Cornus americana</i>	Hazelnut	15	S	X	X	X	X	1 and 2	5-15' / spread = height	Great for wildlife planting. Fall color coppery orange red and yellow.
<i>Hammamelis virginiana</i>	Witchhazel	20	S	X	X	X	X	2	20-30' / spread = 20-25'	Last woody plant to flower in Oct. and Nov., very showy with fragrant flowers. Slow growth rate. Great understory shrub/tree.
<i>Ilex verticillata</i>	Winterberry	10	S	X	X	X	X	1 and 2	10' / spread = height	Great winter interest w/red persisting berries. Salt tolerant. Can tolerate prolonged standing water.
<i>Photinia melanocarpa (Ironia)</i>	Black Chokeberry	20	S	X	X	X	X	1 and 2	8' / spread = height	Attractive foliage, fruit and flowers. Great for wetland restoration. Extremely adaptable shrub. Salt tolerant.
<i>Physocarpus opulifolius</i>	Ninebark	20	S	X	X	X	X	1 and 2	5-10' / spread = 3'	Edaphic bank, transplant ready. Very adaptable, will tolerate dry conditions.
<i>Prunus americana</i>	American Plum	15	S or T	X	X	X	X	1 and 2	5-30' / 5-20'	Spreading root system for soil stabilization, and conspicuous flowers.
<i>Prunus maritima</i>	Beach Plum	10	S or T	X	X	X	X	2	4-10' / spread = height	Grows on a wide range of sites and is cold hardy. It prefers well drained soils, alkaline clay, highly salt tolerant.
<i>Prunus pennsylvanica var. depressa</i>	Dwarf Sand Cherry	20	S	X	X	X	X	2	1-2' / 3-10'	Good roots to stabilize steep banks, and provides dense ground cover.
<i>Rhus copallinum</i>	Winged Sumac	10	S or T	X	X	X	X	1 and 2	4-20' / spread > height	Fast growing species of tree or shrub. Good for restoration planting on poor, dry soil. Salt tolerant. Host for over 60 moth and butterfly species. Of special value to native bees who use twigs for nest material. Bark and leaves can be used in tanning leather.
<i>Rosa rugosa</i>	Swamp Rose	15	S	X	X	X	X	1 and 2	7' / spread = height	Very hardy, thorns make it somewhat vandal proof.
<i>Rosa virginiana</i>	Virginia Rose	15	S	X	X	X	X	2	4-6' / 2-6'	Good for dune and soil stabilization, can be grown into hedges.
<i>Salix discolor</i>	Pussy Willow	10	S	X	X	X	X	1	20' / spread = height	Stakes used for bioengineering, fast grower, stabilizes stream banks.
<i>Salix humilis</i>	Prairie Willow	5	S	X	X	X	X	1 and 2	10' / spread = height	Stakes used for bioengineering. Excellent choice for restoration on dry, sandy or rocky sites.
<i>Salix pyralis</i>	Stream Co Willow	5	S	X	X	X	X	1 and 2	10' / spread = height	Will tolerate a wide range of soils, salt tolerant. Highly susceptible to the Viburnum Leaf Beetle.
<i>Viburnum dentatum</i>	Arrowwood	20	S	X	X	X	X	1 and 2	15' / spread = height	Thicket forming dense shrub. Moderately susceptible to the Viburnum Leaf Beetle.
<i>Viburnum lentago</i>	Nannyberry	25	S	X	X	X	X	1 and 2	8-12' / spread = height	Edible fruits. Highly susceptible to the Viburnum Leaf Beetle.
<i>Viburnum opulus var. Americanum</i>	Highbush Cranberry	5	S	X	X	X	X	1 and 2	8-12' / spread = height	Edible fruits. Highly susceptible to the Viburnum Leaf Beetle.
SHRUB TOTAL 285										
PLANT TOTAL 500										

NFIP Properties with Multiple Claims since 1978									
Data as of 4/30/15									
Jurisdiction	Number of Claims	Total Payments 1978 to Date	Date of Latest Claim	Number of Single Family Residences	Number of Other Residences	Number of Non-Residences	Total Number of Properties		
Ancram, T	2	\$ 4,057	8/28/2011	1	0	0	1		
Copake, T	6	\$ 70,879	3/6/2011	3	0	0	3		
Hillsdale, T	3	\$ 11,259	1/19/1996	1	0	0	1		
Hudson, City	6	\$ 33,172	7/30/2009	3	0	0	3		
Kinderhook, T	4	\$ 368,286	7/29/2009	0	0	2	2		
Livingston, T	2	\$ 12,860	8/28/2011	1	0	0	1		
New Lebanon, T	47	\$ 888,937	8/28/2011	2	0	3	5		
Stockport, T	9	\$ 149,486	3/6/2011	0	2	1	3		
Stuyvesant, T	9	\$ 395,986	8/28/2011	4	0	0	4		
Vaialie, V	4	\$ 35,277	7/15/2000	1	1	0	2		
Total	92	\$ 1,970,700		16	3	6	25		

Volunteers Needed

Plant Trees
Starting May 28, 2021



A Trees for Tribes Project
Part of the Hudson Estuary Program of the
Department of Environmental Conservation

