

Town of Otsego Zoning Board of Appeals
Minutes – January 17, 2012

REGULAR MEETING

The monthly Town of Otsego Zoning Board of Appeals (ZBA) meeting was held on this date at the Town Office Building in Fly Creek, NY. Chairman Greg Crowell called the meeting to order at 7:01 PM and roll call was taken by Secretary Bill Deane. Board members present were Crowell, Sam Hoskins, Ed Hobbie, and Christopher Voulo. Voulo, formerly the alternate member, had been appointed to fill the vacancy left by Bill Kitchen's resignation. Also appointed were Carina Franck, replacing Tony Scalici (whose term expired and who did not seek reappointment), and Michael Pelcer, replacing Voulo as alternate. Franck and Pelcer were present but, because they had not yet been sworn in, did not participate in deliberation or voting. Introductions were made. Zoning Enforcement Officer Hank Schecher was also present.

Chairman Crowell asked if anyone had a potential conflict with tonight's applicant. No one reported any conflict.

The Board reviewed the minutes of December 20, 2011, mailed to the members. Hobbie moved to approve them as written. Voulo seconded the motion and it was approved, 4-0.

Chairman Crowell passed around replacement pages for the *Land Use Law*, provided by Town Clerk Pam Deane, containing changes to the laws passed by the Town Board. There was no other correspondence received since the last meeting.

The Board moved on to applications.

APPLICATIONS

12.01 – Joseph Galati & Susanne Adsit – Area variance, addition of porch to existing Hickory Grove building – 6718 State Highway 80 (#69.44-1-5.00)

Applicant Joe Galati submitted an application package and explained his proposed phased project. He wants to convert The Inn at Hickory Grove into a complex including 12 furnished apartment buildings, a three-bay garage with an apartment above, a swimming pool house, and a picnic area. Because part of the proposed project (an

expanded porch) will be within 35 feet of State Highway 80, short of the 60-foot requirement for a front-yard setback in the RA1 district, he will need a 25-foot variance on the east side.

The Board examined the application package. Sam Hoskins pointed out that the building entrance is on the Red House Hill Road (south) side of the property, arguably making that the front side. If so, Galati would not need a variance, since the side-yard limits are only 30 feet. The Board discussed that concept, but could find nothing in the *Land Use Law* governing the definition of “front” or “side.” Chairman Crowell asked Galati to find out the dimensions of New York State Department of Transportation’s right-of-way from State Highway 80 by the next meeting. (Galati later spoke with Jerry Murello of the NYSDOT, who said that the road width in that area is 66 feet.)

Sam Hoskins moved to deem the application complete and schedule a public hearing for February 21. Ed Hobbie seconded the motion and it was approved, 4-0.

12.02 – Gene Ellis – Area variance, addition of pole barn – 109 Log Cabin Road (#52.11-1-21.00)

Zoning Enforcement Officer Schecher said that this application had come in after the agenda deadline, but asked the Board to consider it. Applicant Gene Ellis wants to add a 30’x40’ two-story (26’ high) pole barn on his property in the RA2 district.

The Board examined the application and supporting documents. The consensus was that the only thing missing was a site plan showing the proposed new building and documentation on dimensions. They gave Ellis an opportunity to prepare that while they waited.

After reviewing the site plan, the Board determined that Ellis would need two variances: 40 feet from the north side (road) and five feet from the south side. Chairman Crowell asked whether the pole barn could be located elsewhere on the property. Ellis said it could not due to various factors, including the location of a spring house, and much of the property being within 100 feet of Canadarago Lake.

Chairman Crowell asked to adjourn to executive session at 7:53. He asked to come out of executive session at 7:57. During the session, the Board discussed the completeness and merits of the

application.

Sam Hoskins moved to deem the application complete and schedule a public hearing for February 21. Ed Hobbie seconded the motion and it was approved, 4-0.

OTHER BUSINESS

Ed Hobbie moved to nominate Sam Hoskins as Vice-Chairman for 2012. Christopher Voulo seconded the motion and it was approved, 3-0, with Hoskins abstaining.

Chairman Crowell said that he had contacted the New York Planning Federation, and arranged to administer an on-line course for the ZBA members. This will satisfy their annual training requirements.

Hoskins moved to thank Tony Scalici for his contributions to the ZBA over the years, saying he had learned a lot from him. Chairman Crowell seconded the motion and it was approved, 4-0.

With no further business, at 7:59 Chairman Crowell adjourned the meeting.

Respectfully submitted,
Bill Deane, Secretary