

## **Town of Otsego Zoning Board of Appeals (ZBA)**

Minutes – October 18, 2022

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

### **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 clerk Bill Deane. Board members present were Crowell, Corinne Armstrong, and Tony Scalici. John Dewey (vice-chairman), Sal Furnari, and alternate members Mary Anne Whelan, John Tedesco, and Dean Robinson were absent. Deane reminded the Board that three votes were required to pass any motion. 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 September 20, 2022, e-mailed to the members. Chairman Crowell moved to approve them as written. Armstrong seconded the motion and it was approved, 3-0.

The only correspondence received since the last meeting were two applicant notices for the August 16 Senchyshyn public hearing, returned to sender ("not known"). The Board moved on to the application.

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### **APPLICATIONS**

#### **22.11 – Brian Pyle (Barb Monroe) – Area variances, replacement of home within 100 feet of Otsego Lake in RA1 district (revised plan) – 6830 State Highway 80 (#69.44-1-36.00)**

Clerk Bill Deane read aloud the ZBA's minutes of September 20 relevant to the Pyle application. Representative Barb Monroe submitted a new application and plans, as requested during that meeting. Zoning Enforcement Officer Phillips said the application fee had been paid.

The Board examined the new plans. They showed the proposed garage being 13'6" from the center of State Highway 80, meaning it would need a 46'6" variance on the front or west side. It also would need a 20-foot variance on the south side, and a variance from *Land Use Law* 4.04, which prohibits new construction within 100 feet of Otsego Lake.

Monroe said the house is currently "right on the Lake." It would be moved about 11 feet further from the Lake, requiring a 24-foot variance on the rear or east side, along with a variance from *Land Use Law* 4.04. Monroe was not sure how far it would be from State Highway 80. The Board said they would need the exact distance from the center of the road in order to determine if it would require a variance on that side.

Monroe said that there would be a new retaining walls on either side of the driveway, and they would be more than three feet high. Chairman Crowell said they thus would require a variance(s) as well, and the Board and the New York State Department of Transportation (DOT) would need more details

about them. Tony Scalici said that Monroe should check with the DOT as to what they will require, and whether the proposed variances would affect their process.

The Board agreed that the application was still not complete. Besides the aforementioned answers, they would need more information on dimensions and elevations of the proposed structures, as well as how far below the road the garage would be. Corinne Armstrong moved to table the application until November 15. Scalici seconded the motion and it was approved, 3-0.

Deane asked Monroe if she was clear on what the Board still needed. Monroe said she was.

#### **OTHER BUSINESS**

Zoning Enforcement Officer Phillips summarized Planning Board activities, and various land use issues.

With no further business, at 7:32 Corinne Armstrong moved to adjourn the meeting. Chairman Crowell seconded the motion and it was approved, 3-0.

Respectfully submitted,  
Bill Deane, Clerk