



Town of New Lebanon  
Zoning Board of Appeals Minutes – Draft Unapproved  
July 2, 2013

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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: Kent Pratt-CEO, Paul Rix and Anna Duhon

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**Call to order:**

Chairman Murad opened the regular meeting of the Town of New Lebanon Zoning Board of Appeals to order at 7:35 pm.

**Minutes Review:**

Upon review of the April 2, 2013 minutes, Jeff Hattat moved to approve them as submitted. Phyllis Stoller seconded the motion that carried unanimously.

Chairman Murad informed the Board that the recent Article 78 filed by Dorothy Doreen regarding the application submitted by Richard Beckwith has been settled. Mr. Beckwith is moving forward.

**► Case No. ZBA-2013-002-: Paul Rix & Anna Duhon [TM# 19.2-1-18.1]**

Request for a building permit for a barn for ag use. Does not meet setback requirements as per 7.2.7 of the Town of New Lebanon Zoning Ordinance

Paul Rix explained that he has applied for a permit for a barn for ag use but the original area that they chose is too wet; it's partial wetlands. The DEC indicated that it is not declared regulated wetlands. Chairman Murad asked if the pond is fed by the stream. Mr. Rix indicated that the pond is spring fed.

Chairman Murad informed the applicants that tonight is a preliminary meeting to gather information. The Board, if so inclined, will schedule a public hearing and asked the applicants to obtain written DEC information before then.

Jeannine Tonetti asked what will be stored in the barn. Mr. Rix said four or five Sheep. They will be confined and rotational. Jeannie asked: it's primary function will be agricultural with no chemicals involved? Mr. Rix replied: "Yes".

Ted Salem asked if the sheep will stay inside the structure. If so, how? Mr. Rix said that the barn is more or less safety for them through stormy weather. He would rather rotate them around the field keeping them corralled with fencing with no access to the pond.

Ted Salem asked if the pond was situated on the property line. Mr. Rix said that what they are looking at is not an exact survey but that the pond is 100% on his property. Mr. Salem asked about the property to the south and asked where they are in relation to the pond. Mr. Rix stated that there are no neighbors to the south; rather it's an old railroad station. We own the 9.6 acre lot to the east.

Ted Salem moved to schedule the public hearing for August 6, 2013 at 7:30 pm. Jeff Hattat second the motion that carried on the following motion:

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

**Adjournment:**

The meeting adjourned at 7:50 pm.

Respectfully submitted,

Cissy Hernandez, Planning/Zoning Clerk