.....
WHEN: Starting May 28 until complete

WHERE: Shatford Park along the Wyomanock

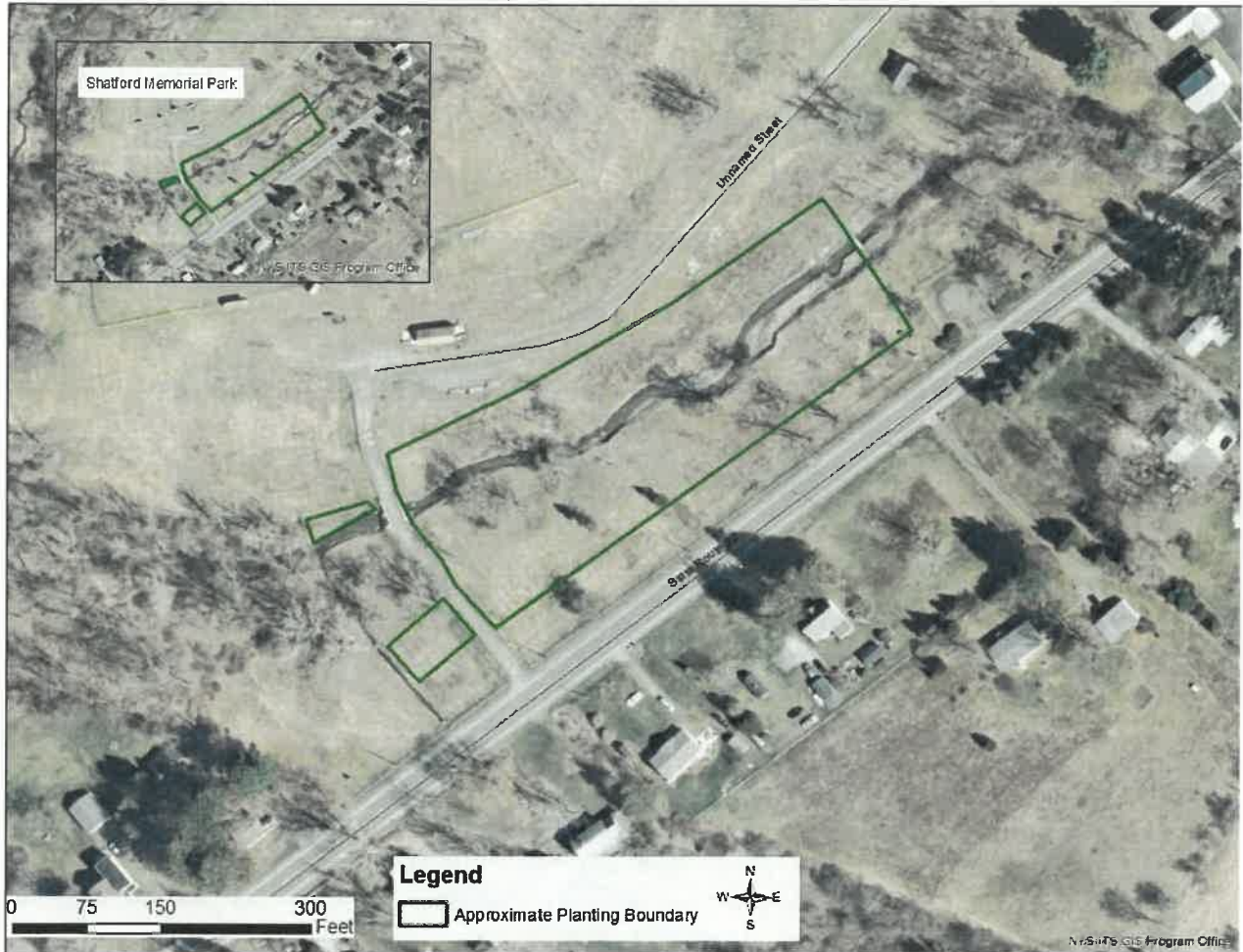
WHAT: Plant, label, and water 500 donated tree seedlings in pre-dug holes

HOW: 3 hour shifts, 9-12, 12-3 or 3-6

CONTACT: Peg Munves: nlcac.munves@gmail.com or call 518-794-8149 to schedule in your slot

.....

Proposal for the Trees for Tribs Spring 2021 Planting Shatford Memorial Park



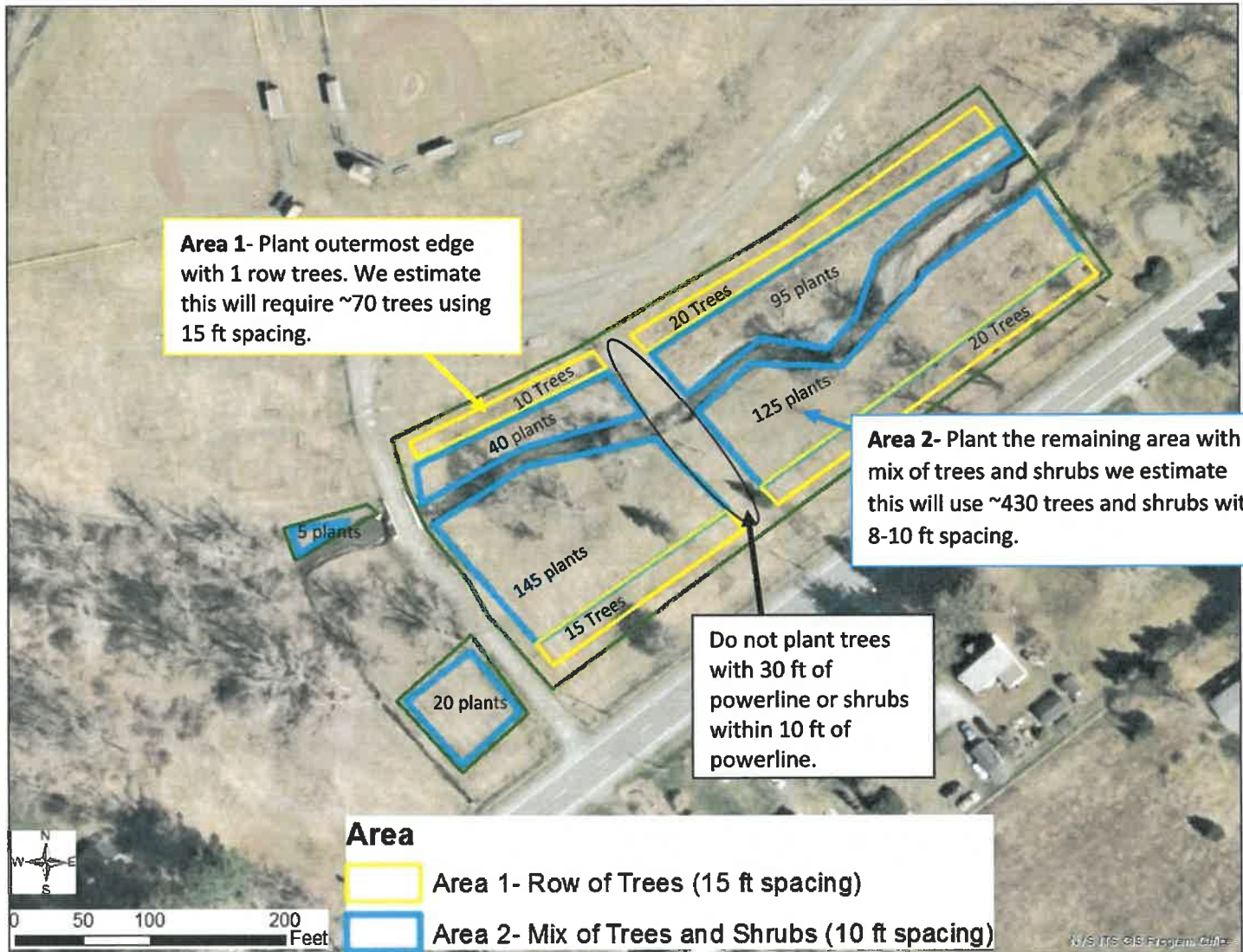
Event Details:

- **Date:** Delivery & Digging holes: May 27th, 2021 at 8am.
Event Start: May 28th, 2021 9am
- **Estimated Volunteer Hours:** 100-150 hours including site prep & planting.
- **Planting Prep:**
 - Mow planting area before planting.
 - Mark out the site's in perimeter with white spray paint or white flagging around 5/16 for Dig Safe NY to come and check for any underground utilities and report to us when marking is done.
 - TFT staff meet David at 8 am on 5/27 to confirm site boundaries and dig holes with auger on a small skid steer.
 - TFT staff arrive at 9am on 5/28 to help stage plants and kick off planting event.

Proposed Planting Area Description:

The proposed planting area is along a tributary to the Wyomanock Creek in Shatford Memorial Park in the Town of New Lebanon. The site runs parallel to NYS-22 and spans both sides of the stream extending ~60 feet wide on north side and ~80 ft on the south side. The area spans between the foot bridge and on either side of the road coming in from 22 over the bridge with a box culvert. The proposed project is composed of two planting areas with a line of trees on the outside border. The circle in the middle of the planting area indicates a power line.

