



Town of New Lebanon
Zoning Board of Appeals Minutes - approved
January 9, 2013

Present: Tony Murad, Zoning Board of Appeals Member
Phyllis Stoller, Zoning Board of Appeals Member
Jeannine Tonetti, Zoning Board of Appeals Member

Absent: Jeff Hattat, Zoning Board of Appeals Member

Others Present: Richard Beckwith, Richard Hohlstein, Bob Smith, J.J. Johnson-Smith, Bruce Baldwin

Call to order:

Tony Murad announced that he has been appointed Chairman of the Zoning Board of Appeals in view of the fact that John Dax has stepped down.

Minutes Review:

Review of the December meeting minutes has been tabled until the February 2013 meeting.

Case Review:

► Case No.: ZBA-2012-030- Richard Hohlstein – [TM#30.-1-10.2]

Request for special permit – more than two accessory structures
[per article 7.2.9.3.2.5]

Upon review of the application and all questions answered, Jeannine Tonetti moved to grant the Special Use Permit to allow the third accessory structure. Phyllis Stoller seconded the motion that carried on the following vote:

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

► Case No.: ZBA-2013- Richard Beckwith – (19.1-1-29.1 & 29.2)

Request for an appeal/interpretation regarding ZEO denial of a proposed smoke house). ZEO denial based on the proposed use is not listed in the Use Table; therefore prohibited.

Chairman Murad stated for the record that the current owner of record for the property in question are the Woolery's. He stated that he has done extensive work for the Woolery's on their personal property and if the Board wishes that he abstain from these proceedings he is willing to do so. The Board felt that because Chairman Muad has not done any work with the Woolery's on the property in question there would be no need for him to abstain from the proceedings.

Mr. Beckwith stated that his application for a Smoke House was denied by the Code Enforcement Officer because the use is not listed in the use table; therefore prohibited. Chairman Murad asked everyone to familiarize themselves with the recent ZBA decision on this property when it was used as a Cannery Company.

Jeannine Tonetti asked Mr. Beckwith if he is proposing to buy this property. Mr. Beckwith said: "Yes". Ms. Tonetti further asked if Mr. Beckwith plans to install a smokehouse and whether or not he would be raising animals on the property. Mr. Beckwith stated that he currently owns Hilltown Pork in Canaan NY and would like to take his ham/bacon and process it at this location in the Town of New Lebanon. Currently he sends it to Connecticut for processing. What he eventually would like to do is make Italian sausages with onions and pepper, etc. and would like to grow his own vegetables to do so. However, the primary function would be to Smoke there. USDA and FSIS inspectors are onsite on a very regular basis. Mr. Beckwith stated that he has had a frontline supervisor and two other inspectors at this facility to make sure that the facility meets their codes and for the record the Woolery's did an exemplary job in setting up this facility. He continued that the meats will be fabricated in Canaan and transported to New Lebanon where they will be cured and smoked then brought back to Canaan for shipping. He currently works with 200 farms from which he processes the animals. This type of business has exploded within the last five years. There is a food shortage here in this area and this would be a good opportunity to present at the New Lebanon Farmer's Market.

Chairman Murad emphasized that the Woolery's were approved for a Farm and explained the definition of a Farm to Mr. Beckwith. Mr. Beckwith stated that he has given some thought to raising lamb in a fenced in area there. Chairman Murad encouraged Mr. Beckwith to read the Town of New Lebanon's 'Right to Farm' law and the Zoning Law definitions of farms and to use these tools as a guide in preparing a narrative for the next meeting.

Chairman Murad stated that the Board will schedule a public hearing for next month's meeting on the first Tuesday in February 2013 and that it is the applicant's responsibility to notice the abutting land owners via certified mail and explained the importance of bringing the receipts of mailing with him in order to open the public hearing.

Jeannine Tonetti asked "specifically what is a smokehouse"? Mr. Beckwith showed the Board the photo's diagram and literature for the specific smokehouse that he is proposing and commented that there are no organic smokehouses in New York State but he is organic certified. "We would like to do organic smoking".

Chairman Murad stated that our concern is the impacts this will have on abutters such as odors, traffic, etc. and encouraged Mr. Beckwith to address these concerns in his narrative for the next meeting.

Jeannine Tonetti asked if all slaughtering will be done in Canann. Mr. Beckwith replied: "Yes".

Jeannine Tonetti moved to schedule the public hearing for the next regularly scheduled meeting to be held on February 5, 2013. The motion was seconded by Phyllis Stoller and carried on the following vote:

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

Adjournment:

The meeting adjourned at 8:00 pm

Respectfully submitted,

Cissy Hernandez
Planning/Zoning Clerk