



Town of New Lebanon  
Zoning Board of Appeals Minutes – Unapproved  
September 5, 2017

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Present: Anthony Murad, Zoning Board of Appeals Chairman  
Phyllis Stoller, Zoning Board of Appeals Member  
Ted Salem, Zoning Board of Appeals Member

Absent: Jeannine Tonetti, Zoning Board of Appeals Member

Others Present: Dave Henry, Andrew Didio, Mr. and Mrs. Hanna, CEO Hernandez and Deputy CEO Hattat

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**I. Call to Order**

Chairman Murad called the Town of New Lebanon Zoning Board of Appeals regular meeting to order at 7:31 pm

**II. Minutes Review**

Upon review of the August 1, 2017 regular minutes, after a few corrections, a motion was made by Ted Salem seconded by Phyllis Stoller to accept the minutes as amended and the vote carried as follows:

Chairman Murad	Aye
Ted Salem	Aye
Phyllis Stoller	Aye
Jeannine Tonetti	Absent

**CASE NO: ZBA-2017-005 RANDALL HATCH (19.2-1-72)**

Requesting a variance from the sign law.

Due to the applicants failure to appear the Board took this action.

Ted Salem made a motion to notify the applicant that her application has been considered abandoned Phyllis Stoller seconded it. The vote carried as follows:

Chairman Murad	Aye
Ted Salem	Aye
Phyllis Stoller	Aye
Jeannine Tonetti	Absent

**CASE NO: ZBA 2017-006 Patricia Laraway (19.1-138)**

The applicant is requesting variance from the sign law.

Due to a former violation being remedied by payment plan with the court, the Board could not take action on this case until such matter is resolved.

**CASE NO: ZBA -2017-007 Serge Bervy Jr. ( 19.4-1-22)**

Requesting an area variance.

The Chairman made mention to the Applicant that he had a right to hold on his case due to the fact that the board was missing members to obtain a full Board review.

The applicant is requesting an area variance for the 100 ft. set back from the stream on the property. The applicant told the board that they are proposing to build five buildings with a pond for drainage. The applicant stated that the centerline will be a 42 ft. setback and the front will be 75 ft. setback from the road, they plan to maintain the vegetation around the property.

The Board asked about moving the buildings South and the applicant stated that moving them would affect the DEC wetlands. He also stated that they have tried turning the building and that didn't leave enough room.

The Applicant told the Board that the buildings will be slab on grade and the drive would be all gravel and the buildings are about 10.5 ft. tall. They also plan on put a screening along the front. Chairman Murad asked about the Army Corp of Engineers being notified and The Applicant stated that it is only a DEC buffer.

Phyllis Stoller made a motion to set the Public Hearing for October 3, 2017 at 7:30 pm and Ted Salem seconded it. The vote carried as follows:

Chairman Murad	Aye
Ted Salem	Aye
Phyllis Stoller	Aye
Jeannine Tonetti	Absent

The Board also stated that they will be deferring SEQRA to the Planning Board for Decision.

**CASE NO: ZBA -2017-008 M&M TAP AND TAVERN (19.2-1-51):**

The applicant is looking for area variance.

The applicant failed to appear and the Board took this action.

A motion was made by Phyllis Stoller to hold the Case over until next month's meeting and Chairman Murad second it. The vote carried as follows:

Chairman Murad	Aye
Ted Salem	Aye
Phyllis Stoller	Aye
Jeannine Tonetti	Absent

Ted Salem made a motion to adjourn the meeting at 8:15 pm and Phyllis Stoller seconded it. The vote carried as follows;

Chairman Murad	Aye
Ted Salem	Aye
Phyllis Stoller	Aye
Jeannine Tonetti	Aye

Respectfully Submitted,

Lisa Henry  
Planning and Zoning Clerk