- **Sun Exposure:** Sun to Part Shade
- **Wetness:** Moist with occasional flooding
- **Existing woody plants:** Eastern Cottonwood, Weeping Willow, Birch, Fir, Red Maple, few existing shrubs.
- **Approximate Length Along Stream:** 620 ft
- **Approximate Buffer Width:** ~60 ft north side and ~80 ft on south side of stream
- **Approximate Square Feet:** 90,000 ft².



Proposed Plant List: The following are the plants that are reserved for this site.

- **Total Plants: 500**
 - **Trees: 212**
 - **Small Trees/Shrubs: 38**
 - **Shrubs: 255**

Trees: (212)

- 7 Red Maple (*Acer rubrum*) WET
- 18 Sugar Maple (*Acer saccharum*) DRY, SHADE
- 35 River Birch (*Betula nigra*) WET
- 25 Ironwood/ Blue beech (*Carpinus caroliniana*) DRY, SHADE
- 5 Eastern Redbud (*Cercis canadensis*) WET
- 30 Flowering Dogwood (*Cornus florida*) DRY, SHADE
- 5 Red cedar (*Juniperus virginiana*) DRY
- 11 Tulip Tree (*Liriodendron tulipifera*) DRY
- 5 White Spruce (*Picea glauca*) DRY
- 5 White Pine (*Pinus strobus*) DRY
- 10 Black cherry (*Prunus serotina*) DRY, SHADE
- 10 Swamp White Oak (*Quercus bicolor*) WET
- 20 Red Oak (*Quercus rubra*) DRY
- 5 Black Willow (*Salix nigra*) WET, SHADE
- 21 Basswood (*Tilia americana*) DRY

DRY- Prefers well drained soils-avoid standing water.

WET- Flood Tolerant-plant in the places with standing water

SHADE- Tolerant Species-Plant in the understory of mature trees.

Small Trees/Shrubs: (38)

- 3 Serviceberry (*Amelanchier canadensis*) WET
- 15 American Plum (*Prunus americana*) DRY
- 10 Beach Plum (*Prunus maritima*) DRY
- 10 Winged Sumac (*Rhus copallinum*)

Shrubs: (250)

- 10 Buttonbush (*Cephalanthus occidentalis*) WET
- 15 Silky Dogwood (*Cornus amomum*) WET, SHADE
- 20 Red-Osier Dogwood (*Cornus sericea*) WET
- 15 Hazelnut (*Corylus americana*)
- 20 Witchhazel (*Hamamelis virginiana*) DRY, SHADE
- 10 Winterberry (*Ilex verticillata*) WET
- 20 Black Chokeberry (*Photinia melanocarpa* (*Aronia*)) DRY, SHADE
- 20 Ninebark (*Physocarpus opulifolius*)
- 20 Dwarf Sand Cherry (*Prunus pumila* var. *depressa*) DRY, *Short-10ft at maturity
- 15 Swamp Rose (*Rosa palustris*) WET
- 15 Virginia Rose (*Rosa virginiana*) DRY
- 10 Pussy Willow (*Salix discolor*) WET
- 5 Prairie Willow (*Salix humilis*) WET
- 5 Stream Co Willow (*Salix purpurea*) WET
- 20 Arrowwood (*Viburnum dentatum*) DRY
- 25 Nannyberry (*Viburnum lentago*)
- 5 Highbush Cranberry (*Viburnum opulus* (var. *American*))

Planting Areas-The lists below break down plants into subgroups that are specified in the map. An approximate number of how many plants will go in each area is indicated.

Area 1- YELLOW -Tree Border- The yellow area is a proposed tree border around the perimeter of the planting. All species in this sub-list prefer well drained soils. They were selected for this zone as it is anticipated to be slightly drier farther from stream. Plant trees with 15ft spacing covering an area of approximately 16,000 ft².

Trees (70)

- 18 Sugar Maple (*Acer saccharum*) SHADE
- 5 Ironwood/ Blue beech (*Carpinus caroliniana*) SHADE
- 5 Flowering Dogwood (*Cornus florida*) SHADE
- 15 Basswood (*Tilia americana*)
- 11 Tulip Tree (*Liriodendron tulipifera*)
- 5 White Spruce (*Picea glauca*)
- 5 White Pine (*Pinus strobus*)
- 6 Red Oak (*Quercus rubra*)

Area 2- LIGHT BLUE- Mixed Tree and Shrub Area- The light blue area spans between the tree border and the stream. We propose planting a mix of trees and shrubs with all species 8-10ft apart from one another and 10 ft from any existing mature trees. Plant shade species in the understory of existing mature trees. Do not plant shrubs within 10 ft from the outermost boundary of power line. Do not plant trees within 30ft of powerline circled on map or the powerline running parallel to Route 22. This area will cover approximately 54,000 ft² and ~29,000 sq ft of plantable area.

Trees: (142)

- 7 Red Maple (*Acer rubrum*)
- 35 River Birch (*Betula nigra*)
- 20 Ironwood/ Blue beech (*Carpinus caroliniana*) DRY, SHADE
- 5 Eastern Redbud (*Cercis canadensis*) WET
- 25 Flowering Dogwood (*Cornus florida*) DRY, SHADE
- 5 Red Cedar (*Juniperus virginiana*) DRY
- 10 Black Cherry (*Prunus serotina*) DRY, SHADE
- 10 Swamp White Oak (*Quercus bicolor*) WET
- 14 Red Oak (*Quercus rubra*) DRY
- 5 Black Willow (*Salix nigra*) WET
- 6 Basswood (*Tilia americana*) DRY

Small Trees/Shrubs: (38)

- 3 Serviceberry (*Amelanchier canadensis*)
- 15 American Plum (*Prunus americana*) DRY
- 10 Beach Plum (*Prunus maritima*) DRY
- 10 Winged Sumac (*Rhus copallinum*)

Shrubs: (250)

- 10 Buttonbush (*Cephalanthus occidentalis*)
- 15 Silky Dogwood (*Cornus amomum*)
- 20 Red-Osier Dogwood (*Cornus sericea*) WET

- 15 Hazelnut (*Corylus americana*)
- 20 Witchhazel (*Hamamelis virginiana*) DRY, SHADE
- 10 Winterberry (*Ilex verticillata*) WET
- 20 Black Chokeberry (*Photinia melanocarpa* (*Aronia*)) DRY, SHADE
- 20 Ninebark (*Physocarpus opulifolius*)
- 20 Dwarf Sand Cherry (*Prunus pumila* var. *depressa*) DRY, *Short-10ft at maturity
- 15 Swamp Rose (*Rosa palustris*) WET
- 15 Virginia Rose (*Rosa virginiana*) DRY
- 10 Pussy Willow (*Salix discolor*) WET
- 5 Prairie Willow (*Salix humilis*) WET
- 5 Stream Co Willow (*Salix purpurea*) WET
- 20 Arrowwood (*Viburnum dentatum*) DRY
- 25 Nannyberry (*Viburnum lentago*) DRY
- 5 Highbush Cranberry (*Viburnum opulus* (var. *American*)) DRY

Materials:

Plant protection:

We recommend that all trees and shrubs be protected from deer and other animal damage.

