

Town of Otsego Zoning Board of Appeals

Minutes (Unapproved) – December 19, 2017

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 7:09 PM and led the Pledge of Allegiance.

Roll call was taken by Secretary Bill Deane. Board members present were Crowell, Tony Scalici (Vice-Chairman), John Tedesco, and Dean Robinson. With Christopher Voulo absent, first alternate member John Dewey joined the meeting table. Second alternate member Bill Michaels was absent.

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

The Board reviewed the minutes of November 21, e-mailed to the members. Tedesco moved to approve them as written. Scalici seconded the motion and it was approved, 5-0.

The only correspondence received since the last meeting was the latest issue of *Talk of the Towns & Topics*, copies of which were available on a table in the meeting room. The Board moved on to the application.

APPLICATION

17.10 – Otsego County Planning & Solid Waste (Karen Sullivan) – Area variance, acreage requirement for first lot split or minor subdivision of former MOSA property – State Highway 28 (#114.00-1-19.00)

Secretary Bill Deane read aloud from the Planning Board's minutes of November 14 relevant to this application. Otsego County acquired a 4.45-acre parcel (part of the landfill) from MOSA in 2015. They want to divide it into two parcels to complete the liquidation of MOSA. Because the minimum lot size in the RA-1 district is three acres, there is no way the property can be legally divided without a variance from the ZBA.

Representative Karen Sullivan submitted a survey map showing the proposed split. She explained that Lot "A," including the current transfer station, would be 2.00 acres, and belong to Otsego County. Lot "B," to the northeast, would be 2.45 acres, and belong to Otsego, Montgomery, and Schoharie Counties. This is due to liability concerns; once the Department of Environmental Conservation says Lot B needs no further monitoring (c. 2028), the intent is to rejoin the two lots with both owned by Otsego County.

Tony Scalici asked that Sullivan submit a copy of the inter-municipal agreement which covers this proposed transaction.

Deane said that both proposed lots would need variances not only for acreage, but also for road frontage, since neither would have the required 150 feet. There do not appear to be any setback issues. Chairman Crowell said he would do some research and check with Town Attorney Michelle Kennedy on the frontage issue. Sullivan suggested that the Board add conditions to any approval, such as no building on the lot.

Scalici moved to deem the application complete, contingent on the inter-municipal agreement to be submitted by January 2, 2018, and to schedule a public hearing for January 16. Dean Robinson seconded the motion and it was approved, 5-0.

Sullivan said that the County would proceed with this subdivision regardless of the Town's decisions.

On December 21, Sullivan sent an e-mail which said, "Following discussion with the Otsego County Attorney, on behalf of the county, I wish to withdraw the area variance application at the Northern Cooperstown Transfer Station, effective immediately. Please void the schedule public hearing for Jan 16th."

OTHER BUSINESS

Zoning Enforcement Officer Ed Hobbie distributed copies of his most recent report. He said that he expected Marty Patton to have an application for the January ZBA meeting.

With no further business, at 7:48 Chairman Crowell adjourned the meeting.

Respectfully submitted,
Bill Deane, Secretary