



Town of New Lebanon
Zoning Board of Appeals Minutes – Draft Unapproved
August 6, 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: Paul Rix, Anna Duhon, Cynthia Creech

Call to order:

Chairman Murad opened the regular meeting of the Town of New Lebanon Zoning Board of Appeals to order at 7:34 pm.

Minutes Review:

Upon review of the July 2, 2013, Phyllis Stoller moved to approve them as submitted. Ted Salem seconded the motion that carried unanimously.

Regular Meeting:

► 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

Per the ZBA's request at the last meeting, Paul Rix submitted the correspondence from the DEC that indicates the following:

Since you will be working in the area indicated by the blue box on the attached map, no Freshwater Wetlands or Protection of Waters Permits will be required. There are no setback requirements established by DEC.

However, as I previously indicated, if an acre or more of land will be disturbed, you will need to comply with the SPDES stormwater regulations for construction activities. Please visit our website for more details: <http://www.dec.ny.gov/chemical/8468.html>.

*Patti Pinder
Agency Program Aide
Region 4 Permits Unit
1130 N. Westcott Road
Schenectady, NY 12306
518-357-2447*

Jeannine Tonetti asked if the barn will be used for animals only; no chemicals and no polluting. Mr. Rix replied: "Right".

Upon SEAF review no adverse impacts were found.

Ted Salem moved to grant the area variance to allow construction of the barn 68 ft. from the pond and 65 ft. from the stream. Phyllis Stoller seconded the motion which carried on the following vote:

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