- We can provide Tree tubes, with stakes for all trees and shrubs.
- We can provide weed mats, with staples for installation for all trees and shrubs
- We can provide 2 Trees for Tribs signs – Please post the sign on the property (see next page)

Refer to planting guide for more details on planting and installation:

https://www.dec.ny.gov/docs/remediation_hudson_pdf/hrewplant16.pdf

Regular Maintenance After Planting:

Maintenance of your Trees for Tribs is essential to assure the long-term success of your plants and the overall strength of your new stream buffer. Plan to spend time each month of the first few years caring for your new trees and shrubs to ensure their successful establishment. Please see our Maintenance Guide and Calendar for step-by-step instructions:

- Maintenance Guide: www.dec.ny.gov/docs/remediation_hudson_pdf/hrewcare16.pdf
- Maintenance Calendar: www.dec.ny.gov/docs/lands_forests_pdf/tftcalchecklist.pdf
- Invasive Management
http://lhprism.org/system/files/documents/Hudsonia%20BMPs_Invasive%20Plants%20with%20Appendix_0.pdf

Invasive Control Guides:

We recommend that you watch for invasive plants and control them, at least to the extent that they interfere with the growth of your new native seedlings. During the site visit we saw the following invasive plants:

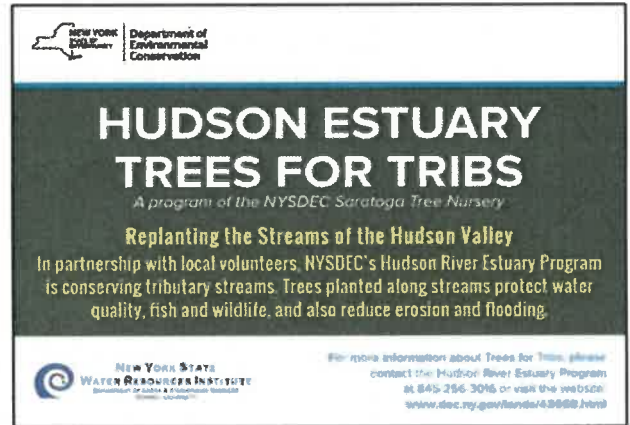
- Multiflora rose
- Honeysuckle vine
- Oriental Bittersweet

Post Planting/ Maintenance Contact

Name: David Farren
Phone: (518) 392-0933
(917) 318-2623
E-mail: dlfarren@gmail.com

Trees for Tribs Contact

Anna Palmer, Stream Buffer Coordinator
Hudson River Estuary Program, NYS DEC
Phone: (W) (845) 256-3875
(C) (845) 721-5221
Phone (after Nov 2021): 845-256-2253
Email: HudsonEstuaryTFT@dec.ny.gov



Trees for Tribs sign (actual size is 9in x 12in)

Addendum B



NewLebanon



N E W Y O R K

Abdullah B



New Lebanon



N E W Y O R K



NEW YORK



NEW YORK



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

Addendum C

Email: BuildingDept@townofnewlebanon.com

ZONING REVIEW/VERIFICATION APPLICATION (Step 1 of 2)

Application (office use only) No: _____

SITE INFORMATION

Site Location (911 Address): _____ Nearest Crossroad: _____
 Tax Map No.: _____ Zoning District: _____

APPLICANT INFORMATION

Applicant Name: _____
 Mailing Address: _____
 Email: _____ Phone: _____
 Applicant's Agent/Professional: _____
 Agent Phone: _____ Agent Email: _____

PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Owner Name: _____
 Mailing Address: _____
 Email: _____ Phone: _____
 Owner's Agent/Professional: _____
 Agent Email: _____ Agent Phone: _____

NATURE OF PROPOSED WORK (check all that apply)

- New Structure Additions/Decks/Accessory Structures Interior/Exterior Remodel Change of Tenant Change of Use Other

Project Use/Description: _____
Example: Request to establish (fill in the blank – such as Office Space Use, Retail Use, Restaurant Use, Auto Repair Use) use at unit #123 (at Mall Name if applicable) or Request for Modification of Space for (fill in the blank)

- 1) Please attach a detailed narrative explaining the details of the proposed use, including proposed tenant, any anticipated changes to the space or floor plans, accommodations necessary for water, sewer, parking, etc.
- 2) If your proposal changes the exterior footprint in any way, please include a sketch of the property including existing structures, approximate well and septic locations and the proposed new structure/addition. Dimensions must be provided from the proposed change in the building to the front, rear and side property lines. The front setback should be measured from the center of the traveled portion of the road.

I certify that the statements herein contained are true to the best of my knowledge and belief and I have prepared and submitted all pages of this application

Signature of Property Owner _____ Date: _____
 Signature of Applicant _____ Date: _____

Fees: Zoning Permit Fee please refer to Town Fee Schedule:
<https://secureservercdn.net/198.71.233.235/482.ab5.myftpupload.com/wp-content/uploads/2021/03/Updated-fee-Schedule-12.8.20.pdf> .

Amherst

Zoning Officer Review – Office Use Only

Date Received: _____ Application No: _____

Zoning Approval is authorized. Application referred to the CEO for issuance of a building and zoning permit

Zoning Permit Issued & does not need to be referred to the CEO

Application Denied Referred to ZBA Case # _____ Referred to PB Case # _____

Reason for denial:

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.

ZBA Approved PB Approved: Special Conditions: Case No # _____ Decision document Dated _____

Zoning Officer Signature: _____ Date: _____

<u>Fees</u>	
Date:	_____
Zoning Review Fee:	_____
Ck No:	_____
Receipt No:	_____



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

Email: BuildingDept@townofnewlebanon.com

BUILDING PERMIT/COMPLIANCE APPLICATION (Step 2 of 2)

Application (office use only) No: _____

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, specifications, scope of work and use narratives submitted, and such special conditions as may be indicated on the permit. All construction will be in accordance with the NYS Uniform and Energy Code, the Town of New Lebanon Zoning ordinance and other applicable codes, laws & regulations.

SITE INFORMATION

Site Location (911 Address): _____ Nearest Crossroad: _____
Tax Map No.: _____ Zoning District: _____

APPLICANT INFORMATION

Applicant Name: _____ Phone: _____
Mailing Address: _____
Email: _____

PROPERTY OWNER INFORMATION

Property Owner Name (if different from above): _____ Phone: _____
Mailing Address: _____
Email: _____
Owner's Design Professional: _____ Email: _____
Phone: _____

NATURE OF PROPOSED WORK (check all that apply)

- New Structure Additions/Decks/Accessory Structures Interior/Exterior Remodel Change of Use
 Demolition Change to floor plans Other:

Estimated Cost of Project: _____ Estimated Construction Completion Date: _____

Project Use/Description: _____

Height: _____ Width: _____ Length: _____ Floor Area: _____ Total Sq. Ft: _____

CONTRACTOR INFORMATION

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

Worker's Compensation and Liability/Disability: Proof of insurance must be submitted from the contractor at the time of the application. NYS does not acknowledge ACORD FORMS as acceptable as proof of insurance.

Contractors with The State Insurance Fund must submit form U26.3 and DB-120.1.

Contractors with Private Insurance must submit form C-105.2 and DB-120.1.

