



**Town of New Lebanon  
Zoning Board of Appeals Minutes – unapproved  
September 06, 2022**

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Present: Anthony Murad, Zoning Board of Appeals Chairperson  
Charles Gerald, Zoning Board of Appeals Member  
Ted Salem, Zoning Board of Appeals Member  
Jeannine Tonetti, Zoning Board of Appeals Member  
Phyllis Stoller, Zoning Board of Appeals Member

Others Present: ZEO Hernandez, CEO Hattat, LVPA Fire Chief Houghtling, LVPA President  
Godfroy, Planning Board Chair Brutsch, Town Board Member Anthonisen,  
And seven community members

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**I. Approval of Minutes**

August 2, 2022

Board Member Salem made a motion to approve the minutes. Board Member Tonetti second the motion. The vote carried as follows:

Chairman Anthony Murad-	Aye
Board Member Ted Salem-	Aye
Board Member Jeanine Tonetti-	Aye
Board Member Charles Gerald-	Aye
Board Member Phyllis Stoller-	Aye

Board Chairman Murad opened the public hearing at 7:02 PM.

**I. Public Hearing**

**Case No. ZBA 2022-005 Lebanon Valley Protective Association TM # 18.-1-77**

Area Variance. The proposed footprint of the new structure is 6,480 square feet which requires an area variance.

Board Chair Murad went over the zoning law process and the zoning law requirements. He also explained that the Planning Board will make the final decision on this application.

The Zoning Board will make their decision based on the five factors.

Mr. Godfroy explained the reasoning behind the application for a variance. He explained that the LVPA is requesting a 2,480 square foot variance to build an accessory building for equipment and fire trucks.

Mr. Godfroy explained that an alternative to the proposed application would be to build a 4,000 Square foot building with an accessory building of 2,480 square feet. As two accessory structures are permitted on a lot, this approach would bring the project into compliance. However, the LVPA would incur additional construction costs, but more importantly would lose the connectedness of having all equipment and apparatus in one facility, which has been the driving force in consolidating the two current structures. Especially in this case where minutes matter

in emergency response. It is essential to have equipment readily available. Substantiality, at more than 50% above the permitted bulk area of 4,000 square feet, the request is unquestionably substantial. However, as state in the response to the alternative factor, compliance with the bulk area limit would place an undue burden on the applicant not only in construction costs, but more importantly could extend emergency response time if equipment has to be gathered from two buildings rather than one.

Board Member Stoller asked if the proposed firehouse would be larger than the current firehouse. President Godfroy explained that it would be a little larger than the two current buildings added together.

Board Member Salem inquired about the bays. President Godfroy said that the door with the bays would be large enough to accommodate the trucks.

Community member Joe Oglivie posed the following questions:

- 1- Will trucks pull out on Mill Rd.? – The trucks will pull out of Route 20, Mill Road does not meet the specs.
- 2- Will the building be built to essential code? – Yes
- 3- Will trucks be backed in? – Yes
- 4- Is there an environmental study? – The environmental study is a planning board issue.
- 5- Why build on the lowest part of the valley? – The building will be raised 6 inches.
- 6- Is the property in a flood zone? – No, according to the surveyed map the building would not be in a flood plain.

Community Member Peter Watson posed the following questions:

- 1-How big is the building really? - The accessory building will be 6, 480 square feet.
- 2-What is the square footage of the American Legion building? – 4, 600 square feet

Board Chair Murad explained that the variance application is for the 6, 480 square foot accessory building.

Board member Salem made a motion to close the Public Hearing. Board Member Stoller second the motion. The vote carried as follows:

Chairman Anthony Murad-	Aye
Board Member Ted Salem-	Aye
Board Member Jeanine Tonetti-	Aye
Board Member Charles Gerald-	Aye
Board Member Phyllis Stoller-	Aye

Respectfully Submitted,

Michelle Bienes  
ZBA Clerk