



**Town of New Lebanon  
Zoning Board of Appeals Minutes – unapproved  
October 3, 2023**

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

Absent: Phyllis Stoller, Zoning Board of Appeals Member

Others in Attendance: Mr. Muadin via Google Meets

**I. Call to Order 7:02pm**

**II. Public Hearing**

**Case No: ZBA 2023-004– Area Variance Mark Stephenson [TM # 18.-1-52]**

Area Variance for Covered Porch

**Property Owner:** Mark Stephenson

The applicant requests a variance to build a porch 40 from center of road (;county 34)

Facts. The house predates the adoption of zoning laws in new Lebanon. The existing structure is 50’ from road centerline. The request is to add a covered porch 10’ in depth to cover the front of the building. The required frontage setback is 75’. The request will result in a 35’ variance. Chairman Murad asked if there was any public that wished to speak and Mr. Muadin who was in attendance via Google Meets just wanted to inform the board of the great job Mr. Stevenson was doing on the house.

Motion to close the Public Hearing made at 7:06pm by board member Salem and seconded by board member Tonetti. 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-	Absent

**III. Regular Meeting**

Board Chairperson Murad opened the regular meeting at 7:06pm

The board of appeals considered the five factors:

1. The requested structure is compatible with surrounding architecture and will not alter that character of the neighborhood

2. There is no viable alternative to relocating the proposed porch
3. The proposed porch will not create a substantial change to the property
4. There are no environmental issues.
5. The board finds the hardship to be self created, in that that the applicant knew or should have known at the time of purchase that the structure did not comply with the setback requirements. In area variance case, this not a cause for denying the variance request.

The zoning board of appeals upon consideration of the facts voted to GRANT the request for a 35' setback from route 34

Board member Tonetti made a motion to approve the request for a 35' setback from route 34  
 Seconded by member Salem. 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-	Absent

Board reviewed June 6<sup>th</sup> meeting minutes and board member Salem made a motion to accept them into the records, Board Member Tonetti seconded.

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

Board Member Gerald made a motion to close the Zoning Board of Appeals meeting at 7:13 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 Gerald-	Aye
Board Member Phyllis Stoller-	Absent

Respectfully Submitted,

Samantha Long  
 ZBA Clerk