Contractors who are self-insured must submit form SI-12 or GSI-105.2 and DB-155.

Exempt Contractors submit Workers' Compensation and/or Disability Benefits Coverage form CE-200.

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.

The applicant shall notify the Code Enforcement Officer of any changes in construction contained in the application during the period for which the permit is 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 NYS 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.

The applicant must contact this office after each stage of construction completion. Work must remain open and accessible so that the required inspections may be conducted. 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. No one shall occupy the building without first obtaining a Certificate of Occupancy.

Time limits: Building permits shall become invalid unless the authorized work is commenced within five months following the date of issuance. Building permits shall expire 12 months after the date of issuance. A building permit which has become invalid or which has expired pursuant to this subsection may be renewed upon application by the permit holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer. Note: It is the applicant's responsibility to schedule proper inspections and to maintain the validity/renewal of the permit

The review of plans and issuance of the permit can take up to 30 working days.

I certify that the statements herein contained are true to the best of my knowledge and belief and I have read and signed all pages of this application.

Property Owner Signature

Date

Applicant (if different from property owner)

Date

FEES: Application fees are determined by the nature of the proposed work and can be found on the Town's Fee Schedule: <https://secureservercdn.net/198.71.233.235/482.ab5.myftpupload.com/wp-content/uploads/2021/03/Updated-fee-Schedule-12.8.20.pdf>

Code Enforcement Officer review/comments section – Office Use Only

Date Received: _____ Application No: _____

Building Permit:

Approved Denied Reason for Denial:

Signature: _____

Date: _____

<u>Fees</u>	
Date	_____
Building Permit Fee	_____
C/O Fee:	_____
Ck No:	_____
Receipt:	_____

TENANT OCCUPANCY VERIFICATION

Issuance of a Tenant Occupancy Verification (Date Obtained): _____

Approved Use: _____

Vacancy: is this property currently vacant? Yes: _____ No _____ If so, how long? _____

Hours of Operation: _____

Hand or digital sketches must be included with this application. Commercial tenants proposing no modifications or alterations of the structure/space, minor reconfiguration of existing furnishings, or small spaces requiring limited furnishings (ie: small professional office) may provide sketches of the plans. When drawing preparing the plans, please make sure to include all life/safety requirements such as: emergency exit signage, emergency egress lighting, smoke detectors, carbon monoxide detectors, etc. This list is not exhaustive and will vary depending upon the proposed use and applicable code requirements in effect.

I certify that the statements herein contained are true to the best of my knowledge and belief and I have prepared and submitted all pages of this application.

Signature of Property Owner _____ Date: _____

Fees: Tenant Occupancy Verification Fees can be found on the Town's Fee Schedule:

<https://secureservercdn.net/198.71.233.235/482.ab5.myftpupload.com/wp-content/uploads/2021/03/Updated-fee-Schedule-12.8.20.pdf>

CEO/ZEO review/comments section – Office use Only

Date Received: _____ Application No: _____

New Tenant Occupancy Verification Certificate:

Approved Denied Reason for Denial:

Zoning Officer Signature _____ Date: _____

Code Enforcement Officer Signature: _____ Date: _____

Fees

Date: _____

Tenant Occupancy Verification fee: _____

Ck No: _____

Receipt No: _____



Town of New Lebanon
PO Box 328
New Lebanon, New York 12125
Phone: 518.794.8884 | Fax: 518.794.9694
Email: buildingdept@townofnewlebanon.com

PLANNING BOARD APPLICATION

Application No (office use only): _____

SITE INFORMATION

Site Location (911 Address): _____ Nearest Crossroad: _____
Tax Map No.: _____ Zoning District: _____

PROPERTY OWNER & APPLICANT INFORMATION

Property Owner Name: _____ Phone: _____
Mailing Address: _____
Email: _____
Applicant Name (if different from Property Owner): _____ Phone: _____
Mailing Address: _____
Email: _____

SURVEYOR INFORMATION

Surveyor Name: _____ License No.: _____
Mailing Address: _____
Email: _____ Phone: _____

ENGINEER / ARCHITECT INFORMATION

Name: _____ License No.: _____
Company Name & Address: _____
Email: _____ Phone: _____

NATURE OF PROPOSED WORK (a separate application is required for each request)

Lot Line Adjustment Minor Subdivision Major Subdivision Site Plan Review Special Permit Appeal of ZEO Determination

Project Use/Description: _____

- 1) Please attach a detailed narrative explaining the specifics pertaining to the proposed use, any anticipated changes to the site, space or floor plans, accommodations necessary for water, sewer, parking, lighting, etc.
- 2) Review the applicable Code section which applies to the specific application you are pursuing. Responses to the outlined requirements in the Code should be included as part of the narrative. See General Instructions.
- 2) Provide stamped plans of the property as required by the zoning code including property boundaries, existing site features such as woodlands, floor plains, other natural features, etc., existing structures, approximate well and septic locations and the proposed structure(s). Dimensions must be provided from the proposed building to the front, rear and side property lines. The front setback should be measured from the center of the traveled portion of the road.
- 3) Refer to the applicable Code section which applies to the nature of the proposed work for more detailed plan submission requirements.

- 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.
- 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?**
- 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 Agricultural District

PLEASE CHECK THE APPROPRIATE SPACE: I consent to the extension of the 62-day Public Hearing and review period. (See instruction item #4.)

- YES NO

I certify that the statements herein contained are true to the best of my knowledge and belief and I have prepared and submitted all pages of this application. By signing this application, the undersigned does hereby grant permission to members of the Town of New Lebanon Planning Board and Building Department to enter upon my property for the purpose of examining same by reason of an application now pending before said Board.

Signature of Property Owner _____ Date: _____
 Signature of Applicant _____ Date: _____

Fees: Application fees are determined by the nature of the proposed work and can be found on the Town of New Lebanon website, payable by check to the Town of New Lebanon or in cash.

A DECISION DOCUMENT BY THE PLANNING BOARD AND A BUILDING PERMIT APPLICATION MUST BE SUBMITTED AND OBTAINED BEFORE BEGINNING ANY CONSTRUCTION OR OCCUPANCY.

