



**Town of New Lebanon  
Planning Board of Minutes – unapproved  
September 17, 2025**

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**Present:** Elizabeth Brutsch, Planning Board Chairperson  
Jim Carroll, Planning Board Member  
Steve Muse, Planning Board Member  
Becky Segal, Planning Board Member  
Joshua Young, Planning Board Member  
Greg Hanna, Planning Board Member  
Michael Crosby, Planning Board Member  
David McGinness, Alternate Planning Board Member  
Jeff Zimmermann, Alternate Planning Board Member

**Others:** Joanne Amlaw, Blaine Darcy, Michael Darcy, Ryan Darcy, Emily Gamble, Destiny Lechner, Ari Goldstein, Alicia Legland, Peg Munves, Anthony Murad, Bob Gilson, Ted Salem, Michael Brutsch, Harold Sharp, Doreen Sharp, Stephanie Ferradino (Town Attorney), Bonnie Lichak, Amy Brueckmann, Jeffrey Weeks, Margaret Brueckmann, Abbie Schoobs, Chris Bertram (Town Engineer), Brendon Becker (via phone conference), Judson K. Siebert (Attorney for NLCSD)

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**I. Call To Order**

Chairperson Brutsch called the meeting to order at 7:01 PM.

**II. Approval of Minutes**

A motion to approve the Special Meeting Minutes dated August 13, 2025, August 20<sup>th</sup>, 2025 Public Hearing Minutes and August 20<sup>th</sup>, 2025 Regular Meeting Minutes was made by Board Member Carroll and seconded by Board Member Hanna and approved by a vote of 7-0-0.

**III. Regular Meeting**

**Case No. PB-2025-016 – Lechner– Special Permit -TM# 10.3-1-5**

Applicant – Destiny Lechner

Upon closing the Public Hearing, Ms. Lechner was asked by the Board to review her updated application and if any changes had been made. Chairperson Brutsch inquired if Ms. Lechner had been in touch with the Building Department to update and renew her building permit. Ms. Lechner stated she had been in touch with the Building Department to renew her permit and the Building Inspector will be in contact to establish a site visit upon approval of the Planning Board for the above special permit currently before the Board. Board Member Carroll inquired if there was a specific timeline for completion of the renovation; Ms. Lechner indicated that depending on the weather, she hoped to have renovations completed in twelve (12) months. Chairperson Brutsch indicated to Ms. Lechner, that the proposed drafted decision documents contained five (5) conditions for approval, those being that the approval

is valid for twelve (12) months from the date of approval, any construction or renovation will require building permits from the Town of New Lebanon Building Department, Ms. Lechner will remove all waste from the property and the recreational vehicle (RV) legally, the RV has been and will remain connected to the existing well on the property, and Ms. Lechner must maintain all legal insurance and registrations on the RV. A revision to the approval document was made as it mentions short-term rental, rather temporary housing.

Board Member Young read the proposed draft decision document approving the application inclusive of the abovementioned revisions, and made a motion to approve the draft decision. Board Member Carroll seconded the motion and the resolution was approved by the following vote:

Chairperson Brutsch – Aye  
Board Member Carroll – Aye  
Board Member Hanna – Aye  
Board Member Muse – Aye  
Board Member Segal – Aye  
Board Member Young – Aye  
Board Member Crosby – Aye

Chairperson Brutsch indicated to Ms. Lechner that should the renovations take longer than the anticipated twelve (12) months, the approval stipulated that Ms. Lechner was to appear before the Board to extend the approval, if needed.

