



**MINUTES OF A PUBLIC HEARING OF THE ZONING BOARD OF APPEALS OF
THE TOWN OF NEW LEBANON HELD ON JULY 5, 2016
ON A REQUEST MADE BY ANTHONDY MURAD [HAND HOUSE [TM# 10.3-1-65] FOR
FOR SPECIAL USE PERMIT FOR A MULTI-FAMILY DWELLING (PARCEL)**

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: Richard Beckwith, Steve Clark, Pat Farnan, Glenn Westfall, Jeff VanDeusen, Mark Baumli, Melanie Hunt, Dolores Meissner, Greg Hanna, Julia Pomeroy

Case No.: ZBA-2016-011-: Anthony Murad (Hand House) TM#10.3-1-65

Request for a Special Permit to allow for Multi Family Dwellings in two buildings on a single parcel

Chairman Murad recused himself from the proceedings as he is the applicant in this case. The Board appointed Jeff Hattat to Acting Chairman in these proceedings.

Upon proof of publication, Acting Chairman Hattat opened the public hearing at 7:38 pm.

Mr. Murad summarized that he was previously permitted to convert the existing single family residence to a two family residence and now is seeking to convert the existing carriage house into a single family residence which results in the need for a Special Use Permit for a Multi-Family Dwelling as per the current Use Table and as defined by the definitions of our current Zoning Law: *"Multifamily Dwelling" - A dwelling or group of dwellings on one plot containing separate living units for three or more families for lease or rent only. Additionally, the current use table indicates that a "Multifamily Family Dwelling" is permitted in the General Commercial zone via a Special Use Permit issued by the Zoning Board of Appeals.*

Mark Baumli asked about the septic capabilities and the proximity of the leach field to the creek to which Mr. Murad replied that the leech field is excellent and is located far away from the creek and that the septic has been repair and replaced. There are also existing drywells and everything is working better than it was.

Greg Hanna asked if the property was utilizing a single well. Mr. Murad said: "Yes". Greg then asked about the distances. Mr. Murad indicated that the well is actually on the Town's property who abut this land. He continued to say that years ago the Town Backhoe did damage to the line from the original well that was fed by the New Lebanon Spring. The Town made an agreement with the property owner's at that time that they could use the Town well because the Town uses a different well elsewhere on its property. Therefore the well line is from the Town property to the house.

Ted Salem moved to close the public hearing at 7:45. Jeannine Tonetti 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
Planning/Zoning Clerk