Office Review – office use only

Date Received: _____ Application No: _____ Zoning Classification: _____

Fee Paid: \$ _____ Date: _____ Check No.: _____ Receipt No.: _____

Clerk Signature: _____ Date: _____

General Instructions

Please Read

1. Attach hereto a copy of the duly filed deed indicating the current ownership of the subject property. If the owner is a corporation, attach a list of all directors, officers, and major stockholders. If applicant is a contract vendee, then attach a copy of the duly executed contract of sale.
2. If the applicant is not the owner, submit a letter signed by the property owner granting authority to the applicant to act on this application. If the owner is a corporate entity or trust, submit a letter signed by the authority of the entity or trust granting authority to the applicant to act on this application.
3. The applicant shall submit a list of the names and addresses of all adjoining property owners and of those property owners directly across all road frontages adjoining the proposed development. The list shall also contain the Town of New Lebanon current tax map numbers for each parcel.
4. NYS Town Law and/or the Town of New Lebanon Town Code obligates the Planning Board to conduct a Public Hearing with respect to certain projects within 62 days following receipt of a **COMPLETE** application for the project by the Planning Board Clerk. Due to the complexity of many proposals and the numerous technical and procedural requirements of all the applicable laws and regulations, many applications may be found to be incomplete or deficient and therefore, not ready for Public Hearing nor Planning Board approval. Thus, a determination based upon all pertinent facts and circumstances cannot always be rendered by the Planning Board within 62 days. To do so might result in a disapproval when, with further information or changes, and SEQR compliance, approval or approval with modifications might otherwise occur. In such cases, Planning Board staff will notify the applicant of missing or incomplete items in accordance with guidelines laid out in the Planning Board Manual.
5. In light of the above, you are asked to indicate, by checking the appropriate space on the application form, whether you consent to the extension of the 62-day public hearing period or review period, for so long as may reasonably be necessary to generate a submission which is complete and in conformity with all pertinent requirements. You may revoke your consent at any time by communicating that fact in writing to the Planning Board Clerk, whereupon your project proposal will be scheduled for the next regularly scheduled meeting of the Planning Board. In doing so, however, this might result in a disapproval when, with further information or changes, and SEQR compliance, approval or approval with modifications might otherwise occur.
6. Please be advised that the Planning Board review process often involved engineering, legal, and other professional skills. While the Planning and Building Department staff will provide guidance and assistance within reasonable limits, the responsibility for the proper presentation of the proposal lies with the applicant and the applicant's advisors, and not upon the Planning and Building Department, its staff, or the Planning Board.
7. An applicant has the ability to request a meeting with the Building Department and/or the Planning Board Chairperson to obtain guidance on responding to the application. This is a courtesy to assist applicants in preparing for their first Planning Board meeting and does not waive any provisions of State or Town Laws. The Planning Board reserves the right to request additional information not included in the application. Refer to the Planning Board Manual and Town Zoning Code for specifics related to procedures.
8. Fee Schedule: Individual fee schedules are listed on the Town of New Lebanon website and are specific to the type of project. These are subject to change from time to time at the approval of the Town Board. Escrow accounts will be established as required by the Planning Board upon the advice of applicable professionals engaged by the Town to assist the Planning Board.
9. Additional fees may be required in an amount necessary to defray additional costs of special consultants engaged by the Town to assist in the review of an application. The Planning Board will endeavor to provide notice to the applicant in advance of securing a special consultant to allow the applicant time to alter or remove their application before the Planning Board.



Town of New Lebanon
PO Box 328
New Lebanon, New York 12125
Phone: 518.794.8884 | Fax: 518.794.9694
Email: BuildingDept@townofnewlebanon.com

ZONING BOARD OF APPEALS APPLICATION

Application No. (office use only): _____

SITE INFORMATION

Site Location (911 Address): _____ Nearest Crossroad: _____
Tax Map No.: _____ Zoning District: _____

PROPERTY OWNER & APPLICANT INFORMATION

Property Owner Name: _____ Phone: _____
Mailing Address: _____
Email: _____
Applicant Name (if different from Property Owner): _____ Phone: _____
Mailing Address: _____
Email: _____

SURVEYOR INFORMATION (if applicable)

Surveyor Name: _____ License No.: _____
Mailing Address: _____
Email: _____ Phone: _____

ENGINEER / ARCHITECT INFORMATION (if applicable)

Name: _____ License No.: _____
Company Name & Address: _____
Email: _____ Phone: _____

PURPOSE OF APPLICATION (check ONE; a separate application is required for each request)

- Appeal Zoning Enforcement Officer (ZEO) Permit Denial (complete Section A - Appeal / Interpretation)
- Appeal: Interpretation of Zoning Ordinance or Zoning Classification Boundary (complete Section A - Appeal / Interpretation)
- Area Variance (complete Section B - Area Variance and attach SEQR forms)
- Use Variance (complete Section C - Use Variance and attach SEQR forms)
- Special Permit for _____ (identify use) (attach SEQR forms and drawings and provide a detailed narrative showing compliance with relevant requirements of Zoning Ordinance 205-13 B and E; also see General Instructions.)

For an appeal or variance request, only complete and submit the section (A, B or C) pertaining to the relief you are requesting.

GENERAL PROJECT INFORMATION

Project Use/Description: _____

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 Agricultural District

SECTION A - APPEAL / INTERPRETATION

Applicant Name: _____

Date: _____

Determination from which you are appealing:

- Appeal: Zoning Permit Denial (attach copy of the Permit Application and ZEO's written determination)
- Appeal: Interpretation of Zoning Code or Zoning Classification Boundary

In the space below:

1. Identify the section of the Zoning Ordinance for which you are seeking an interpretation or appeal.
2. Describe your interpretation of the section of the Zoning Ordinance and any errors you believe may exist in the determination appealed from.

Attach additional pages as required

SECTION B - APPLICATION FOR AREA VARIANCE

Applicant Name: _____

Date: _____

Identify and describe by section number of the Zoning Ordinance requirement(s) from which you seek relief: _____
: _____

Provide 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 list shall also contain the Town of New Lebanon current tax map numbers for each parcel. (The Building Department Clerk can assist you with this.) Attach additional pages as required.

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..

To grant an Area Variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the five Area Variance Standards listed below. Please provide responses to each of the five Area Variance Standards. Attach additional pages as required.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance? Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

3. Whether the requested area variance is substantial.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

5. Whether the alleged difficulty was self-created.

SECTION C - APPLICATION FOR USE VARIANCE

Applicant Name: _____

Date: _____

Identify and describe by section number of the Zoning Ordinance requirement(s) from which you seek relief: _____

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 list shall also contain the Town of New Lebanon current tax map numbers for each parcel. (The Building Department Clerk will assist you with this.) Attach additional pages as required.

Describe other means you have considered to accomplish your objective that would not require a Use Variance and your reasons for rejecting them.

To grant a Use Variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the four Use Variance Standards listed below. Please provide responses to each of the four Use Variance Standards. Attach additional pages as required.

1. The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence. "Dollars and Cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the below reasons. *Note, the following information is helpful to this analysis: date of purchase and purchase price, cost of improvements made to the property, annual maintenance expenses and/or income generated from the property, appraised value of the property, period of time the property has been listed for sale and the listing prices, included any changes, efforts made to market the property for the allowable uses within the zone, number of showings of the property and any offers made.*

2. The alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood. Difficulties shared with numerous other properties in the neighborhood or zoning district would not satisfy this requirement.

3. The requested use variance, if granted, will not alter the essential character of the neighborhood. Changes that will change the character of a neighborhood or district are at odds with the purpose of the zoning ordinance. Describe how the requested variance will not alter the character of this neighborhood and zoning district.

4. The alleged hardship has not been self-created. An applicant cannot claim unnecessary hardship if the hardship was created by the applicant/owner or if the property was acquired with the knowledge of the conditions for which the applicant seeks relief. Applicants are deemed to have investigated or known the zoning at the time of purchase.

I certify that the statements herein contained are true to the best of my knowledge and belief and I have prepared and submitted all pages of this application. By signing this application, the undersigned does hereby grant permission to members of the Town of New Lebanon Zoning Board of Appeals and Building Department to enter upon my property for the purpose of examining same by reason of an application now pending before said Board.

