



Town of New Lebanon  
Zoning Board of Appeals Minutes – unapproved  
November 5, 2024

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

Absent: Chuck Gerald, Zoning Board of Appeals Member

Others Present: Phillip Rathgeb, Tim Schroder

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**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 7:08 pm.

**Minutes Review**

Upon review of the October 1, 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 Gerald	Absent
Meghan Knoll	Aye
Sharon Powers	Aye
Ted Salem	Aye

**Case No: PB 2024-008-Area Variance – Phillipp Rathgeb [TM # 19.-1-10]**

(Admin Note) Cloudpermit is using "PB" suffix instead of ZBA

Request for Area Variance to install ground mounted solar array located at 103 Cemetery Road

Upon reviewing the five balancing tests in connection to area variance criteria to determine if the proposal shall balance benefit to the applicant with detriment to health, safety & welfare of the community, Meghan Knoll moved to grant the 16 foot area variance as submitted by the applicant. Ted Salem seconded the motion that carried on the following vote:

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

**Case No: PB 2024-007-Area Variance – Tim Schroder [TM # 8.-1-34.100]**

(Admin Note) Cloudpermit is using "PB" suffix instead of ZBA

Request for Area Variance on pre-existing non-conforming lot located at 4243 County Route 9 to replace a 12x66 Manufactured Home with a 14 x 70 Mobile home

The Board reviewed and discussed the original area variance that was approved on this property on August 5, 1971. Upon reviewing the five balancing tests in connection to area variance criteria to determine if the proposal shall balance benefit to the applicant with detriment to health, safety & welfare of the community, Ted Salem moved to grant the 10 foot area variance as submitted by the applicant. Ted Salem seconded the motion that carried on the following vote:

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

**ADJOURNMENT:**

Chairman Murad moved to adjourn the meeting at 7:25 pm. The motion was seconded by Ted Salem and carried unanimously.

Respectfully submitted,

Cissy Hernandez, Interim Planning/Zoning Clerk



**MINUTES OF A PUBLIC HEARING OF THE ZONING BOARD OF APPEALS OF  
THE TOWN OF NEW LEBANON HELD ON NOVEMBER 5, 2024  
ON A REQUEST MADE BY PHILLIP RATHGEB (TM# # 19.-1-10) FOR  
FOR AN AREA VARIANCE**

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

Absent: Chuck Geraldi, Zoning Board of Appeals Member

Others Present: Phillip Rathgeb and Tim Schroder

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**Case No: PB 2024-008-Area Variance – Phillipp Rathgeb [TM # 19.-1-10]**

**(Admin Note) Cloudpermit is using "PB" suffix instead of ZBA**

Request for Area Variance to install ground mounted solar array located at 103 Cemetery Road

No members of the public were present to offer comments, and no written communications have been received.

The public hearing was closed at 7:05 PM.

-Respectfully submitted, -

Cissy Hernandez  
Acting Planning/Zoning Clerk



**MINUTES OF A PUBLIC HEARING OF THE ZONING BOARD OF APPEALS OF  
THE TOWN OF NEW LEBANON HELD ON NOVEMBER 5, 2024  
ON A REQUEST MADE BY TIMOTHY SCHRODER (TM# # 8.-1-34.100) FOR  
FOR AN AREA VARIANCE**

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

Absent: Chuck Geraldi, Zoning Board of Appeals Member

Others Present: Phillip Rathgeb and Tim Schroder

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**Case No: PB 2024-007-Area Variance – Tim Schroder [TM # 8.-1-34.100]**

(Admin Note) Cloudpermit is using "PB" suffix instead of ZBA

Request for Area Variance on pre-existing non-conforming lot located at 4243 County Route 9 to replace a 12x66 Manufactured Home with a 14 x 70 Mobile home

No members of the public were present to offer comments, and no written communications have been received.

The public hearing was closed at 7:07 PM.

-Respectfully submitted, -

Cissy Hernandez  
Acting Planning/Zoning Clerk



# New Lebanon

NEW YORK

**Zoning Board of Appeals**

PO Box 328

New Lebanon, NY 12125

Office Phone: 518.794.8884

Email: [pzclerk@townofnewlebanon.com](mailto:pzclerk@townofnewlebanon.com)

*Town Supervisor: Tistrya Houghtling*

*Chairperson: Anthony Murad*

*Charles Gerald, ZBA Member  
Meghan Knoll, ZBA Member  
Jeannine Tonetti, ZBA Member  
Sharon Powers, ZBA Member  
Ted Salem, ZBA Member*

*Interim Clerk: Cissy Hernandez*

November 5, 2024

Phillip Rathgeb  
103 Cemetery Road  
New Lebanon, NY 12125



Re: Case# PB-2024-008 - Zoning Board of Appeals Decision – November 5, 2024  
16 ft. Area Variance to install Ground Mount Solar Array  
SBL# 19.-1-10

Dear Mr. Rathgeb:

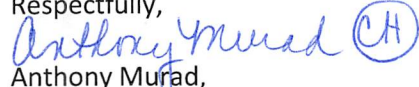
The following was reviewed and approved at the Zoning Board of Appeals meeting held on November , 2024 in connection with your application number PB-2024-008.

The applicant wishes to locate a ground solar array 15' feet from the abutting property line, a parcel which he also owns.

After a public hearing, the board considered the factors:

1. There would be no disruption to the character of the neighborhood.
  2. There is no suitable alternatives
  3. the request is not substantial
  4. there are no environmental issues
  5. This is a self-created hardship, but in area variances, it is not a reason for denial
- The motion was to grant the variance due to the above factors being satisfied.

Respectfully,



Anthony Murad,  
Zoning Board of Appeals Chairman



**New Lebanon**  
NEW YORK

**Zoning Board of Appeals**  
PO Box 328  
New Lebanon, NY 12125  
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*Town Supervisor: Tistrya Houghtling*

*Chairperson: Anthony Murad*

*Charles Gerald, ZBA Member*  
*Meghan Knoll, ZBA Member*  
*Jeannine Tonetti, ZBA Member*  
*Sharon Powers, ZBA Member*  
*Ted Salem, ZBA Member*

*Interim Clerk: Cissy Hernandez*

November 5, 2024

Timothy Schroder  
4243 County Route 9  
E. Chatham, NY 12060



Re: Case# PB-2024-007 - Zoning Board of Appeals Decision – November 5, 2024  
Request for Area Variance on pre-existing non-conforming lot located at 4243 County Route 9 to  
replace a 12x66 Manufactured Home with a 14 x 70 Mobile home  
SBL# 8.-1-34.100

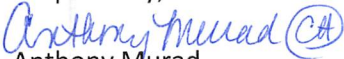
Dear Mr. Schroder:

The applicant needs to replace an existing non-conforming mobile home with a larger unit as described in the application. After a public hearing the board determined that:

1. There would be no adverse impact on the neighborhood
2. There is no alternative as the lot is non-conforming
3. the request is not substantial
4. There will be no environmental impact
5. This is a self-created hardship, but in area variances this is not fatal to the request

The board voted to approve a variance of 10 feet based on the above factors

Respectfully,



Anthony Murad,  
Zoning Board of Appeals Chairman