



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): **PB-2026-008**

SITE INFORMATION

Site Location (911 Address): 160 ROUTE 20 Nearest Crossroad: LOWERS LAKE
Tax Map No.: 19.2-1-58.1 Zoning District: CRW/USE VARIANCE

PROPERTY OWNER & APPLICANT INFORMATION

Property Owner Name: JO JO'S DREAM, LLC Phone: [REDACTED]
Mailing Address: [REDACTED]
Email: [REDACTED]
Applicant Name (if different from Property Owner): _____ Phone: _____
Mailing Address: _____
Email: _____

SURVEYOR INFORMATION

Surveyor Name: FREDERICK J. HALEY License No.: 24049953
Mailing Address: [REDACTED]
Email: [REDACTED] Phone: [REDACTED]

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: MINOR SUBDIVISION w/ EXISTING BUILDINGS

- 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 LUKAS COON

Date: Sept. 10, 2026

Signature of Applicant [Signature]

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. If you were directed by the Planning Board at your Sketch Plan Conference that Escrow is required for this project, a separate check for that amount will be required at the time of application. If the escrow fees are not submitted with this application, this application will be deemed incomplete.

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: _____

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
RUR 2 LOT SUBDIVISION PLAN			
Name of Action or Project: LANDS OF TO JO'S DREAM, LLC			
Project Location (describe, and attach a location map): 660 US ROUTE 20, NEW LEBANON, NY 12125			
Brief Description of Proposed Action: RUR 2 LOT SUBDIVISION, COMMERCIAL ZONING NO NEW CONSTRUCTION			
Name of Applicant or Sponsor: LUKAS COON		Telephone: [REDACTED] E-Mail: [REDACTED]	
Address: [REDACTED]			
City/PO: [REDACTED]		State: [REDACTED]	Zip Code: [REDACTED]
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If No, continue to question 2.			YES
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
3. a. Total acreage of the site of the proposed action?		6.5 acres	
b. Total acreage to be physically disturbed?		14.0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		20.5 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify:	NO	YES	
	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies:	NO	YES	
	☐	☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	☐	☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☒	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
WETLANDS IDENTIFIED W/ 100' SETBACK, NO DISTURBANCE			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☒ Agricultural/grasslands ☒ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year or 500-year flood plain?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☒	☐
	☒	☐
	☒	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: <u>PREVIOUS COMPLETED NYS DEC REMEDIATION</u>	NO	YES
	☐	☒
21. Is the project located within, or within ½ mile of, a disadvantaged community? If No, could impacts from the project affect a disadvantaged community? If Yes to either question in 21, answer the following question. a. Identify the potential pollution impacts of the project, either direct or indirect, that may occur within the disadvantaged community (e.g., wastewater discharges, air emissions, noise, odors, solid or hazardous waste generation or management):	NO	YES
	☒	☐
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>LUKAS COON</u> Date: <u>SEPT 10, 2026</u> Signature: <u>[Signature]</u> Title: <u>OWNER/APPLICANT</u>		



New Lebanon
NEW YORK

Zoning Board of Appeals
PO Box 328
New Lebanon, NY 12125
Office Phone: 518.794.8884
Email: pzclerk@townofnewlebanon.com

Town Supervisor: Tistrya Houghtling

Chairperson: Anthony Murad

Charles Gerald, ZBA Member
Meghan Knoll, ZBA Member
Sharon Powers, ZBA Member
Ted Salem, ZBA Member

Planning Clerk: Courtney Potter

RECEIVED

JAN 12 2026

NEW LEBANON TOWN CLERK

TO: JoJo's Dream LLC
c/o Lukas Coons
1840 Rt. 9H
Hudson, NY 12534

Dated: January 8, 2026

Case No. PB-2025-027

TM# 19.2-1-89.111

88.1

ZBA Decision

**ACTION OF THE ZONING BOARD OF APPEALS OF THE
TOWN OF NEW LEBANON, NEW YORK**

The owner, Lukas Coon, requests a USE Variance for that part of the property which is zoned RA-1 and RA-5 for the parking and storage of heavy trucks and other construction equipment.

