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

Minutes – February 18, 2025

(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, N. Y. (there was no meeting in December, 2024 or January, 2025, as the lone applicant had asked to postpone each time). Chairman Greg Crowell called the meeting to order at 7:04 PM and led the Pledge of Allegiance.

Roll call was taken by clerk Bill Deane. Board members present were Crowell, John Dewey (vice-chairman), Tony Scalici, Sal Furnari, and new member Ken Marx. Alternate member Corlissa Card was absent. Town Supervisor Ted Feury and Zoning Enforcement Officer Wylie Phillips were also present.

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 November 19, 2024, e-mailed to the members. Scalici moved to approve the minutes as written. Furnari seconded the motion and it was approved, 5-0.

Deane said that the only correspondence received since the last meeting was a 12/6/24 letter from Stewart Anderson and Kathleen Amore, regarding the Stabler application. Since it was written after the public hearing, it may be considered “unsolicited correspondence.” Chairman Crowell put the letter in the Stabler file and said it would be addressed the next time the Board discussed the application.

The Board moved on to applications.

**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)**

The Board had last discussed the Stabler application in November, 2024. 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. In November, the Board held a public hearing, with several neighbors voicing concerns. The Board ultimately tabled the application, asking Stabler to provide a detailed site plan, including location of the first proposed unit in relation to property lines, and details on lighting, landscaping, and screening; along with written rationale for the need for 8,800 square feet of storage space. In December, Stabler had asked to postpone until January, giving written notice, waiving the Board’s requirement to make a decision within 62 days of the public hearing. In January, he again asked to postpone.

Chairman Crowell said he had spoken today to Stabler, who is in Florida. Stabler has contacted an engineering firm to create the plans that the Board asked for, but they haven’t started yet, so he asked to postpone any decision for this meeting. Crowell moved to table the application until March. John Dewey seconded the motion and it was approved, 5-0.

Later during the meeting, the Board had informal discussion about the application. Chairman Crowell clarified that the Board’s asking for more information during the November meeting was a request, not a requirement.

**25.01 – Geary Fitzpatrick (Barb Monroe) – Area variances, renovation/expansion of existing residence within 100 feet of Otsego Lake in RA1 district – 6722 State Highway 80 (#69.63-1-12.00)**

 Representative Barb Monroe said that applicant Geary Fitzpatrick wants to renovate and expand his residence on a .05-acre parcel within 100 feet of Otsego Lake. She submitted 1/14/24 plans from G&S Construction, which the members examined. Zoning Enforcement Officer Phillips said the application fee had been paid.

 Monroe answered questions asked by the Board members. She said the proposed expansion would include a new 10x12’ covered porch and another new 8x14’ area, plus an addition of cubic footage by building upward on the existing deck space. The building height would not increase beyond the current 2½ stories, but there would be a bedroom added, making four total. Monroe said there would be no change to the existing foundation, retaining walls, or septic system (holding tank), which is pending Watershed Supervisory Committee sign-off.

 Tony Scalici questioned the vague claim that the residence needed “renovation” as a reason for expanding it. The application does not really address the need for expansion.

 Based on the application, the variances required would be a 28-foot variance on the front or west side; a 20-foot variance on the north side; a 12-foot variance on the south side; plus a variance from *Land Use Law* 4.04, which prohibits new construction within 100 feet of the Lake. Chairman Crowell asked for permission for members to visit the property; Monroe granted it.

 Chairman Crowell moved to deem the application complete and schedule a public hearing for March 18. Sal Furnari seconded the motion and it was approved, 5-0.

**OTHER BUSINESS**

Zoning Enforcement Officer Phillips said, besides the Fitzpatrick application, there was nothing new involving the ZBA.

The Board discussed 2025 ZBA personnel. Greg Crowell (Chairman) and Bill Deane (Clerk) were reappointed by the Town Board. Ken Marx was appointed for 2025-29, replacing the position formerly held by Corrinne Armstrong, and Mary Anne Whelan said she no longer could serve as alternate member unless meetings were held via Zoom. John Dewey is due for reappointment as vice-chairman, and said he was willing either to continue or to step aside. Chairman Crowell moved to reappoint Dewey. Tony Scalici seconded the motion and it was approved, 4-0, with Dewey abstaining.

With no further business, at 7:44 Chairman Crowell adjourned the meeting.

 Respectfully submitted,

Bill Deane, Clerk