



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: Albert Phelps, Janna Graves, Paul & Heidi Hendrick

I. Call to order:

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

II. Minutes review

April Minutes were unavailable for review

III. Regular Meeting/Case Review:

Case No: ZBA-2016002-: Paul & Heidi Hendrick [8.-2-64]

Request for side setback area variance on pre-existing non-conforming lot to install a pool.

Chairman Murad explained that the above noted lot is a pre-existing non-conforming lot in a 2 acre zone. The proposal would require a 15 ft. variance on the easterly portion of the property and a 6 ft. variance on the westerly portion.

Jeannine Tonetti asked what was on either side of the property. The applicants indicated that Cornfields and woods were on either side of the property.

Ted Salem moved to approve a 15 ft. side setback variance on the easterly side of the property and a 6 ft. side setback variance on the westerly side to allow for the installation of a 21 ft. above ground pool. Phyllis Stoller seconded the motion that carried on the following vote:

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

Case No.: ZBA-2016-003-: Janna Graves [19.-1-45]

Request for front setback variance to construct an addition to her existing home

Ms. Graves explained that she is proposing to construct an addition to her home that requires a front setback variance because the existing structure is pre-existing non-conforming and does not meet current front setback requirements. Kent Pratt, CEO/ZEO conducted a site visit to measure the distance from the center of the road which reveal that a 3 ft. variance would be required.

Jeannine Tonetti moved to grant the 3 ft. front setback variance to permit the construction of a 20 x 28 addition to the existing residence. Ted Salem seconded the motion that carried on the following vote:

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

Case No: ZBA-2016-004-: Albert & Joan Phelps

Request for variance(s) to construct a two-car garage

Chairman Murad explained that tonight's review of the above noted application is a preliminary review at which the Board will attain information prior to the scheduling of a public hearing at next month's regularly scheduled meeting.

Mr. Phelps indicated that the proposed garage will be located on the end of the house. The abutting land is conservation land owned by Larry Benson and will be 30 ft. from the property line. He further stated they are proposing a 10 ft. breezeway attached to the garage. The garage is 24 ft. wide and the side setback for the RA1 zone is 35 ft. This proposal will require both front and side setback area variances.

Jeannine Tonetti asked if the Phelps' would modify their drawing so that the garage looks at the same distance from the center of the road as the house. She also asked if he could justify the breezeway. Mr. Phelps indicated that the breezeway is to protect the current entrance. He further indicated that the rear portion of the garage meets the setback requirement but because of its angle the front portion does not.

Chairman Murad indicated that the abutting land is conservancy land therefore there will not be any future build issues next door.

Ted Salem moved to schedule the public hearing on the above noted case for the next month's regularly scheduled meeting (June 5, 2016). Jeff Hattat seconded the motion that carried on the following vote:

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

IV. Adjournment:

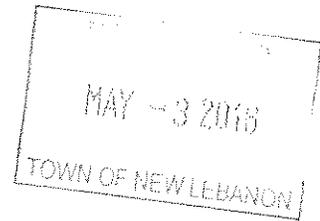
Jeff Hattat moved to adjourn the meeting at 8:00 pm. Phyllis Stoller seconded the motion that carried on the following vote:

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

Respectfully submitted,
Cissy Hernandez
Cissy Hernandez
Planning/Zoning Clerk



TOWN OF NEW LEBANON
ZONING BOARD OF APPEALS



APPEAL ACTION

REFERENCE: TM# 8.-2-64
ZBA-2016-002-

Dated: May 3, 2016

ACTION OF THE ZONING BOARD OF APPEALS OF THE
TOWN OF NEW LEBANON, NEW YORK

TO: PAUL AND HEIDI HENDRICK
29 AVERY HAND LANE
NEW LEBANON, NY 12125

The public hearing on the request of Paul and Heidi Hendrick to obtain two area variances on their property to install a 21 ft. above ground swimming pool was held on May 3, 2016. All abutters were notified and no abutters appeared at hearing. The ZBA, after due discussion and deliberation, herewith determines that the subject property is a pre-existing non-conforming one acre lot in an two acre zone which is not a self-created hardship; and that no adverse impact would occur either to neighbors or the Town as the property is flanked by woods and cornfields. Ted Salem moved to grant the 15 foot side setback variance on the easterly side of the property as well as the 6 ft. side setback on the westerly portion of the property to allow for the installation of the 21 ft. above ground swimming pool. The motion was seconded by Phyllis Stoller and carried on the following vote:

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


Tony Murad, Chairman
Zoning Board of Appeals
Town of New Lebanon



TOWN OF NEW LEBANON
ZONING BOARD OF APPEALS

APPEAL ACTION

REFERENCE: TM# 19.1-1-45
ZBA-2015-003-

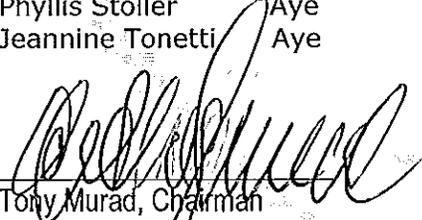
Dated: May 3, 2016

ACTION OF THE ZONING BOARD OF APPEALS OF THE
TOWN OF NEW LEBANON, NEW YORK

TO: JANNA L. GRAVES
14 CHURCHILL ROAD
NEW LEBANON, NY 12125

The public hearing on the request of Janna Graves to obtain a 3 foot front setback variance on her property to construct an addition to her residence was held on May 3, 2015. All abutters were notified and no abutters appeared at the hearing. The ZBA, after due discussion and deliberation, herewith determines that the subject residence is pre-existing non-conforming and that the proposed addition would not encroach on the front setback any further than the existing structure. It was further discussed that no adverse impact would occur either to neighbors or the Town nor will it be an impingement on safety. Jeannine moved to grant the 3 ft. front setback variance to construct the 20 x 28 addition to the existing structure. Ted Salem seconded the motion that was carried on the following vote:

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


Tony Murad, Chairman
Zoning Board of Appeals
Town of New Lebanon