The property located at 660 U.S. Route 20, Town of New Lebanon (TM# 19.2-1-89.111), was formerly a junkyard, established prior to the Town adopted regulations in 1964. The property was sold to former owner Ralph Chittenden after the removal of all the junk vehicles. Mr. Chittenden then constructed two commercial buildings on the property.

In 2011 NYS Department of Environmental Conservation ("DEC") initiated a clean-up of PCBs which had been spread over the entire property for dust control over many years of the junk yard activity. Upon completion of the clean-up, DEC placed an Environmental Notice on the property restricting its use for commercial or industrial purposes only.

On April 26, 2017 JoJo's Dream LLC purchased the property and added six self-storage buildings, approved by the Town of New Lebanon Planning Board. In 2020, the New Lebanon Town Board re-zoned all the land north of the old rail bed (which bisects the subject property and transforms the parcel into two zones, RA1 and RA5.) Commercial and Industrial uses are not permitted within the RA-1 and RA-5 districts. The owner states he cannot receive any financial return on this portion of his property due to the DEC Notice restricting its use to Commercial and Industrial - uses which are not now permitted on the property because of the zoning change to residential by the Town of New Lebanon Town Board in 2020.

Mr. Coons further requests to build an access road to the property from Lovers Lane, on which the property has frontage.

After a properly noticed Public Hearing held on January 6, 2026, Chairman Murad moved to waive the reading of the applicants Part 1 SEQRA EAF because due to the Department of Environmental



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Conservations (DEC) Order, this type of action would be considered a Type II Action pursuant to the New York State Comp Code under chapter 617.5(c), Section 14 §II. The Zoning Board of Appeals ("ZBA") also heard from the owner and one abutter in attendance.

After the closing of the Public Hearing, the ZBA members discussed the factors in this case and after consideration made the following findings:

Factor 1 - The Applicant demonstrated, to the ZBA's satisfaction, that he cannot realize a reasonable return through his use of the property due to the current Residential Zoning and the DEC restriction for only commercial and industrial uses. The property cannot yield any financial return.

Factor 2 - The alleged hardship is unique to the property and no other properties in the residential zone are encumbered by the DEC Notice, cited above.

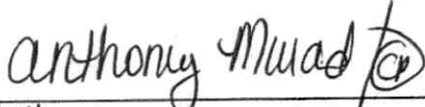
Factor 3 - The proposed use of truck and equipment storage is compatible with other similar uses in the immediate area and the issuance of the variance will not alter the essential character of the neighborhood.

Factor 4 - This is not a self-created hardship. At the time the applicant purchased the property, it was zoned Commercial in its entirety. The zoning was changed to residential subsequent to the applicant's purchase.

In discussion, the ZBA members agree that all four factors required for a Use Variance have been met.

The ZBA voted to grant the USE Variance permitting the parking and storage of heavy trucks and other construction equipment, but denied the request for an access road to Lovers Lane. A motion was made by Board Member Knoll to approve the aforementioned approval with conditions and seconded by Board Member Salem and carried to the following vote:

Ted Salem - Aye
Sharon Powers - Aye
Meghan Knoll - Aye
Anthony Murad - Aye
Charles Gerald - Absent


Anthony Murad, Chairman
Town of New Lebanon
Zoning Board of Appeals



Agricultural Data Statement (ADS)
TOWN OF NEW LEBANON

Applicant Name: Jo Jo's DREAM, LLC TM # 19.2-1-88.1

Date: Sept. 21, 2026

Instructions:

An ADS shall be submitted for any application for: a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval by a planning board, zoning board of appeals, town board, or village board of trustees that would occur on property within an agricultural district containing a farm operation or on property with boundaries within 500' of a farm operation located in an agricultural district. The planning board, zoning board of appeals, town board, or village board of trustees shall evaluate and consider the agricultural data statement in its review of the possible impacts of the proposed project upon the functioning of farm operations within such agricultural district.9 (Pursuant to Agriculture and Markets Law 25-AA§305-a)

