

Town of Otsego Zoning Board of Appeals
Minutes – August 16, 2011

PUBLIC HEARING

11.04 – Ronald Bales – Area variance, addition of pole barn – 6413 State Highway 28 (#97.00-2-32.00)

Chairman Greg Crowell opened the Bales public hearing at 7:01 PM, explained the variance sought, and asked if there were any comments or questions from the public.

Tom Lieber of 6439 State Highway 28 said that the size of the proposed pole barn seems inappropriate for the property size. Zoning Enforcement Officer Schecher said that there is no restriction on the size of the building as a percentage of property size. Applicant Ronald Bales said he just wants to be able to un-clutter his lawn by having a place to put things away. Lieber also asked about the potential uses of the building. Chairman Crowell read from the hamlet business district permitted uses in the *Land Use Law*. Bill Deane pointed out that this information is available on the Town's web-site.

Annbritt Hodgins of Toad Hall expressed concerns about the size and height of the proposed barn, its proximity to the road, and its potential business use. ZBA members explained relevant *Land Use Laws*, and their process and purview.

With no further comments or questions, Chairman Crowell closed the hearing at 7:17.

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 7:17 PM and roll call was taken by Secretary Bill Deane. Board members present were Crowell, Sam Hoskins, Ed Hobbie, and Bill Kitchen. Zoning Enforcement Officer Hank Schecher was also present. Vice-Chairman Tony Scalici and alternate member Christopher Voulo were absent.

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

The Board reviewed the minutes of July 19, 2011, mailed to the members. Kitchen moved to approve them as written. Hoskins seconded the motion and it was approved, 4-0.

The only correspondence received since the last meeting was the July/August 2011 issue of *Talk of the Towns & Topics*, copies of which were distributed.

The Board moved on to the application.

APPLICATION

11.04 – Ronald Bales – Area variance, addition of pole barn – 6413 State Highway 28 (#97.00-2-32.00)

Applicant Ronald Bales wants to build a pole barn which would come within five feet of his eastern side property line. Bales will thus need a ten-foot variance on the east side. The board reviewed his application package.

Chairman Crowell noted that there are a number of garages in the neighborhood, including at the dentist's office next-door, thus that the pole barn would be in keeping with the neighborhood. Sam Hoskins added that nearby buildings are close to the property lines.

Crowell asked Bales whether the pole barn could be located anywhere else on his property. Bales said it couldn't due to the driveway, power lines, trees, and dry-wells. Hoskins

asked whether the building could be smaller, say 24 feet. Bales said that his boat and trailer are 25 feet long, thus wouldn't fit into a 24-foot building.

Ed Hobbie moved to approve the variance sought. Hobbie said that, while the proposed project will produce a minor change in the neighborhood, overall it will not have an undesirable effect; and that the benefit sought cannot be achieved by any other feasible method. Chairman Crowell added that, though the difficulty is self-created, the proposed project produces an improvement in the property and an overall positive effect, which the Board encourages; and that it will produce no adverse effect on the environmental conditions of the neighborhood. Hoskins seconded the motion and it was approved, 4-0.

With no further business, at 7:34 Chairman Crowell adjourned the meeting.

Respectfully submitted,
Bill Deane, Secretary