**Case No. PB-2025 – Weeks – Short Term Rental – TM #20.1-1-31**

Applicant: Jeffrey Weeks

Chairperson Brutsch invited Mr. Weeks to present to the Board an overview of the plans for this application. Mr. Weeks indicated that he and his wife have been working on renovations of the property for the last two years. The intent, per Mr. Weeks, is to use as a short-term rental or for visiting family and friends, dependent upon what happens with his son, who currently resides in the Albany area. Board Member Hanna inquired as to which house this application pertained to and was provided the clarification. Chairperson Brutsch noted that the Columbia County registration number had been obtained and inquired if the emergency contact information had been provided to the Code Enforcement Officer. Mr. Weeks indicated it had not yet been provided, but he would be glad to provide the information to the Building Department, as he was also due to renew his building permit. Clarification as to who the emergency contact needed to be was provided to Mr. Weeks by Chairperson Brutsch. Chairperson Brutsch inquired if an aerial map was available for this meeting, where parking would be located in relation to the home and how many persons were to be accommodated. Mr. Weeks indicated that he intended to bring said map, but was unable to print the map. He also indicated that the information requested was provided in his narrative, but that the house could accommodate up to eight (8) persons with parking is an off-street driveway with parking for four (4) vehicles. Board Member Carroll inquired as to how trash/waste would be handled; Mr. Weeks indicated it would be handled in house with collection handled by himself. The Board requested the aerial map be provided in advance of the next meeting. Board Member Segal made a motion to approve the application as a preliminary plan and send this application to a Public Hearing at the next regularly scheduled meeting, with said motion seconded by Board Member Carroll and carried by the following vote:

Chairperson Brutsch – Aye  
Board Member Carroll – Aye  
Board Member Hanna – Aye  
Board Member Muse – Aye  
Board Member Segal – Aye  
Board Member Young – Aye  
Board Member Crosby – Aye

**Case No. PB-2025-017 – Coons – Site Plan Review / Special Permit (Commercial Trade) – TM# 19.2-1-88**

Applicants: Lukas Coons and Connor Coons

Mr. Ryan Darcy presented on behalf of the applicants, as they applicants were not able to attend. Mr. Darcy presented to the map to the Board as to the locations for employee parking, large truck parking, equipment parking, which is seasonally dependent. Board Member Carroll indicated that he was reviewing the SEQRA documents provided and the wetland mapper indicated that the material storage seemed to be located within the previously defined wetland location, which would require the Department of Environmental Conservation (DEC) clarification as to where the wetlands are located to determine where material storage can be placed. Mr. Darcy requested clarification to the blue measurement lines and next steps. The Board provided affirmation that the applicants will need to seek clarification from the DEC before a determination can be made regarding this application. Said application has been tabled until DEC can provide the requested information regarding wetland delineation.

**Case No. PB-2025-015 – Tilden Project LLC – Site Plan Review/Special Permit – TM# 19.2-1-69**

The conversation regarding this project opened with Board Member's Young and Segal recusing themselves from the dais, and Alternate Planning Board Members Zimmerman and McGuinness taking their respective places. Chairperson Brutsch introduced Mr. Chris Bertram to the Board and public as the Town Engineer. During this time, the applicant's engineer, Mr. Brendon Becker was called in through telephone conference. Mr. Becker was invited to speak as to project updates resulting from a joint meeting held the week prior between the Town Engineering Firm Barton and Loguidice (B&L) along with Chairperson Brutsch, Board Member Carroll and Board Member McGuinness. Mr. Becker indicated that the parties were in agreement as to proposed parking as a result of said meeting and that some adjustments needed to be made for handicap parking locations. B&L requested to be notified for the infiltration testing for the proposed alternative method for stormwater and wastewater discharge so that they may be on site and an invitation to Planning Board members was also extended, with said testing to be completed in the next few weeks. Discussions regarding loading dock and dumpster location also occurred at this juncture, which Mr. Becker indicated that more conversation with the applicant needed to occur before revisions to any engineering drawings would occur. Mr. Bertram indicated that Mr. Becker touched on all items of the joint meeting held, but that the Department of Transportation (DOT) permitting needed to be started, as he believes DOT was not included during the Lead Agency circulation. Mr. Betram inquired if the plans were generated based upon a survey or based on LIDAR and tax maps; the Applicants indicated the property was surveyed and all drawings are based upon the completed survey. Mr. Betram requested that copies of all original surveying be forward to B&L for review. Board Member McGuinness inquired to other members of the board, if there were related questions regarding installation of any grease traps. Mr. Goldstein interjected to clarify that there is no kitchen on the plans therefore no grease trap will be installed within the grocery component of the proposed project. Chairperson Brutsch stated if the applicant would not install

