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September 16, 2025

VIA ELECTRONIC MAIL

Town of New Lebanon
Zoning Board of Appeals
Planning Board
14755 Route 22
New Lebanon, NY 12125

Re: Tilden Commons

To: Members of the Zoning Board of Appeals and Planning Board

Our firm represents Tilden Project LLC (Applicant) in connection with its efforts to develop Tilden Commons (the Project) at 538 Route 20 New Lebanon, New York 12125 (Tax Map ID 19.2-1-69) in the Town of New Lebanon, New York (Town). In relation to the Project, the Applicant currently has an area variance application before the Town of New Lebanon Zoning Board of Appeals (ZBA) and an application for a special use permit and site plan approval before the Town of New Lebanon Planning Board (Planning Board). This letter is in response to the factually and legally false claims regarding conflicts of interest included in a letter from Keane & Beane P.C., attorneys for the New Lebanon Central School District (the District), dated August 29, 2025 (the Letter). The Letter was addressed to the ZBA, with a copy to the Planning Board.

The District's attorney's complete misreading of the General Municipal Law results in its careless and harmful accusation that two members of the Applicant LLC have acted inappropriately, which is patently false.

The Letter attempts to manufacture the presence of impropriety on the part of Tilden Project LLC members Joshua Young (a Planning Board member) and Anthony Murad (ZBA Chair). The Letter cites Section 805-a(1)(c) of the New York General Municipal Law (GML), which prevents a municipal official from accepting compensation for representing an applicant before the board on which the official sits. *See* N.Y. GEN. MUN. LAW § 805-a(1)(c) (McKinney 2012) (a municipal officer shall not "receive, or enter into any agreement, express or implied, *for compensation for services to be rendered in relation to any matter before any municipal agency of which he is an officer*, member or employee or of any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee") (emphasis added).

Evidently, the District's attorney does not understand this provision of the GML, nor does he understand Mr. Murad's and Mr. Young's involvement with the Applicant. Only if Mr. Murad and Mr. Young were compensated for *representing* Tilden Project LLC in relation to the applications before the ZBA and Planning Board, respectively, would this provision of the

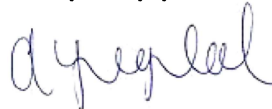
GML come into play. *See e.g.*, Letter at 5 (“the New York State Attorney General has opined that an architect who sits upon a land use board should not represent applicants before local land use boards. *See* N.Y. Op. Attorney General No. 94-51.”) (emphasis added). But Mr. Murad and Mr. Young do not represent the Applicant before the boards on which they sit; they are members of the Applicant LLC.

Nothing in the GML prohibits Mr. Murad or Mr. Young, as applicants, from attending the ZBA and Planning Board meetings and discussing the Project with such boards throughout the entirety of the application process. The District’s attorney is clearly trying to malign Mr. Murad and Mr. Young by accusing them of having an inappropriate “financial interest” in the Project. *See id.* at 4-5. But of course they have a financial interest in the Project—they are part owners of the Applicant LLC. But because they are nothing more than an applicant before the Planning Board and ZBA, the above GML provision is inapplicable, and Mr. Murad and Mr. Young have every right to pursue their application before these boards. All that is required is that Mr. Murad and Mr. Young disclose their involvement with the Applicant LLC to the Planning Board and ZBA, which they have done, and recuse themselves from deliberation of the applications before these boards, which they continue to do.

There is absolutely zero conflict of interest or any other impropriety here. The District’s attorney’s legally baseless accusation of such against two local business owners and active members of this community is, at best, extremely irresponsible. At worst, it is an intentional attempt to denigrate your colleagues on the ZBA and Planning Board who have done nothing but pursue a laudable project in your Town.

We thank you for your consideration of this letter. Please contact me with any questions or concerns.

Very truly yours,



Alicia R. Legland

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cc: Courtney Potter, *Zoning Board of Appeals/Planning Board Clerk*, Town of New Lebanon
Stephanie Ferradino, Esq., *Zoning Board of Appeals/Planning Board Attorney*, Town of New Lebanon
Joshua Young, Tilden Project LLC
Anthony Murad, Tilden Project LLC