



Town of New Lebanon  
Zoning Board of Appeals Minutes – Unapproved  
October 3, 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, Deputy CEO Hattat, Ms. Gordon  
JJ Johnson Smith, Bob Smith, and Wes Powell

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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 7:30 pm

**II. Minutes Review**

Upon review of the September 5, 2017 regular meeting minutes, a motion was made by Ted Salem seconded by Phyllis Stoller to accept the minutes as submitted and the vote carried as follows:

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

**III. Please See Public Hearing Minutes for CASE NO: ZBA -2017-007 Serge Bervy Jr. (19.4-1-22)**

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

Requesting a 57.6 ft. area variance.

Chairman Murad opened the regular meeting with discussion of the Bervy variance. He stated that the ZBA is obligated to impose conditions if deemed necessary. It was observed by the members that there would be little or no impact on the stream, but there were visual concerns. Discussion ensued as to whether the ZBA should be imposing visual conditions when the request was only for the setback relief. The consensus was that solid screening so that the structures would not be visible from the road was desirable, but the decision should be the Planning Board's and therefore the ZBA should only make a recommendation.

Phyllis Stoller made a motion to grant the 57.6' variance with a recommendation to the Planning Board to impose a condition to require solid tree screening so that the structures cannot be seen from the road, seconded by Ted Salem. The vote carried as follows:

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

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

The applicant is looking for area variance for a shed and a variance from the sign law Mr. Munsinger gave a brief description of the 12x 20 shed in question. He told the Board the reason it was built. He also stated that he had support from the abutter landowner.

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

**Case No. ZBA -2017-009 Stewarts Shops (19.2-1-50)**

Requesting a variance from the sign law.

Mr. Potter began by telling the board about the sign that the new Stewarts is requesting it's a 63-sq. ft. 2-sided sign. There will be a canopy but has nothing on it. The only other sign will be the sign on the building. Stewarts is also looking to purchase the adjacent property for the expansion. Chairman Murad asked the applicant if the island had been approved by DOT. Ted Salem asked if there is a proper way to go in and out. The applicant said that the entrances are both ingress and egress. The store will be 3695 sq. ft. and the new building will sit back further from the road. The applicant stated that he will be doing a Storm Water Pollution Plan and that he will not need to get Army Corp involved.

Ted Salem made a motion to set the Public Hearing for November 7<sup>th</sup> at 7:30pm. Phyllis Stoller seconded it and 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 8:45 pm and Phyllis Stoller seconded it. The vote carried as follows;

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

Respectfully Submitted,

Lisa Henry  
Planning and Zoning Clerk