



Town of New Lebanon
Zoning Board of Appeals Minutes – unapproved
October 1, 2024

Present: Anthony Murad, Zoning Board of Appeals Chairman
Meghan Knoll, Zoning Board of Appeals Member
Ted Salem, Zoning Board of Appeals Member

Absent: Chuck Geraldi, Zoning Board of Appeals Member
Sharon Powers, Zoning Board of Appeals Member

Others Present: Lori Krane, Mickey Soldato, Jeff Hattat, and Cissy Hernandez

Call to order:

Upon the close of two public hearings, Chairman Murad called the regular meeting of the Town of New Lebanon Zoning Board of Appeals to order at 7:04 pm.

Case No: PB-2024-004-Appeal Interpretation- [TM # 19.2-1-46.2] and;
Referred to the ZBA for an interpretation as to whether a Short-Term Rental use is a residential use not requiring Site Plan Review, or a Business Use/Change in use that would trigger Site Plan Review
Property Owner: Michael and Lynne Soldato

Case No: PB- 2024-003-Appeal Interpretation- [TM # 30.-1-4]
Referred to the ZBA for an interpretation as to whether a Short-Term Rental use is a residential use not requiring Site Plan Review, or a Business Use/Change in use that would trigger Site Plan Review
Property Owner: Lori Krane

The applicants explained that they referred by the Planning Board to request an interpretation as to whether Site Plan Review is triggered by a proposal for a Short-Term Rental.

The board discussed and reasoned that Short Term Rentals are residential only. The ZBA reasoned if they were commercial, they wouldn't be permitted in a Residential zone, where most short-term rentals are located. In the Soldato case it was determined that the residence was a short-term rental prior to the adoption of the short-term regulations and was therefore exempt from further action by the Planning Board. In the Krane case it was determined that the applicant should proceed with the Special Permit requirements before the Planning Board.

Ted Salem motioned to interpret Short Term Rentals as a residential use. The motion was seconded by Meghan Knoll and carried on the following vote:

Tony Murad	Aye
Chuck Geraldi	Absent
Meghan Knoll	Aye
Sharon Powers	Absent
Ted Salem	Aye

Minutes Review

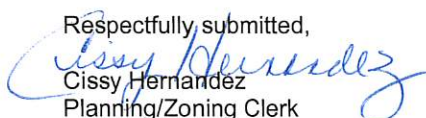
Upon review of the April 2, 2024, minutes Ted Salem motioned to accept them as submitted. Tony Murad seconded the motion that carried on the following vote:

Tony Murad	Aye
Chuck Geraldi	Absent
Meghan Knoll	Aye
Sharon Powers	Absent
Ted Salem	Aye

ADJOURNMENT:

Chairman Murad moved to adjourn the meeting at 7:30 pm. The motion was seconded by Ted Salem and carried unanimously.

Respectfully submitted,


Cissy Hernandez
Planning/Zoning Clerk



New Lebanon
NEW YORK

Zoning Board of Appeals
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Town Supervisor: Tistrya Houghtling

Chairperson: Anthony Murad

Charles Galdi, ZBA Member
Jeannine Tonetti, ZBA Member
Ted Salem, ZBA Member
Phyllis Stoller, ZBA Member

ZBA Decision

October 1, 2024

Case No: PB-2024-004-Appeal Interpretation- [TM # 19.2-1-46.2] and;

Referred to the ZBA for an interpretation as to whether a Short-Term Rental use is a residential use not requiring Site Plan Review, or a Business Use/Change in use that would trigger Site Plan Review

Property Owner: Michael and Lynne Soldato

Case No: PB-2024-003-Appeal Interpretation- [TM # 30.-1-4]

Referred to the ZBA for an interpretation as to whether a Short-Term Rental use is a residential use not requiring Site Plan Review, or a Business Use/Change in use that would trigger Site Plan Review

Property Owner: Lori Krane

A request was made by the planning board to the ZBA to interpret the zoning law relative to short term rentals and whether they are a commercial or residential use. Two cases were cited: Soldato house on Rt. 20/22 and Lori Krane 32 Terrace Drive.

The board discussed and reasoned that Short Term Rentals are residential only. The ZBA reasoned if they were commercial, they wouldn't be permitted in a Residential zone, where most short term rentals are located. In the Soldato case it was determined that the residence was a short-term rental prior to the adoption of the short-term regulations and was therefore exempt from further action by the Planning Board. In the Krane case it was determined that the applicant should proceed with the special permit requirements before the Planning Board.

Ted Salem motioned to interpret Short Term Rentals as a residential use. The motion was seconded by Meghan Knoll and carried on the following vote:

Tony Murad	Aye
Chuck Galdi	Absent
Meghan Knoll	Aye
Sharon Powers	Absent
Ted Salem	Aye

Respectfully,

Anthony Murad
Zoning Board of Appeal Chairperson