ADS APPLICATION REQUIREMENTS

1. Type of Application:

- ☐ Special Use Permit ☐ Site Plan Approval ☐ Use Variance
☒ Subdivision Approval

2. Applicant:

Name: Jo Jo's DREAM, LLC
Address: 1840 ROUTE 9H
HUDSON, NY 12534

3. Owner if Different from Applicant:

Name: _____
Address: _____

4. Description of proposed project:

Parcel Area (Acres): 20.502 AC Tax Map Number: 19.2-1-88.1

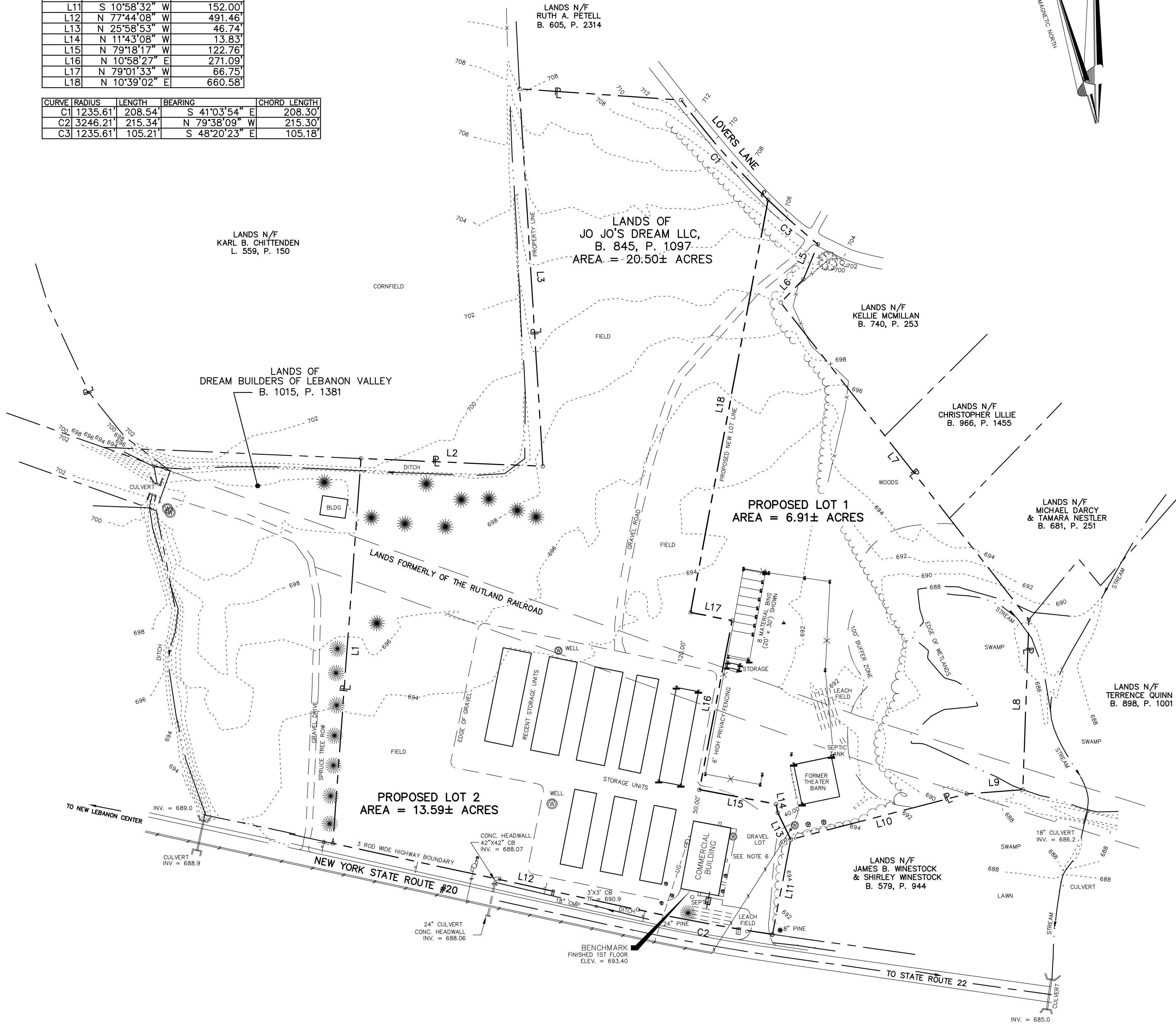
MINOR 2 LOT SUBDIVISION
WITHIN 500' OF K.B. CHITTENDEN AG9

