



**Town of New Lebanon
Zoning Board of Appeals Minutes – unapproved
September 07, 2022**

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

I. Regular Meeting

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 Member Tonetti stated that she has a concern in regards to the assessor building because it adds a lot to the property. Board Chair Murad explained that the concern would be addressed during the site plan review process. Board Member Salem said that there is no other place for the accessory building according to the footprint.

The Board reviewed the 5 factors:

- 1- Compatibility with the neighborhood. Member Salem said that it is not an undesirable change to the character of the neighborhood. He also explained that there are businesses currently present in this area. Member Tonetti stated that it just doesn't fit in this neighborhood. The board unanimously agreed that the building would be compatible with the neighborhood.
- 2- Is there an alternative? Board Chair said that there is no alternative. Member Salem stated that the LVPA already own the property. Member Tonetti explained that she thought it was the wrong site, but that there is no reasonable alternative. Members Stoller and Gerald agreed that there is no other alternative.
- 3- Substantiality- Is the area variance substantial. Board Chair Murad said that it is a substantial request by adding 50% to the footprint but it is an 8-acre lot.
- 4- Environmental issues- none.
- 5- Is it a self-created hardship? Yes, this is a self-created hardship because the property owner should have known the bulk limitation on the property.

Board Member Salem made a motion to approve the 2,480 square foot variance for the principal building due to the five standards and the application satisfies these standards and is good use of the property.

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 Member Gerald made a motion to close the Zoning Board of Appeals meeting at 8:00 PM . Member Salem 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 Geraldi- Aye
Board Member Phyllis Stoller- Aye

Respectfully Submitted,

Michelle Bienes
ZBA Clerk