Signature of Property Owner _____ Date: _____

Signature of Applicant _____ Date: _____

Fees: Appeals to ZBA (incl. interpretations, use variance, and area variance applications) can be found under the zoning section of the Town's Fee Schedule located here:

<https://secureservercdn.net/198.71.233.235/482.ab5.myftpupload.com/wp-content/uploads/2021/03/Updated-fee-Schedule-12.8.20.pdf>

A DECISION DOCUMENT BY THE ZONING BOARD OF APPEALS AND A BUILDING PERMIT APPLICATION (IF APPLICABLE) MUST BE SUBMITTED AND OBTAINED BEFORE BEGINNING ANY CONSTRUCTION OR OCCUPANCY.

Office Review – office use only

Date Received: _____ Application No: _____

Zoning Classification: _____

Fee Paid: \$ _____ Date: _____ Check No.: _____

Receipt No.: _____

Was Application complete when received? Yes ___ No ___

If No: Date Application was complete _____

Date of meeting when Application will be first reviewed by ZBA _____

Referred to: Planning Board on _____ County Planning Board on _____

Clerk Signature: _____ Date: _____

General Instructions

Please Read

1. If you are filing an appeal to the Zoning Board of Appeals (“ZBA”) because the Zoning Enforcement Officer (“ZEO”) denied your application for a permit or found your property to be in violation of the Zoning Ordinance, you are entitled to a written statement by the ZEO of the reasons for the decision.
2. The Building Department Clerk can assist you to identify relevant portions of the Zoning Ordinance and identify the abutters to your property to whom you will need to give notice of your Application. The ZBA encourages you to contact your abutters and neighbors to tell them about your plans and to solicit their ideas or concerns. This can avoid unnecessary controversy and delay in acting upon your application.
3. You will need to fill out the Zoning Board of Appeals Application and one of the three sections of the Application depending on the interpretation or variance relief you are seeking. If you are seeking a **special use permit**, you will need to review the relevant portions of the Zoning Ordinance and provide the required information, detailed narrative and drawings.
4. If the owner is a corporate entity or trust, submit a resolution authorizing the entity or trust to submit this Application.
5. The definitions, standards and considerations applicable to the ZBA can be found in the New Lebanon Zoning Ordinance (Chapter 205 of the Code of the Town of New Lebanon.) Please review those that apply to the relief you are seeking. The narratives in your Application **MUST** provide the ZBA all information relevant to these standards and considerations.

Appeal – The ZBA may reverse or modify any determination, including a permit denial, made by the ZEO. The person appealing a ZEO decision must file an appeal within sixty (60) days of the ZEO’s written determination. The person appealing a determination must demonstrate to the ZBA’s satisfaction that the ZEO’s determination was based on errors of fact and/or errors in interpreting the Zoning Ordinance.

Area Variance – An area variance authorizes a use of land that does not meet in all respects the dimensional or physical limitations of the applicable provisions of the zoning ordinance. Before deciding whether to grant an area variance the ZBA must weigh the benefit to the applicant if the variance is granted against the detriment to the health, safety and welfare of the neighborhood or community, and in doing so must consider the area variance standards in the application.

Use Variance – A use variance authorizes a use of one’s land for a purpose which is otherwise prohibited by the zoning ordinance. Before deciding whether to grant a use variance, the ZBA must determine that the applicant has demonstrated that the Zoning Ordinance has produced an unnecessary hardship to the owner or applicant. To satisfy this requirement, the ZBA must weigh the benefit to the applicant if the variance is granted against the detriment to the health, safety and welfare of the neighborhood or community, and in doing so must consider the use variance standards in the application.

6. The ZBA review process may involve engineering, legal, and other professional skills. While the Building Department staff will provide guidance and assistance within reasonable limits, the responsibility for the proper presentation of the proposal lies with the applicant and the applicant’s advisors, and not upon the Building Department, its staff, or the ZBA.

7. **Fee Schedule:** Individual fee schedules are listed on the Building/Planning/Zoning Department webpage of the Town of New Lebanon website and are specific to the type of project. These are subject to change from time to time at the approval of the Town Board. Escrow accounts will be established as required by the ZBA for the advice of applicable professionals (town engineer, town attorney or other professionals) engaged by the Town to assist the ZBA.

8. Additional fees may be required in an amount necessary to defray additional costs of special consultants engaged by the Town to assist in the review of an application. The ZBA will endeavor to provide notice to the applicant in advance of securing a special consultant to allow the applicant time to alter or remove their application before the ZBA.



Town of New Lebanon, NY
Building Department
Building & Zoning Permit Application Instructions

Residential and Commercial property owners should become familiar with the Town Code Chapter 205-Zoning, <https://ecode360.com/5150607> and the zoning map, <https://secureservercdn.net/198.71.233.235/482.ab5.myftpupload.com/wp-content/uploads/2020/08/2020-TNLZoningMap-Adopted07-14-2020-1.pdf> and table of uses which define the allowable uses for property in the zoning district the property is located in.

Commercial Tenants: Please note that some commercial tenants who are planning to occupy a space where there is (a) no proposed construction and (b) the use is the same as the previous approved use may be able to skip steps one and two and complete only a Tenant Occupancy Verification application. If you think that you may qualify, please refer to the application. Please note, that if you submit the fee and the application for a tenant occupancy verification and the town deems that there is a change of use or that construction is involved, you may still need to go back and start over at step one with all applicable fees. The fee for the tenant occupancy verification application is not refundable.

Step 1: Zoning Compliance: Determine whether or not the use and structures are compliant with the allowable uses and dimensions for the zoning district. This will be evidenced by a Zoning Permit authorized by the Zoning Enforcement Officer (ZEO), or a Planning/Zoning Board (sometimes referred to as land use board) determination,

Step 2: Building Compliance: Obtain a building permit authorizing the proposed work to be done for any new structures, changes to existing structures or uses, and accessory structures and issuance of a certificate of occupancy/compliance demonstrating that the work has been completed, inspected and is code compliant for the proposed use.

Step 1: ZONING COMPLIANCE

As a first step, the applicant must complete and submit a **Zoning Review/Verification Application** which requires basic information about the property and a detailed narrative explaining the proposed use of the space. If the proposal changes the exterior footprint in any way, the applicant must include a Plot Plan (sketch) of the property including existing structures, approximate well and septic locations and any proposed structure(s). Dimensions must be provided from all structures and proposed change(s) in the building to the front, rear and side property lines. The front setback is measured from the center of the traveled portion of the road. This Application only reviews the zoning (or use) of the property as set forth in the zoning use table, area table and zoning definitions. Only the Zoning Review/Verification Application fee is due with this portion of the Application.

Following review of the application and narrative, the Zoning Officer may request additional information to clarify any portion of the submission or ask for revisions. The Zoning Officer will then make a determination that 1) the Zoning Officer is authorized to approve the proposal; 2) one of the land use boards has jurisdictional approval over the zoning/use of the property or (3) the use is not allowed.

Granting of the Zoning Approvals:

BY THE ZEO: Upon review and approval of the Zoning Review/Verification Application and the determination that the property is compliant with zoning, the ZEO issues either (a) a Zoning Permit if the structure has a valid certificate of occupancy and the use is allowed or (b) an approval/authorization of the application and referral to the Code Enforcement Officer for the issuance a Building/Zoning Permit.

