

Town of Otsego Zoning Board of Appeals (ZBA)

Minutes – June 20, 2023

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

PUBLIC HEARING

23.03 – Brian Pyle (Barb Monroe) – Area variances, replacement of home and addition of stairs within 100 feet of Otsego Lake in RA1 district – 6830 State Highway 80 (#69.44-1-36.00)

Chairman Greg Crowell opened the Pyle public hearing at 7:00 PM and asked of anyone from the public had comments or questions about the application. No one responded. 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 7:01 PM and led the Pledge of Allegiance.

Roll call was taken by clerk Bill Deane. Board members present were Crowell, John Dewey (vice-chairman), and Corinne Armstrong. With Tony Scalici, Sal Furnari, and alternate member Dean Robinson absent, alternate members Mary Anne Whelan and John Tedesco 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 May 16, e-mailed to the members. Dewey noted that the proposed staircase referenced in the Pyle application goes between the house and the parking area, not the house and the Lake. Chairman Crowell moved to approve the minutes as amended. 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 applications.

APPLICATIONS

23.03 – Brian Pyle (Barb Monroe) – Area variances, replacement of home and addition of stairs within 100 feet of Otsego Lake in RA1 district – 6830 State Highway 80 (#69.44-1-36.00)

Clerk Bill Deane read aloud from the minutes of May 16 relevant to the Pyle application. Applicant Brian Pyle was present, along with Chris Hand of Redpoint Builders.

The Board briefly reviewed the application. Pyle said the proposed stairway will be only 42 inches wide, not 48 inches as reported at the last meeting. Chairman Crowell said, in that case, no new variance would be needed for the stairway, eliminating the southern variance discussed at that meeting.

John Dewey moved to approve the variances sought: a 13-foot variance on the south side, a 22-foot variance on the east or Lake side, and a variance from *Land Use Law* 4.04, which prohibits new construction within 100 feet of Otsego Lake. Dewey said that demolition and replacement are the most feasible way to achieve the benefit sought; that no undesirable change will be produced in the character of

the neighborhood, as the new structure will be nearly in the same footprint, and in keeping with nearby structures, as supported by the previous public hearing; that the requested variance is not substantial, in comparison with the existing structure; that the project will have no adverse effect or impact on the physical or environmental conditions of the neighborhood, in comparison with the existing structure, and in fact will improve them; and that, though the alleged difficulty is self-created, the necessity of replacement and being further from the Lake will effect an improvement to the situation. Corinne Armstrong seconded the motion and it was approved, 5-0.

Deane advised Pyle that he would need to go through the Planning Board again for site plan review. Pyle asked to be put on the July 11 Planning Board agenda.

23.04 – Robert Doran – Area variances, addition of deck within 100 feet of Canadarago Lake in RA1 district – 106 Marble Road Extension (#52.11-1-15.00)

No one appeared on behalf of this application. Zoning Enforcement Officer Phillips said he would contact the applicant. Chairman Crowell said the Town's current application form should be completed. Crowell moved to table the application until July 18. John Tedesco seconded the motion and it was approved, 5-0.

23.05 – Barbara Robinson (Brett Johnson) – Area variance, addition of breezeway to existing residence in HR district – 846 County Highway 26 (#114.05-1-34.00)

Contractor Brett Johnson represented applicant Barbara Robinson. He said Robinson wants to extend her mud room by 13 feet with the same roof line, making a breezeway between her existing buildings. Johnson submitted a sketch showing the proposed construction.

Chairman Crowell said that the Board needed the application completed, showing the front-yard variance requested (i.e., the distance from the closest point between the proposed construction and the center of the road), and the application fee paid. Johnson handed a check to Zoning Enforcement Officer Phillips.

Chairman Crowell moved to deem the application complete, contingent on the aforementioned measurement to be delivered to the Zoning Enforcement Officer by July 4, and to schedule a public hearing for July 18 with the same contingency. John Dewey seconded the motion and it was approved, 5-0.

OTHER BUSINESS

Zoning Enforcement Officer Phillips reported on various Town issues, including the Cemetery Road garbage problem, a dog kennel issue, and *Land Use Law* updates.

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

Respectfully submitted,
Bill Deane, Clerk