

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

### **Monthly Meeting Minutes**

3809 County Route 51 Hannacroix, NY 12087

**February 4, 2026**

**7:16 PM**

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

**Absent:** Jean Horn

#### **Pledge of Allegiance**

**Schultz Farm and Properties, LLC** Chairman Jourdin continued discussion with Mr. Schultz of Schultz Farm and Properties, LLC following the close of the Public Hearing regarding the potential future use of the subject commercial building in the event a variance is granted. Chairman Jourdin explained that any future change in use or tenancy may require review and approval by the Planning Board to ensure compliance with applicable New York State and Town Code requirements, including but not limited to egress, lighting, and other site-specific considerations. Mr. Schultz inquired whether such review would fall under the jurisdiction of the Building Department and the Code Enforcement Officer. Chairman Jourdin responded that a change of use involving a new tenant would require Planning Board approval. Discussion followed regarding specific circumstances that could trigger Planning Board involvement. The Clerk stated that she would consult with the Planning Board for clarification, noting that the determination may depend on how the Resolution is ultimately written. Mr. Schultz stated that his variance application identifies four or five specific proposed uses that are consistent with the building's previous and current operations. He further indicated that, from his architect's perspective, the proposed uses do not appear to constitute a significant change in occupancy classification under applicable code. The Clerk reiterated that she would confirm with the Planning Board what, if any, action would be required in the event of a future change in occupancy. Chairman Jourdin assured Mr. Schultz that a definitive answer would be provided at the next meeting and requested that Mr. Schultz keep the Town informed of any change in tenancy or use of the building. Mr. Schultz stated that he would provide a copy of the architectural assessment regarding the proposed building use. The Clerk stated that clarification would be provided at the next meeting.

**Randy Lent – Area Variance Application** The Board reviewed the Area Variance Application submitted by Randy Lent. Chairman Jourdin stated that the application involves a front setback deficiency, as the proposed structure does not meet the minimum required front yard setback. Chairman Jourdin requested review of the survey map. The Clerk explained that the survey reflects two separate measurements: one from the proposed residence to the property line and another from the proposed residence to the

edge of the roadway. The Clerk further stated that, upon review of the Town Code, it was noted that when the Town agrees to accept dedication of a private road, a 60-foot right-of-way is required. In this instance, the existing roadway did not meet the 60-foot requirement, and it appears that additional width was obtained from the frontage of the properties along the road. This would explain why Mr. Lent's property line does not extend to the edge of the roadway. Chairman Jourdin reviewed the survey and asked for clarification regarding which measurement reflects the actual setback for the proposed residence. Mr. Lent explained that the previous existing and proposed structures are shown overlapping on the survey and that the proposed residence will be set back farther on one side than the previous existing residence. The Board also reviewed the location of the existing septic system, which had been discussed at a prior meeting. Mr. Lent stated that the Code Enforcement Office had requested a stamped and signed letter from a licensed engineer confirming that the existing septic system is adequate to serve the proposed residence. Mr. Lent indicated that he has provided the required documentation to Code Enforcement. Chairman Jourdin asked if any Board members had questions regarding the application. No additional questions were raised.

**Motion to Accept the Randy Lent Variance Application**

Made by Brad Jourdin, Seconded by Mark Peckham

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

Motion carried

Chairman Jourdin then read aloud and completed Part 2 of the Short Environmental Assessment Form.

**Motion to Issue a Negative Declaration for the Purpose of SEQRA**

Made by Brad Jourdin, Seconded by Sam Anderson

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

Motion carried

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

Made by Brad Jourdin, Seconded by Sam Anderson

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

Motion carried

The Clerk explained the public hearing notification process and provided Mr. Lent with a list of neighboring property owners who must be notified by certified mail.

### **Motion to Approve the January 7, 2026, Monthly Meeting Minutes**

Made by Brad Jourdin, Seconded by Sam Anderson

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

Motion carried

The Board received a referral from the Building Department regarding a potential variance application. The Clerk explained the circumstances of the referral to the Board. The Board discussed the procedural requirements for obtaining a variance, noting that the applicant would be required to submit a survey map and hold a public hearing, which would result in additional expenses and an extended review timeline. The Board further noted that the applicant would be required to demonstrate the applicable hardship criteria in support of the request. Board members discussed that if the structure in question is not permanent in nature and can be relocated to comply with setback requirements, relocation may be the most practical course of action.

The Clerk also informed the Board that a previous applicant had contacted her to advise that updated survey maps have been completed and that he intends to return before the Board at the next scheduled meeting.

### **Motion to Adjourn Meeting**

Made by Brad Jourdin, Seconded by Mark Peckham

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

**Meeting Adjourned 7:39 pm.**