NOTES:

1. MAPPING PREPARED BY CLARK ENGINEERING & SURVEYING, P.C. FROM AN ACTUAL FIELD SURVEY ORIGINALLY CONDUCTED AUGUST 1999, UPDATED TO SEPTEMBER 2020.
2. NORTH REFERENCE USED HEREON IS PER THE NEW YORK STATE PLANE COORDINATE SYSTEM, EAST ZONE (NAD83).
3. UNDERGROUND UTILITIES ARE SHOWN PER FIELD OBSERVATIONS, AND RECORD PLANS, THEIR ACTUAL LOCATION MAY VARY AND OTHERS MAY EXIST.
4. PARCEL SURVEYED WITHOUT BENEFIT OF AND IS SUBJECT TO THE REVIEW OF A COMPLETE AND UP-TO-DATE ABSTRACT OF TITLE.
5. GROUND CONTOURS SHOWN HEREON, IF ANY, BASED ON NAVD 88.
6. LOT 1 SHALL CONTINUE TO ENJOY ACCESS ACROSS THE EXISTING GRAVEL DRIVEWAY TO STATE ROUTE 20.
7. PARCEL SURVEYED IS FURTHER REFERENCED TO THE TOWN OF NEW LEBANON TAX MAP PARCEL ID NO.S 19.2-1-88.1

LINE	BEARING	DISTANCE
L1	N 04°11'14" E	607.22'
L2	S 87°32'32" E	286.60'
L3	N 03°32'47" W	59.45'
L4	S 22°41'47" W	59.45'
L6	S 44°10'45" W	51.37'
L7	S 38°03'24" E	633.88'
L8	S 02°03'21" W	267.32'
L9	S 85°36'39" W	88.66'
L10	S 75°28'32" W	286.00'
L11	S 10°58'32" W	152.00'
L12	N 77°44'08" W	491.46'
L13	N 25°58'08" W	46.74'
L14	N 11°43'08" W	13.83'
L15	N 79°18'17" W	122.76'
L16	N 10°58'27" E	271.09'
L17	N 79°01'33" W	66.75'
L18	N 10°39'02" E	660.58'

CURVE	RADIUS	LENGTH	BEARINGS	CHORD LENGTH
C1	1235.61'	208.54'	S 41°03'54" E	208.30'
C2	3246.21'	215.34'	N 79°38'09" W	215.30'
C3	1235.61'	105.21'	S 48°20'23" E	105.18'



GRAPHIC SCALE

0 100 200 300

1" = 100'

NOTES :

FREDERICK J. HALEY PLS LLC

1218 STATE ROUTE 43
STEPHENTOWN, NY 12169
Tel: (518) 577-5044
email: frederickhaley@hotmail.com

CLIENT:

OWNER INFORMATION:
JO JO'S DREAM, LLC,
C/O LUKAS J. COON
1840 ROUTE 9H
HUDSON, NY 12534

DEED INFORMATION:
BOOK 845, PAGE 1097
DEED DATED APRIL 26, 2017

PROJECT TITLE:

LANDS OF
JO JO'S DREAM , LLC,

660 US ROUTE 20
NEW LEBANON, NEW YORK

SHEET TITLE:

*MINOR 2 LOT
SUBDIVISION PLAN*

SCALE: 1"=100'

DATE: SEPTEMBER 21, 2026

PROJ. NO: COON NEW LEBANON
CAD FILE NAME : COON 2026 MINOR SUBDIVISION
LAYOUT TAB: W01