

Town of Otsego Zoning Board of Appeals

Minutes (Unapproved) – May 21, 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 7:03 PM and led the Pledge of Allegiance.

Roll call was taken by Secretary Bill Deane. Board members present were Crowell, John Tedesco (Vice-Chairman), Dean Robinson, and John Dewey. New alternate member Mary Anne Whelan (appointed to replace Tim Dolan) was present, but had not been sworn in, thus could not vote. Wally Melnichenko and alternate member Tony Scalici were absent.

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

The Board reviewed the minutes of April 18, 2019, e-mailed to the members. Tedesco moved to approve them as written. Dewey seconded the motion and it was approved, 4-0.

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

APPLICATION

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

Secretary Bill Deane read aloud from the minutes of April 18 relevant to the Scarzafava application. Representative Elizabeth Davidson submitted a revised architectural plan, dated May 21, 2019. She said Jim Forbes would now be the project's engineer, but has not yet completed his plans.

The Board members examined the revised architectural plan, which includes a raised deck/walkway. Chairman Crowell said he would prefer a 3'6"-wide walkway rather than the six-foot-wide one proposed. Davidson hand-revised the plans accordingly, initialed by both her and Crowell.

The Board discussed the variances which would be required under the revised plan. They agreed that the following variances would be needed: 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/walkway; and a variance from *Land Use Law* 4.04, which prohibits construction within 100 feet of the Lake.

With input from other members, Dean Robinson moved to approve the variances sought based on the May 21, 2019 architectural plan, conditional on engineering plans to be submitted to the Planning Board, and the walkway being no more than 3'6" wide. Robinson said that the proposed project is in keeping with the neighborhood, thus no undesirable change will be produced in the character of the neighborhood nor detriment to nearby properties; that the benefit sought cannot be achieved by any other feasible method; that though the requested variance is substantial, it has been reduced by negotiation to the minimum necessary; that the raised deck may reduce runoff and foot traffic on the shore, thus will benefit rather than have an adverse effect or impact on the physical or environmental conditions in the neighborhood; and that, although the alleged difficulty is self-created, it will produce an improvement in the property and infrastructure.

John Tedesco seconded the motion and it was approved, 4-0. Davidson asked to be put on the June 4 Planning Board agenda.

OTHER BUSINESS

Zoning Enforcement Officer Ed Hobbie distributed copies of his latest report, and discussed cases of interest.

With no further business, at 7:40 Chairman Crowell adjourned the meeting.

Respectfully submitted,
Bill Deane, Secretary