



Town of New Lebanon
Zoning Board of Appeals Minutes - unapproved
May 07, 2019

Present: Chuck Geraldi, Member
Ted Salem, Member
Phyllis Stoller, Member
Jeannine Tonetti, Member

Absent: Anthony Murad, Chairman

Others Present: Cissy Hernandez, CEO; Tegan Joy Cook, Mark Baumli

I. Call to Order

Acting Chairman Chuck Geraldi called the Regular Meeting of the Town of New Lebanon Zoning Board of Appeals to order at 7:00 p.m.

II. Minutes Review

Upon review of the, February 5, 2019, meeting minutes, a motion was made by Chuck Geraldi, and seconded by Phyllis Stoller, to approve the minutes as submitted. The vote carried as follows:

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

III. Regular Meeting

Case No. ZBA-2019-004-Jesse Newton/Country Squire Supply (8.-2-36.12)

(Preliminary) The Applicant is requesting an area variance for excessive signage on its property located at 1224 Route 20.

Jesse Newton owner of Country Squire Supply appeared on his own behalf and explained why he is requesting a sign variance. He explained that the sign on the road is 11 sf over the allowable size requirements. He would like to keep the road sign as is because it advertises what services the business supplies and the initial cost of the sign was \$3,000. He also stated that the building signs “are not needed but would like to keep them”, (they were a gift from a local craftsman).

Mr. Newton also explained that the sign takes 2.1 seconds to read if you are traveling 55 MPH.

Ted Salem stated that this case should go to a public hearing. Chuck Geraldi motioned to hold a public hearing on June 4, 2019. Phyllis Stoller seconded the motion. The vote carried as follows:

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

Case No. ZBA- 2019-005- Frank Rubino/Tilden Flea Market (19.2-1-69)

(Preliminary) The Applicant is appealing ZEO determination.

Frank Rubino is the owner of the Tilden Plaza, which he purchased 13 months ago. The applicant appeared on his own behalf and he requested an appeal of interpretation. The CEO requested that all poles and tables be removed from the flea market. Mr. Rubino stated, "I can see the tables and poles being an eyesore". He was also concerned that the vendors were too old to set up and pull down their displays on a weekly basis.

Mr. Rubino said that he is not questioning the framing issue and that he will have all framing removed in a timely manner.

Mr. Rubino was questioning the ruling on allowing vendors only behind the buildings and not on the sides. "It doesn't make sense", he stated. CEO Hernandez explained to him that the original flea market was located in the back of the building. Mr. Rubino asked for an amendment of permit.

Board Member Geraldi questioned, "Do we have a public hearing.? Discussion took place on how to handle this case. Board member Jeannine Tonetti, "something was permitted and then the rights changed".

Board Member Tonetti made a motion on the interpretation to be held at a public hearing on July 2, 2019. Board member Salem seconds the motion. The vote carried as follows:

Chairman Murad	Absent
Chuck Geraldi	Aye

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

(Clerical Note- Public Hearing never took place. Appeal withdrawn. See attached.)

Case No. ZBA-2019-003–Hunter M. Metzler (7.-1-45.200)

(Preliminary) The Applicant is requesting an area variance to build a 1,200 sf accessory building to be used as a garage/storage on his property located at 1612 County Route 13.

Mr.Metzler was not present at the meeting. In his variance request he is asking for 75 sf to build a garage, where currently he has sf. The board requested Mr. Metzler to come to the meeting to explain himself exactly what he is asking for.

The board also requested for verification in regards to the sf from the road. The ZBA clerk will contact Mr. Metzler in regards to the abutters list.

Board member Tonetti made a motion to bring this matter to a public hearing scheduled for June4, 2019. Board member Phyllis Stoller seconds the motion. The vote carried as follows:

Chairman Murad	Absent
Chuck Gerald	Aye
Ted Salem	Nay
Phyllis Stoller	Aye
Jeannine Tonetti	Aye

With no further business before the Board, Acting Chairman Gerald asked for a motion to close the meeting at 7:40, and seconded by Member Stoller.

Respectfully submitted,
Michelle I. Bienes
 Michelle I. Bienes
 Planning/Zoning Clerk