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

Minutes – November 19, 2024

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

**PUBLIC HEARING**

**24.08 – Kenneth Stabler – Area variance, increase in allowable storage facility space in GB2 district – State Highway 28 & Parslow Road (#97.00-1-3.03)**

 Chairman Greg Crowell opened the Stabler public hearing at 7:00 PM and asked if anyone from the public had any questions or comments about the application.

 Justin Williams of Otsego Land Trust expressed concerns about the project’s impact on the environment. He said OLT had not been notified about the hearing. Clerk Bill Deane said a notice had been mailed several weeks earlier to OLT at P.O. Box 173, Cooperstown.

 Stuart Anderson of 6606 State Highway 28 questioned the setback requirements, lighting, security fencing, and tree removal. He said about half of the eight-acre lot is across Parslow Road from the proposed storage facility, and he would want it located closer to the center of that section of the property. Anderson wondered if ZBA approval would entitle Stabler to build multiple 8,800-square-foot units. Deane explained that the current application for 50 units needs both ZBA and Planning Board approval; if Stabler wanted to expand in the future, he would need to reapply to both Boards.

 Brett Olsen of 155 Parslow Road expressed concerns about lighting and noise, and said the project would impact the value of homes and quality of life in the neighborhood.

 Megan Lindberg of 132 Parslow Road said that the applicant would be the only beneficiary of the project, as it would not create jobs. She said it does not conform to the Town’s Comprehensive Plan, that it would be visible to neighbors, and that it would have an environmental impact due to wetlands on the property. Lindberg expressed disappointed at not being notified earlier. Deane explained the public notification process, and said there is no secrecy involved. The Planning Board may or may not schedule another public hearing.

 Applicant Ken Stabler responded to some of the comments. He said he planted the trees which would be removed, and he would be planting new ones to mask the facility. It would have motion-activated, recessed lighting. Stabler said there were no wetlands on that side of the road. John Dewey noted that the property is zoned commercial.

With no further speakers, Chairman 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, N. Y. Chairman Greg Crowell called the meeting to order at 7:19 PM and led the Pledge of Allegiance.

Roll call was taken by clerk Bill Deane. Board members present were Crowell, John Dewey (vice-chairman), Sal Furnari, and Tony Scalici. With Corrinne Armstrong and alternate member Mary Anne Whelan absent, alternate member Corlissa Card joined the meeting table (Card arrived at 7:22, after the public hearing and first vote). Town Zoning Enforcement Officer Wylie Phillips was also present.

Chairman Crowell asked whether any Board members had an ethical or legal conflict with any of tonight’s applications. No one reported any conflict.

The Board reviewed the minutes of October 16, e-mailed to the members. Dewey moved to approve the minutes as written. Scalici seconded the motion and it was approved, 4-0.

Deane said that there was no correspondence received since the last meeting. The Board moved on to the application.

**APPLICATION**

**24.08 – Kenneth Stabler – Area variance, increase in allowable storage facility space in GB2 district – State Highway 28 & Parslow Road (#97.00-1-3.03)**

 Clerk Bill Deane read aloud from the October 16 ZBA minutes relevant to the Stabler application. Applicant Ken Stabler wants to erect a building containing 50 storage units on his eight-acre parcel in the GB2 district, the first of a staged development en route to a goal of 294 units. Because *Land Use Law* Section 2.07 limits building space to 5,000 square feet per lot, whereas this project calls for 8,800 square feet of building(s), Stabler is seeking a 3,800-square-foot area variance.

 Chairman Crowell asked why the storage units could not be within the 5,000 square foot limit, or located closer to the center of the lot. Stabler said the location and size were negotiable. Crowell said he would prefer to see the facility centered, with down-lighting. He said the variance requested was substantial, and that he interprets Section 2.07 to mean a limit of 5,000 total square feet per parcel, not per building.

 Chairman Crowell suggested tabling the application, asking Stabler to submit a detailed site plan, including location of the first proposed unit in relation to property lines, and details on lighting, landscaping, and screening. Deane said the Board had 62 days to act on the application after tonight’s public hearing, or by January 20, 2025 (the day before the scheduled January meeting).

 Chairman Crowell moved to table the application until December 17, asking the applicant to provide the aforementioned site plan, along with written rationale for the need for 8,800 square feet of storage space, by that date. John Dewey seconded the motion. Considerable discussion followed. Tony Scalici noted that, even if Stabler subdivided his property to permit more square footage, the *Land Use Law* treats commonly-owned, contiguous lots as a single property. Scalici said there would be traffic and activity around the building(s), not just within the footprint. He said the Board is required to grant the minimum relief necessary. Sal Furnari questioned requiring more information from the applicant, or suggesting where to locate his building. Chairman Crowell said it is within the Board’s purview.

 The motion was approved, 5-0.

**OTHER BUSINESS**

Zoning Enforcement Officer Phillips reported on various Town situations, none involving the ZBA.

The Board discussed 2025 ZBA personnel. Greg Crowell (Chairman), Corinne Armstrong (2025-29 member), Mary Anne Whelan (alternate member #1), and Bill Deane (Clerk) are all up for reappointment or replacement. Crowell said that he would be willing to serve again, and that Armstrong does not wish to be reappointed. He was not sure about Whelan; Deane noted that she had not been to a meeting since May.

John Dewey moved to recommend that the Town Board reappoint Crowell as chairman. Corlissa Card seconded the motion and it was approved, 4-0, with Crowell abstaining.

Tony Scalici moved to recommend that the Town Board reappoint Whelan as alternate member. Chairman Crowell seconded the motion and it was approved, 5-0.

Dewey moved to recommend that the Town Board reappoint Deane as clerk. Chairman Crowell seconded the motion and it was approved, 5-0.

With no further business, at 7:57 Chairman Crowell adjourned the meeting.

 Respectfully submitted,

Bill Deane, Clerk