

## **Town of New Baltimore Zoning Board of Appeals**

### **Monthly Meeting Minutes**

3809 County Route 51 Hannacroix, NY 12087

**January 7, 2026**

**7 PM**

**Present:** Brad Jourdin, Sam Anderson, Craig Albano, Jean Horn, Mark Peckham

**Absent:**

#### **Pledge of Allegiance**

Chairman Jourdin thanked the Board members for their continued service, acknowledged the prior Chairman for his years of service, and welcomed newly appointed Board member Mark Peckham.

**Schultz Farm Properties, LLC Use Variance Application** David Schultz appeared before the Board regarding a Use Variance application for property located at 161 Sheller Park Road. The property was historically used as the Hunter Mountain Bus Terminal and was rezoned from Commercial to Rural Agricultural (RA) as part of a zoning change adopted in 2016, rendering the existing commercial use nonconforming. Mr. Schultz stated that the property had a long-standing commercial and light industrial history predating zoning regulations in the Town and that he was unaware of the 2016 rezoning until a recent visit from Code Enforcement. Chairman Jourdin noted that the rezoning may have been influenced by the property's distance from the Route 9W corridor and acknowledged the limited permitted uses in the RA district for a structure of this size. Mr. Schultz advised that the building is currently occupied by two tenants: Coleman Concrete, which utilizes the building for storage, and New Team Carports, which uses the site as an outpost for storage and limited assembly related to carport installation. He explained the light fabrication had previously occurred on site, consisting of cutting and tack assembly, but that fabrication activities had since ceased and been relocated to Kingston following concerns raised by Code Enforcement. The Board reviewed ownership history, noting that the property has been held by Schultz family interests since the early 1980s and leased to Hunter Mountain Bus from approximately 1986 until their relocation to a commercial zone along Route 9W in the Town of Coxsackie. Mr. Schultz explained that he sought to repurpose the building for small businesses, describing it as a legacy structure with limited alternative uses. Discussion included the property's historical use as a sawmill, truck terminal, and light industrial facility, and the appropriateness of its continued limited commercial use. Board members expressed concern regarding neighborhood compatibility, as the surrounding area is predominantly residential. Mr. Schultz referenced prior zoning map revisions, stating that the property appeared within a commercial district on the 2009 zoning map but was excluded following the 2016 consolidation of commercial districts. He stated his

belief that the rezoning may have been an error and noted that the Rural Agricultural designation impacts the long-term usability and value of the property. Board members discussed the possibility of Planning Board review regarding zoning map accuracy but advised that a variance would remain valid regardless of future zoning amendments. Chairman Jourdin emphasized the importance of maintaining compliance with Code Enforcement, fire safety requirements, and occupancy classifications, noting that fabrication uses present heightened fire safety concerns. It was stated that the variance, if granted, would be conditioned upon continued compliance with all applicable local and state regulations, including fire inspections and occupancy requirements. Mr. Schultz acknowledged these conditions and advised that an occupancy assessment had already been conducted.

The Board reviewed the Short Environmental Assessment Form (EAF). Corrections were made to Part 1 and initialed by the applicant. Parts 1 and 2 were read aloud, reviewed, and completed.

**Motion to issue a negative declaration for the purpose of SEQRA**

Made by Brad Jourdin, Seconded by Jean Horn

**Aye: 5      Nay: 0      Abstain:      Absent:**

Motion carried

**Motion to schedule a Public Hearing for February 4, 2026 at 7pm**

Made by Brad Jourdin, Seconded by Craig Albano

**Aye: 5      Nay: 0      Abstain:      Absent:**

Motion carried

Chairman Jourdin advised Mr. Schultz of the requirement to notify all contiguous property owners by certified mail. The Clerk provided the applicant with the required mailing list.

**Motion to Approve the August 6, 2025, Monthly Meeting Minutes**

Made by Sam Anderson, Seconded by Craig Albano

**Aye: 4      Nay: 0      Abstain: 1      Absent:**

Motion carried

**Randy Lent Previous Variance** Randy Lent appeared before the Board to discuss issues raised by Code Enforcement following resubmission of his building permit application. Mr. Lent stated that Code Enforcement advised that his previously granted variance did not address a required front setback. Mr. Lent reviewed the history of his property, noting a 2017 variance related to lot nonconformity and a subsequent variance granted in 2025 for rear and side setbacks to allow construction of a new residence and garage. He stated that he believed the front setback was not required based on advice from his surveyor, who identified the road as a user road. The Clerk advised that review of a prior meeting recording showed that the front setback was discussed but was not included in the application. She further noted that a clerical error in the referral letter to the Planning Board misstated the applicable setbacks and that confusion arose due to the garage being attached to the dwelling, thereby subject to principal structure setbacks. Mr. Lent stated that the prior attached porch was closer to the road than the proposed residence and that other homes on the road do not meet current front setback requirements. Chairman Jourdin noted that many of those structures predated current zoning regulations. Board members advised that the matter was not on the agenda and that the Board was not prepared to take action without notice. Mr. Lent was advised to submit a new variance application for the front setback, which would require public notice and a public hearing. Chairman Jourdin stated he would consult with the Town Attorney regarding the matter, including clarification of setback requirements and any discrepancy for user roads. Mr. Lent expressed frustration with the process.

### **Motion to Adjourn Meeting**

Made by Brad Jourdin, Seconded by Sam Anderson

**Aye:** 5

**Nay:** 0

**Abstain:**

**Absent:**

**Meeting Adjourned** 7:46 pm.