

Town of Otsego Zoning Board of Appeals (ZBA)

Minutes – February 21, 2023

(Will be approved with any necessary amendments at the next meeting)

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 7:02 PM and led the Pledge of Allegiance.

Roll call was taken by clerk Bill Deane. Board members present were Crowell, Sal Furnari, Tony Scalici, and Corinne Armstrong. With John Dewey (vice-chairman) and alternate members John Tedesco and Dean Robinson absent, alternate member Mary Anne Whelan joined the meeting table. Also present was Town Zoning Enforcement Officer Wylie Phillips.

Chairman Crowell asked whether any Board members had an ethical or legal conflict with tonight's application. No one reported any conflict.

The Board reviewed the minutes of January 17, 2023, e-mailed to the members. Chairman Crowell moved to approve them as written. Armstrong seconded the motion and it was approved, 5-0.

There was no correspondence received since the last meeting. The Board moved on to the application.

APPLICATION

23.01 – Emilie Rigby – Area variances, reconstruction of porch within 100 feet of Canadarago Lake in RA2 district – 139 Marble Road (#52.11-1-11.01)

Applicant Emilie Rigby wants to reconstruct a covered porch on her property within 100 feet of Canadarago Lake. Rigby said the porch would have the same footprint and height as the previous one, which was removed in 2017. Because it was not replaced within two years, variances are needed to replace it now. Zoning Enforcement Officer Phillips said the ZBA application fee had been paid.

Rigby submitted a site plan and photos, which the members examined. They determined that the following variances would be needed, accounting for roof overhangs, specific to this project: a 15-foot variance on the south side; a 10-foot variance on the north side; and a variance from *Land Use Law* 4.04, which prohibits new construction within 100 feet of Canadarago Lake.

Tony Scalici moved to deem the application complete and schedule a public hearing for March 21. Corinne Armstrong seconded the motion and it was approved, 5-0. Clerk Bill Deane explained to Rigby that, if the variances were granted, she would next have to go to the Planning Board for site plan approval.

OTHER BUSINESS

Zoning Enforcement Officer Phillips reported on various topics:

- Town Board voting on the proposed *Land Use Law* changes was tabled until March.
- The Planning Board approved the Brian Pyle application, which the ZBA had granted variances for in January.
- The appeal deadline on the Schaer Article 78 decision has passed.

Corinne Armstrong said she would not be present for the March ZBA meeting.

With no further business, at 7:21 Chairman Crowell moved to adjourn the meeting. Armstrong seconded the motion and it was approved, 5-0.

Respectfully submitted,
Bill Deane, Clerk