

Town of Otsego Zoning Board of Appeals

Minutes – March 16, 2021

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

PUBLIC HEARING

21.02 – Bruce Kramer & Laura Kilty (Jackson Dubois/Redpoint Builders) – Area variance, construction of garage in RA1 district – 242 Johnstons Road (#98.00-1-78.00)

Chairman Greg Crowell opened the Kramer/Kilty public hearing at 7:00 PM, and asked if anyone from the public had comments or questions about the application. No one responded. Crowell read aloud a March 16 e-mail (filed) from Chris Kjolhede of 289 Johnstons Road, saying he had “no issue” with the proposed project. Crowell closed the hearing.

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 Secretary Bill Deane. Board members present were Crowell, John Dewey (vice-chairman), Sal Furnari, and Mary Anne Whelan. Dean Robinson, and alternate members Tony Scalici and Corinne Armstrong were absent. Town Supervisor Meg Kiernan and Zoning Enforcement Officer Jess Lanza were also present. Crowell asked Kiernan about getting another alternate member for the Board.

Chairman Crowell asked if anyone had a potential conflict with either of tonight’s applicants. No one reported any conflict.

The Board reviewed the minutes of February 17, 2021, e-mailed to the members. Dewey moved to approve the minutes as written. Chairman Crowell seconded the motion and it was approved, 4-0.

Other than the e-mail read during the public hearing, there was no correspondence received since the last meeting. The Board moved on to applications.

APPLICATIONS

20.08 – Leatherstocking Association Common Area/Vince Pyle (Chad Whitbeck) – Area variances, stairway & deck within 100 feet of Otsego Lake in RA1 district – 162 Browdy Mountain Road (#84.08-1-29.00)

Clerk Bill Deane read aloud from the ZBA minutes of February 17 relevant to the Leatherstocking application. No one was present to represent it.

Chairman Crowell said that the Board had received the documents requested at the previous meeting, including a 1991 deed to the “common area.” He will ask for Town Attorney Ryan Miosek’s input about its meeting the proof of ownership requirement. Crowell said that the front of the deck is 12 feet from the lakeshore, meaning a 23-foot rear-yard variance would be needed.

John Dewey moved to deem the application complete and schedule a public hearing for April 20. Sal Furnari seconded the motion and it was approved, 4-0.

21.02 – Bruce Kramer & Laura Kilty (Jackson Dubois/Redpoint Builders) – Area variance, construction of garage in RA1 district – 242 Johnstons Road (#98.00-1-78.00)

Clerk Bill Deane read aloud from the ZBA minutes of February 17 relevant to the Kramer & Kilty application. Applicant Bruce Kramer and representative Jackson Dubois were present.

The Board discussed the application and their site visits. Sal Furnari moved to approve the variance sought: a 16-foot variance on the west (Johnstons Road) side. Furnari said that the benefit sought cannot be achieved by any other feasible method; that no undesirable change will be produced in

the character of the neighborhood, nor detriment to nearby properties; that the requested variance is not substantial; that the project will have no adverse effect or impact on the physical or environmental conditions of the neighborhood; and that, though the alleged difficulty is self-created, the project is reasonable. Chairman Crowell seconded the motion and it was approved, 4-0.

21.03 – Constantine Gavalas (Jon McManus) – Area variance, upgrading of restaurant in hamlet business district – 6208 State Highway 28 (#114.05-1-37.00)

Representative Jon McManus was present. McManus said that owner Constantine Gavalas wants to upgrade the stairs at the former Harmony House restaurant, requiring a seven-foot variance on the rear (north) side. The Board examined the application documents.

John Dewey moved to deem the application complete and schedule a public hearing for April 20. Sal Furnari seconded the motion and it was approved, 4-0.

21.04 – Paul Kehoe (Josh Edmonds/Simple Integrity) – Area variance, garage renovation – 201 Buck Road (#83.00-1-24.02)

Representative Josh Edmonds of Simple Integrity was present. He said applicant Paul Kehoe wants to demolish and replace an existing house and garage. Because the garage already encroaches in the setback (37 feet from Buck Road), and the proposed new one would be slightly larger (24x30' instead of 24x24'), it would require a 23-foot variance on the southeast side.

The Board advised Edmonds that, if the new garage were in the same footprint as the old one, it would be considered a “replacement-in-kind,” not requiring a variance. Edmonds said he would discuss this with Kehoe, and let the Board know if that is the decision, in which case Kehoe could withdraw the application. In the meantime, he wanted the Board to proceed with the application as submitted.

Chairman Crowell moved to deem the application complete and schedule a public hearing for April 20. Mary Anne Whelan seconded the motion and it was approved, 4-0.

OTHER BUSINESS

Zoning Enforcement Officer said things were quiet in his office. He said that Ed Hobbie would be representing a new ZBA application in April.

With no further business, at 7:35 Crowell adjourned the meeting.

Respectfully submitted,
Bill Deane, Secretary