BY THE APPROPRIATE BOARD: If one of the land use boards has jurisdictional approval or the ZEO determines it is not compliant with zoning, the ZEO will deny the application and will indicate the appropriate board and required application. Once the application is denied, the owner must make a separate application to the appropriate board and go through that review process. Please refer to Planning Board and Zoning Board of Appeals applications and procedures for more information. Upon conclusion of the Board meetings/hearings, a

decision document will be issued. The decision may approve or deny the use. If approved, the applicant proceeds with the Building Permit/Compliance Application, when applicable.

If the applicant believes that the Zoning Officer's determination has been made in error there are appeals processes that the property owner or applicant may take as set forth in the Town Code. Likewise, if the decision of a land use board is challenged, an appeal in a court of law may occur.

Step 2: BUILDING COMPLIANCE

All applicants: will begin at step #1 Zoning /Review Verification Application, unless the building permit application is for (1) roof permit, (2) demolition permit, (3) heating appliance installation and (4) new electric service installation. Upon review/approval the ZEO will refer the application to the Code Enforcement Officer (CEO) when a Building Permit is required. The information provided in the Zoning/Review Verification Application will provide the CEO a basic understanding of the project/proposal which will assist in making determinations as to which submittal documents the applicant will be required to include with their Building Permit/Compliance Application. The CEO may contact the applicant for additional documentation when needed.

***Note to new commercial tenants:** The applicant may either be the property owner or the Tenant (with the approval of the owner). A Building Permit to move into the space and a subsequent inspection for the issuance of the Certificate of Occupancy are required before opening to the public. The submittal requirements will vary based on the scope of work outlined below. The final inspection will also qualify as the first Fire Safety inspection. Therefore, no Fire Safety inspection fees will be due until the next scheduled Fire Safety Inspection. In advance of future Fire Safety Inspections, business owners will be notified by mail with a request to schedule Fire Safety Inspections at the appropriate times.

Building Permit/Compliance Application Submittal Documents

Required submittal documents will vary depending upon the use, change of use and scope of work involved. The following list is not an exhaustive and is only intended to be used as a guide.

Stamped plans will be required for commercial projects, including, but not limited to: New buildings/additions/decks/ modifications/alterations of the structure/space, expansions of any electrical/plumbing/mechanical systems, completely new or changes in the layout. The plans will be prepared by a NYS Registered Architect or Licensed Engineer.

Commercial Building Plans: two hard (paper) copies and one digital pdf file each bearing the seal and signature of the N.Y.S. licensed professional engineer or registered architect. The set shall include, but not be limited, to the following drawings: (a) structural plans; (b) floor plans – all levels; (c) cross-sections; (d) details; (e) elevations; (f) schedules; (g) HVAC; (h) electrical; (i) plumbing; (j) codes specifications; (k) fire protection systems; (m) thermal envelope & applicable energy code requirements; (n) Occupancy classification & loads; (o) scope of work. Plan notes are required to clearly depict all relevant code sections and/or compliance paths relevant to any and all proposed work and elements depicted on the plans. The first page of the plans shall contain a statement substantiating that the proposed work complies with the (current year) NYS Uniform/Fire Code and the State Energy Conservation Construction Code.

Plan Revisions: If revisions are necessary to the original submission, each new submission shall contain the new revision date in the appropriate section on each page of the plans.

Stamped plans will be required for non-commercial projects, including, but not limited to: New buildings/additions/ modifications or alterations of the structure. The plans will be prepared by a NYS Registered Architect or Licensed Engineer.

Building Plans: two hard (paper) copies and one digital pdf file each bearing the seal and signature of the N.Y.S. licensed professional engineer or registered architect. The set shall include, but not be limited, to the following drawings: (a) structural plans; (b) floor plans – all levels; (c) cross-sections; (d) details; (e) elevations; (f) schedules; (g) HVAC; (h) electrical; (i) plumbing; (j) codes specifications; (k) fire protection systems; (m) thermal envelope & applicable energy code requirements; (n) scope of work. Plan notes are required to clearly depict all relevant code sections and/or compliance paths relevant to any and all proposed work and elements depicted on the plans. The first page of the plans shall contain a statement substantiating that the proposed work complies with the (current year) NYS Uniform/Fire Code and the State Energy Conservation Construction Code.

Plan Revisions: If revisions are necessary to the original submission, each new submission shall contain the new revision date in the appropriate section on each page of the plans.

****for decks and non-occupiable accessory structures, hand or digital sketches may suffice**

Installation manuals/specification sheets: To be provided for any mechanical/appliance installations.

Driveways: *A driveway cut MUST be approved by the appropriate department. For a town road, the Highway Superintendent must approve. For a County road, the County Highway Department must approve. For a State highway, NYS-DOT must approve. Approval must be obtained before a building permit is issued on vacant land with no pre-approved driveway cuts.*

Electrical Work An approved third-party electrical inspection is required for all electrical work and any other specialty trade inspections that the Code Official deems necessary. An approved electrical inspectors' list can be found on the building department Webpage.

Any other information, documentation or third-party inspections that the Code Enforcement Officer needs in order to complete a proper review of the application, plans and submittal documents.

Town Code Chapter 81

Adopted by the Town Board of the Town of New Lebanon 2-12-2007 by L.L. No. 2-2007

BUILDING PERMIT EXEMPTIONS

B. Exemptions. No building permit shall be required for work in any of the following categories:

(1) Construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.38 square meters);

(2) Buildings and structures used solely for agricultural purposes and not for human habitation;

(3) Installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(4) Installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;

(5) Installation of fences which are not part of an enclosure surrounding a swimming pool;

(6) Construction of retaining walls, unless such walls support a surcharge or impound Class I, II or IIIA liquids;

(7) Construction of temporary motion-picture, television and theater stage sets and scenery;

(8) Installation of partitions or movable cases less than five feet nine inches in height;

(9) Painting, wallpapering, tiling, carpeting, or other similar finish work;

(10) Installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances which do not require exterior venting systems per the recommended manufacturer's specifications;

(11) Replacement of any equipment, provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or

(12) Repairs, provided that such repairs do not involve:

- (a) The removal or cutting away of a load-bearing wall, partition, or portion thereof, or of any structural beam or load-bearing component;
- (b) The removal or change of any required means of egress; or the rearrangement of parts of a structure in a manner which affects egress;
- (c) The enlargement, alteration, replacement or relocation of any building system; or
- (d) The removal from service of all or part of a fire protection system for any period of time.

Fees: Application fees are determined by the nature of the proposed work and can be found on the Town's Fee Schedule :

<https://secureservercdn.net/198.71.233.235/482.ab5.myftpupload.com/wp-content/uploads/2019/10/2019-Fee-Schedule-adopted-April-9-via-resolution-15-.pdf>

All fees are required to be paid at the time of application by cash or checks made payable to the Town of New Lebanon. There is a \$20.00 surcharge for a check returned for insufficient funds. The replacement check should include the surcharge in addition to the original amount and the replacement check must be a certified bank check or money order.