a grease trap, no food could be prepared on site, to which the applicants agreed. Mr. Goldstein also expressed his frustration in not being included in the aforementioned joint meeting, and indicated that the applicant should also be invited to any and all joint meetings. Chairperson Brutsch stated this has been an engineering meeting to review the contents of the B&L letter, but expressed the Board's sincere apology to the applicants and indicated that any other future joint meetings would be discussed in advance so that all parties could be in attendance. Discussion then turned to the loading dock and truck turning radius; Mr. Becker indicated that no updates plans were provided as of this meeting. Mr. Goldstein again weighed in on this matter, stating that the dumpster location was moved per the Board's request to the opposite side of the plans, and now further concerns regarding smell and other issues are being referenced. Mr. Goldstein sought to remind the Board that the applicant currently runs a smaller version of the proposed grocery and as it stands trash and delivery is not an existing issue. Chairperson Brutsch responded by stating that an additional 41 units of residences on top of the expanded grocery site is a consideration that the Board must evaluate. Discussion then turned to the structure of the organization set up. Mr. Goldstein clarified that Tilden Project LLC would own the property and develop the project. Hudson River Housing would be the property managers of the building. Chairperson Brutsch inquired as to the term of the contract with the applicant in terms of managing the proposed project. Mr. Goldstein indicated that a determination on that had not been made. Board Member Carroll inquired that after the completed proposed building is built who would then own it. Mr. Goldstein replied once the construction portion and financing is completed, title will then transfer to Housing Development Fund Corporation (HDFC) and a to be formed non-profit corporation, which will own and operate the building. The applicant Mr. Young, as owner and operator of New Lebanon Farmer's Market would also at this point be a tenant of the building. Board Member Carroll inquired to Mr. Young how his current trash handling is currently handled. Mr. Young indicated that he believes the current location of the dumpster in conjunction with the location located near his primary business, there is enough incentive to ensure the trash pick up is handled effectively to deter any issue with smell. Board Member McGuinness inquired if another alternative location toward the rear of the property was considered; Mr. Young responded, stating what the Board's issue was with trusting the design and where in the Zoning and Land Use code does it indicate that the Board has the right to dictate the design of the building. Board Member McGuinness stated that he was asking this question to ensure that said odor did not permeate the building for prospective tenants. Chairperson Brutsch then turned the conversation to deliveries and their impact upon traffic on Tilden Road. Mr. Goldstein responded that he was appalled by this question, as he believes traffic would not be impeded significantly on a one-block road with "maybe 5 residences and 2 businesses." Chairperson Brutsch asked for Mr. Betram to speak further on this item. Mr. Betram provided an example of proposed impediments onto Route 20 from Tilden Road to which the applicants responded that the likelihood of traffic impediments was low. Mr. Becker indicated that the completed traffic study indicated a potential delay of 19 seconds onto Tilden Road. Chairperson Brutsch inquired if the loading dock could be re-examined and potentially reconfigured. Mr. Goldstein argued that redesign of the loading dock could be included as a conditional approval item. Chairperson Brutsch instructed Mr. Goldstein that no approvals would be forthcoming at this meeting, that SEQR part two would not be reviewed at this meeting and that conditional approvals are not provided by the Board when so much information is still missing. Chairperson Brutsch also stated that the Planning Board would be willing to workshop with the applicant and his team, but that the applicants seemed a bit argumentative at this meeting. Mr. Goldstein stated they would have to discuss that further. Board Member Carroll indicated that the turning radius encroached onto the neighboring property due to the narrowness of Tilden Road itself. Mr. Becker stated that if it was a requirement they would widen Tilden Road to accommodate these types of vehicles, but it was a possibility as he did not want to speak on behalf of the applicant. Mr. Goldstein indicated they would be happy to discuss further, but the applicant was not included to make any more revisions to renderings until an indication of

