

Town of Otsego Zoning Board of Appeals

Minutes (Unapproved) – March 19, 2019

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, Dean Robinson, and John Dewey. John Tedesco (Vice-Chairman), Wally Melnichenko (new), and alternate members Tony Scalici and Tim Dolan (new) were absent. Deane reminded the Board that, with only three members present, a unanimous vote would be needed to pass any motion.

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

The Board reviewed the minutes of January 15, 2019, e-mailed to the members. Chairman Crowell moved to approve them as written. Robinson seconded the motion and it was approved, 3-0.

Deane distributed copies of the revised ZBA directory. There was no other correspondence received since the last meeting. The Board moved on to applications.

APPLICATIONS

19.01 – Cooperstown Country Club (Jon McManus, Tim Horvath) – Area variance, construction of deck in existing facility within 100 feet of Otsego Lake – 5748 State Highway 80 (#115.00-1-11.00)

The Cooperstown Country Club wants to construct a deck, which Zoning Enforcement Hobbie said would be 45-50 feet from Otsego Lake. Tim Horvath said he was the contractor for the project, and representing the applicant. Secretary Bill Deane read from the Planning Board's minutes of February 5 relevant to the application.

Horvath said the deck would replace existing stairs and a patio. He submitted photos and drawings, which the Board examined. Chairman Crowell said that the only variance required would be from *Land Use Law* 4.04, which prohibits construction within 100 feet of the Lake.

John Dewey moved to deem the application complete and schedule a public hearing for April. Dean Robinson seconded the motion and it was approved, 3-0.

19.02 – Nettie Jean Scarzafava (Elizabeth Davidson) – Area variance, construction of wine cellar in existing residence within 100 feet of Otsego Lake – 6762 State Highway 80 (#69.60-1-17.00 & -18.00)

Applicant Nettie Jean Scarzafava owns a residence within 100 feet of Otsego Lake. She wants to add a wine cellar tucked into the earth, and extend the existing deck along the shore. Elizabeth Davidson said she was the architect for the project, and representing the applicant. She said engineer Hans deWaal was also involved.

Davidson submitted photos and drawings, which the Board examined. She said that the applicant hopes to wind up with a deck measuring 16x92 feet. John Dewey asked if that was the minimum benefit she could ask for, and Davidson replied that it was the maximum. Davidson asked whether the break-wall would require a variance, but Chairman Crowell said that would be considered landscaping. Crowell asked whether the Board members could visit the property as a group, and Davidson agreed to this. Secretary Bill Deane reminded the Board that they could not discuss the merits of the case during such a visit, due to open meeting rules. Crowell said it would be merely an information-gathering session.

After considerable discussion, the Board agreed that the applicant would need the following variances: 20 feet from the east (Lake) and 27 feet from the west (center of State

Highway 80) for the wine cellar; 35 feet from the east and 13 feet from the west for the deck; and a variance from *Land Use Law* 4.04, which prohibits construction within 100 feet of the Lake.

Dean Robinson moved to deem the Application complete and schedule a public hearing for April. Dewey seconded the motion and it was approved, 3-0.

Deane advised Davidson that, if the ZBA granted variances, she would next have to go before the Planning Board. He said that Board would require a letter of representation from the applicant, and information on runoff control to mitigate the increase of impervious surfaces.

19.03 – Albert Zigon (Ed Hobbie) – Area variance, addition of carport near existing residence – 962 County Highway 26 (#98.00-1-34.00)

Zoning Enforcement Officer Ed Hobbie said that he was representing applicant Albert Zigon. He said Zigon wants to build a pergola carport extending 16x24 feet from his existing garage, and an RV parking pad elsewhere on the property.

The Board examined the drawing submitted, and determined that Zigon would need a 26-foot variance on the east side for the carport. Chairman Crowell said that the parking pad would not need a variance.

John Dewey moved to deem the Application complete and schedule a public hearing for April. Dean Robinson seconded the motion and it was approved, 3-0.

OTHER BUSINESS

Zoning Enforcement Officer Ed Hobbie said he had no ZBA news to report, but discussed some cases of interest.

John Dewey said that he would not be able to make the April 16 meeting. The Board discussed rescheduling the meeting to ensure the presence of all members familiar with the current applications. Chairman Crowell said he would poll the other members via e-mail, and decide on rescheduling the meeting based on the results. Secretary Bill Deane said he would submit a public notice if the meeting were rescheduled.

With no further business, at 7:58 Chairman Crowell adjourned the meeting.

Respectfully submitted,
Bill Deane, Secretary