



Town of New Lebanon
Zoning Board of Appeals Minutes – Draft Unapproved
November 5, 2013

Present: Anthony Murad, Zoning Board of Appeals Chairman
Jeff Hattat, Zoning Board of Appeals Member
Ted Salem, Zoning Board of Appeals Member
Phyllis Stoller, Zoning Board of Appeals Member
Jeannine Tonetti, Zoning Board of Appeals Member

Others Present: Heather VanOort, Cheryl Hattat

Call to order:

Chairman Murad opened the regular meeting of the Town of New Lebanon Zoning Board of Appeals to order at 7:30 pm.

Regular Meeting:

Minutes Review:

Upon review of the August and October 2013 minutes Jeff Hattat moved to approve them as submitted. The motion was seconded by Phyllis Stoller and passed on the following vote:

Anthony Murad	Aye
Jeff Hattat	Aye
Ted Salem	Aye
Phyllis Stoller	Aye
Jeannine Tonetti	Aye

Case No. ZBA-2013-003- Heather VanOort [TM#

Request for Area Variance. Applicant wishes to construct a 16x20 addition on the easterly side of the existing Jewelry Store on the corner of Cty. Rt. 5 and Rt. 20 but it will be only be 59 ft. from the stream which requires a 41 ft. area variance.

The applicant submitted the letter from D.E.C. indicating that there are no regulated wetlands located on her property. The stream which bisects the property, a tributary of the Wyomanock Creek, is a Class C stream.

Jeannine Tonetti moved to approve the 41 ft. area variance as requested. Ted Salem seconded the motion which passed on the following vote:

Anthony Murad	Aye
Jeff Hattat	Abstained due to being an abutter
Ted Salem	Aye
Phyllis Stoller	Aye
Jeannine Tonetti	Aye

Case No. ZBA-2013-004- Barbara Chasen [TM# 10.3-1-39]

Request for area variance to allow a residential addition to be constructed 15 feet from the property line

Fred Haley, Surveyor summarized that the applicant wishes to add a residential addition to her home that will need a variance as it will be 15 feet from the property line for ease of access as she ages.

The Board discussed the preexisting nonconformance of this property. Jeannine Tonetti asked if there was any way to add the addition to any other side of the property. Mr. Haley said no due to septic, well and elevations. There are physical impediments that would make it cost prohibitive. The property is only ½ an acre.

Chairman Murad asked that the architect submit a letter explaining why the addition cannot be built at the rear of the property.

Jeff Hattat moved to schedule the public hearing for the next regularly scheduled meeting on December 3, 2013. Chairman Murad seconded the motion that carried on the following vote:

Anthony Murad	Aye
Jeff Hattat	Aye
Ted Salem	Aye
Phyllis Stoller	Aye
Jeannine Tonetti	Aye

Other Business:

Chairman Murad reminded the Board members to submit their training certifications by the end of the year.

Adjournment:

The meeting adjourned at 8:00 pm.

Respectfully submitted,

Cissy Hernandez, Planning/Zoning Clerk