approval was provided. Discussion then turned to the New Lebanon Central School District (NLCS D) letters of concern. The attorney for NLCS D was presented the opportunity to speak and stated that in light of the fact that there is potential additional plan design and in recognition that SEQRA part two would not be performed, any other comments would be submitted in writing to the Board and stated during the Public Hearing portion of this application. Stormwater and septic system testing were then discussed. Mr. Betram indicated that the correct pertinent testing still needs to be completed before a decision could be made as to if the proposed treatment items were sufficient for the project. Chairperson Brutsch inquired if the testing had been scheduled, with Mr. Becker indicated that the applicant was waiting on concurrence from the Board and B&L on the location of things before scheduling the testing, but would be schedule them accordingly. Mr. Becker requested that the items discussed during the joint meeting be provided in writing for the applicant to respond to. Chairperson Brutsch inquired if the well water test had been completed with Mr. Becker indicating that yes, it was completed and submitted. The well may have required scoping, but a local well driller was able to provide a well log for the applicant to be included in the hydrogeology report. Chairperson Brutsch then inquired if the application for state granting had been submitted, which the applicant stated that yes, the application had been submitted. Board Member Crosby stated that this would be the best time to do complete the infiltration testing as we have been in a drought. The Board then discussed whether the applicant would be filing for a PILOT program or other tax abatement program. Ms. Legland, the applicant's attorney, stated that the Board cannot grant or deny approval based on with the applicant is seeking a PILOT or not, but that the applicant has not yet determined if they're going to be seeking said PILOT or not. Ms. Legland addressed the letters from the school district, raising concerns about false claims of conflicts of interest and the relevance of the school district's finances to the Board's environmental impact determination. Ms. Legland argued that the cited provision of New York State Municipal Law regarding conflicts of interest was inapplicable. Ms. Legland also stated that the school district's concerns about the project's impact on the school district's finances are not relevant to the board's duty under SEQRA to determine the physical environmental impacts. She made the argument that the project is consistent with community character and that any potential impact on the school district is not a physical impact under SEQRA as the school district would not be required to build a new school based on the increase in proposed students. Ms. Ferradino, the Board's Attorney, disagreed with this argument stating that finances related to the ability to handle capacity and the impact on community resources may be impacted if there is not sufficient amount of tax revenue from the project. Ms. Ferradino referenced and read questions 18B and C4 on the SEQRA form and stated that a reviewing agency needs to understand the current capacity of these services and if the school district currently has the capacity for these services or how the services may be affected. Ms. Ferradino stated that a rural or small community with a school district that relies on volunteers or has little capacity may be less able to absorb the same increase in demand. Ms. Legland disagreed and stated that SEQRA was to be used for the determination of significance based on regulatory criteria relating to environmental significance, not economic cost or social impact and that the Board's authority is to consider zoning and land use specific matters. The applicant stated that HDFC intends to pay full property taxes, estimated to be about \$61,000.00 a year between the housing units and the grocery. Ms. Legland also indicated that HCR dictates whether or not a PILOT is needed, but the determination is still unknown at this time. The applicant then expressed frustration as they are not being provided a clear indication of where the Board sits in its determination; they feel the process is adversarial despite New Lebanon being a pro-housing community. The applicants feel they have gone above and beyond in their application. Mr. Tony Murad, a member of the LLC, voice his opinion of bias within the Board, referencing the letters written by Mr. Seibert on behalf of the NLCS D School Board, as Chairperson Brutsch is related to School Board President Michael Brutsch. Chairperson Brutsch stated for the record her opinion is her own and she has not made one on this project at this time. At this juncture, Mr. Seibert then responded saying that the NLCS D is the most affected

taxing jurisdiction and has the most at stake in regards to the project. The applicant also voiced concerns about the application being stalled. Next steps regarding the application were discussed, with further testing results needed. Board Member Hanna left the meeting with the following note; "As a town, we have never been through anything like this. Ever. And we're very concerned that we're doing it right." He indicated that imputing the Board is adversarial is inaccurate. He believes the applicant's motivations are good and suggested the Board have more faith in the information provided and err on the side of understanding rather than making decisions out of fear.

#### **IV. Adjournment**

Motion to adjourn the meeting made at 8:56PM by Board Member McGuiness and seconded by Board Member Carroll and approved by the following vote:

Chairperson Brutsch – Aye  
Board Member Carroll – Aye  
Board Member Hanna – Aye  
Board Member Muse – Aye  
Board Member Crosby – Aye  
Board Member McGuiness– Aye  
Board Member Zimmermann – Aye

Respectfully submitted,  
Courtney Potter  
Planning/Zoning Clerk