

Town of Otsego Zoning Board of Appeals
Minutes – September 17, 2013

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 7:05 PM and roll call was taken by Secretary Bill Deane. Board members present were Crowell, Sam Hoskins (vice-chairman), Carina Franck, and Michael Pelcer (who arrived at 7:13, after the first vote). With Ed Hobbie absent, alternate member Christopher Voulo joined the meeting table. Also present was Zoning Enforcement Officer Tavis Austin.

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 16, e-mailed to the members. Franck moved to approve them as written. Hoskins seconded the motion and it was approved, 4-0.

Correspondence consisted of the May/June issue of *Talk of the Towns & Topics*, copies of which were distributed; and a copy of the Department of State's annual training laws from 2007, regarding local training requirements.

The Board moved on to the applications.

APPLICATIONS

13.02 – William Rathbun – Area variance, addition of porch to existing residence – 212 County Highway 26 (#130.15-2-16.00)

Applicant William Rathbun wants to add an eight-foot porch to an existing house. It would be 25 feet from the center of County Highway 26, instead of the required 60, so he would need a 35-foot variance on the southwest side.

Rathbun submitted an application package, including a 1961 photo showing there had once been a porch at the same location. The Board suggested Rathbun bring documentation of neighboring properties to the next meeting.

Sam Hoskins moved to deem the application complete, contingent on a list of neighbors within 200 feet of the property lines being submitted by October 1, and to schedule a public hearing for October 15. Christopher Voulo seconded the motion and it was approved, 5-0.

13.03 – Robert Sadekoski – Area variance, replacement of residence within 100 feet of Canadarago Lake – 2173 County Highway 22 (#38.20-1-9.00)

Applicant Robert Sadekoski was accompanied by his son, Mike. Sadekoski presented a "plot plan," showing his proposal to demolish an existing residence 64 feet

from Canadarago Lake, and replace it with a new ranch or cape with deck from G&I Homes. The new building footprint would measure 27 x 54 feet and be about 50 feet from the lake. Sadekoski also submitted elevation plans, and photos of neighboring properties.

After examining the application package, the Board determined that Sadekoski would need two side-yard setback variances (20 feet on the north side, 17½ feet on the south side), plus a variance from *Land Use Law* #4.04 (lakeshore protection).

Sam Hoskins moved to deem the application complete, and to schedule a public hearing for October 15. Mike Pelcer seconded the motion and it was approved, 5-0.

13.04 – Robert Faller (Jon McManus) – Area variance, construction of new home – Stone House Road (#98.00-1-44.03)

Applicant Robert Faller was represented by engineer Jon McManus (September 17 letter of authorization submitted). Faller wants to construct a new single-story, two-bedroom house, but due to the location of state and federal wetlands, cannot abide by setback requirements. He will need a 15-foot variance on the east side and a 13-foot variance on the west side.

McManus submitted an application package, including a site plan and list of neighbors within 200 feet of the property lines. Chairman Crowell asked McManus if he could stake out the proposed location of the house; McManus said he would.

Sam Hoskins moved to deem the application complete, and to schedule a public hearing for October 15. Chairman Crowell seconded the motion and it was approved, 5-0.

13.05 – Harrison Hummel (Jon McManus) – Area variance, addition to existing residence within 500 feet of Canadarago Lake – 114 Marble Road Extension (#52.11-1-15.00 & -17.02)

Applicant Harrison Hummel was represented by engineer Jon McManus (September 17 letter of authorization submitted). Hummel owns a home about 140 feet from Canadarago Lake, on a private road in the RA-2 District. He was constructing an addition to his home when he was served a “stop-work” order by Zoning Enforcement Officer Austin, because he had not gone through the necessary ZBA, Planning Board, or Land Use Permit requirements.

McManus submitted an application package, including a site plan and list of neighbors within 200 feet of the property lines. The addition necessitates a 20-foot variance on the south side of the property. Bill Deane reminded members that they should consider the merits of the application as if the addition had not yet been built.

Hummel had been granted a variance for a swimming pool in November, 2009. He also had an approved garage which he later converted into living space. This removed the required off-street

parking spaces. McManus said he would submit a revised site plan, showing space for the required parking elsewhere, and the gazebo.

Joe Corbett, President of the Canadarago Lake Association, was present, and answered some questions from the Board. Chairman Crowell strongly recommended that Board members visit the site before next month's meeting. Corbett gave members permission to go on his property in accessing Hummel's and examining the neighborhood.

Carina Franck moved to deem the application complete, contingent on a revised site plan showing required off-street parking being submitted by October 1, and to schedule a public hearing for October 15. Christopher Voulo seconded the motion and it was approved, 5-0.

With no further business, at 8:09 Chairman Crowell adjourned the meeting.

Respectfully submitted,
Bill Deane, Secretary