



**Town of New Lebanon
Zoning Board of Appeals Minutes – unapproved
November 4, 2025**

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

Others Present: Mike McGovern

I. Call to order:

Interim Chairman Salem called the meeting of the Zoning Board of Appeals to order at 7:00PM.

II. Minutes review:

Upon review of minutes from September 2nd Public Hearing and Regular Meeting Minutes a motion to approve the minutes as drafted was made by Board Member Salem and seconded by Board Member Knoll and carried to the following vote:

Chairman Murad – Abstained/recused
Board Member Salem – Aye
Board Member Powers – Aye
Board Member Knoll – Aye
Board Member Gerald - Aye

III. Regular Meeting/Case Review:

Case # PB-2025-020 – Area Variance – Soldato (TM# 20.1-1-41.2)

Applicants are seeking an Area Variance approval for relief from 205-7 to install a pool on the subject property, whose location would be 55 feet from the road center, which currently requires 75 feet, therefore not meeting the minimum setback requirements.

Additional Board discussion continued after the closure of the public hearing. The board discussed the five factors:

1) Undesirable Change to the Neighborhood – There would be no undesirable change to the neighborhood, as the pool location is screened by the current existing residence, and screened from the road with a fence, which is also serving as a safety feature.

2) Feasible Alternatives – Alternative locations were considered, however moving the pool to another location would prohibit visibility from the property and would be costly as extensive excavation would need to occur. The location proposed is the only flat location closest to the subject property.

3) Substantiality – The request is not substantial, as the requested area variance will meet the existing footprint of the residence and no further changes.



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4) Adverse Impact Effect – The area variance would not have an adverse impact as no major environmental changes will occur, the pool will be screened from neighbors and the road, and will be landscaped.

5) Self-Imposed Hardship – The Board agreed with the applicant that this is a self-created hardship due to the topography of the property and due to other locations being non-visible from the residence, therefore creating a safety issue.

Upon completion of the five factors, a motion was made to approve the area variance for 20' relief of the required 75' set back requirement by Board Member Salem and seconded by Board Member Powers and carried to the following vote:

Chairman Murad – Aye
Board Member Salem – Aye
Board Member Powers – Aye
Board Member Gerald – Aye
Board Member Knoll - Aye

IV. Adjournment

A motion was made by Board Member Gerald to close the regular meeting, seconded by Board Member Salem and the motion was carried by the following vote:

Chairman Murad – Aye
Board Member Salem - Aye
Board Member Gerald – Aye
Board Member Knoll – Aye
Board Member Powers – Aye

Interim Chair Salem called the regular meeting to close at 7:15PM.

Respectfully submitted,

Courtney Potter
Planning/Zoning Clerk