

12-06-16

Zoning Board of Appeals

DRAFT

A regular meeting of the Zoning Appeals Board of the Village of Cooperstown was held in the Village Office Building, 22 Main Street, Cooperstown, New York on December 6, 2016 at 5:00 p.m. Members in attendance were Chair – Susan Snell, John Sansevere, Frank Leo, Marcie Schwartzman, and Ron Streek. Zoning Enforcement Officer, Jane Gentile and Village Administrator Teri Barown were also present. There was 1 member of the public present.

Ms. Snell opened meeting at 5:00 p.m.

Public Hearing

92 Lake Street (Jon McManus for William Lusk) – variance to remove only tree on property for addition.

Ms. Snell opened the public hearing at 5:01 p.m.

There was no public comment at the meeting. Mr. McManus provided letters from Ed Smith, Doug Walker and Carol Taylor, all stating no objection to the tree removal.

Mr. McManus provided answers to the variance criteria, which was placed in the file. Mrs. Snell asked if there were any comments from the members of the board regarding the answers provided to the criteria. It was noted for the question as to self-created, the answer would be yes.

Mr. McManus stated that the plan is to plant at least a 2” caliber tree to replace the tree being removed, however, it will not be a locust.

Mrs. Snell closed the public hearing at 5:04 p.m.

Regular Agenda

Appeal of 92 Lake Street (William Lusk) – for a variance from Section 258-6(A) and Section 300-31(C) for removal of the only tree on the property.

Mrs. Schwartzman made a motion to approve a variance from Section 258-6(A) and Section 300-31(C) for the removal of the only tree on the property, which property is located in the R-1 Residential District. As specified a property owner is not permitted to cut greater than 30% of all live trees on his property, which have a DIF (diameter at height of four feet) greater than six inches within a ten-year period. The variance is granted contingent upon the property owner planting another tree 2” in caliber or greater to the replace the tree being removed. Mr. Streek seconded the motion and a vote had the following results:

AYES: Snell, Schwartzman, Streek, Leo, Sansevere

Motion carried.

76 Chestnut Street (John Sansevere) – preliminary hearing for a variance for six foot high fence in the front yard setback

Discussion was held regarding the approval of Streets Committee for a fence 5 feet from the road on Cooper Lane and in some instances the fence is less than 5 feet away. Ms. Gentile will discuss with Mr. Clancy.

Ms. Gentile noted that the fence will also require a variance as it is 6 feet high in the front yard setback.

Mrs. Snell set a public hearing for January 3, 2017 at 5:00 p.m. or as soon thereafter as can be heard for the 6' foot fence in a front yard setback.

2017 VOC Tourist Accommodation List – Ms. Gentile provided an updated master list of tourist accommodations in the Village of Cooperstown and specifics regarding approvals given and/or needed and levels of compliance with the law. Discussion followed regarding at what level should it they brought back to Zoning Board of Appeals. Mrs. Snell stated she felt that this was a Trustee decision, but felt if they have approval and have added a sleeping room and do have adequate parking, it would be as simple as coming back to approve the expansion (example given).

Minutes – Mr. Sansevere made a motion to accept the minutes of the November 1, 2016 meeting as submitted. Mrs. Schwarzman seconded the motion and a vote had the following results:

AYES: Snell, Schwartzman, Street, Leo, Sansevere

Motion carried.

The meeting adjourned at 5:45 p.m.

Respectfully submitted:

Teri L. Barown, RMC
Village Administrator
Village of Cooperstown