

Town of Otsego Planning Board

Minutes – January 3, 2012

REGULAR MEETING

The monthly meeting of the Town of Otsego Planning Board was held on this date at the Town Office Building in Fly Creek, New York. Chairman Joe Galati called the meeting to order at 7:01 PM, and roll call was taken by clerk Bill Deane. Members present were Galati, Donna Borgstrom (Vice-Chairman), Paul Lord, Joe Potrikus, Steve Purcell, and Rosemary Craig. Newly-appointed members Tom Huntsman and Scottie Baker (alternate) were also present but, because they had not yet been sworn in, remained in the audience seating. Zoning Enforcement Officer Hank Schecher and Planning Board Attorney Jim Ferrari were also present.

The Board reviewed the minutes of December 6, 2011, e-mailed to the members. Borgstrom moved to approve the minutes as written. Craig seconded the motion and it was approved, 6-0.

Chairman Galati passed around correspondence received since the last meeting:

- The Fall 2011 issue of the New York Planning Federation's *Planning News*.
- Fliers from Lorman Educational Services about a seminar, "SEQRA," to be held in Latham on March 9.
- Replacement pages for the *Land Use Law*, provided by Town Clerk Pam Deane, containing changes to the laws passed by the Town Board.

Schecher distributed copies of his Zoning Enforcement Officer report (filed). It listed one land use permit issued, and two applications pending Planning Board and/or Zoning Board of Appeals (ZBA) review.

Chairman Galati asked if there were any public comments on non-agenda items. John Phillips said that it was his privilege to serve on the Planning Board for 12 years. He remarked on the Town Board's decision not to reappoint him, saying "the fix was in," as he predicted. He said he was told that he was too outspoken and exhibited "bad body language" at Town Board meetings. Phillips also expressed concern about the future relationship between the Planning Board and Town Board.

The Board moved on to applications.

APPLICATIONS

Steve & M. J. Harris (Susan Snell) – Sketch plan conference, conversion of house into motel – 398 Wiley Town Road (#112.00-1-24.22)

Architect Susan Snell, representing applicants Steve and M. J. Harris, said that the applicants want to convert their four-bedroom house into a short-term rental property, and a nearby two-story garage into a four-unit hotel. Snell submitted a sketch plan of the proposed project, and a survey and photos of the property.

In response to questions from the Board, Snell said the property is in the RA2 district, the house was built c. 1840, and there is currently one well and one septic system.

Paul Lord said that the proposal would constitute two principal uses, creating complications. Donna Borgstrom suggested the applicants submit it as a motel utilizing two buildings. Chairman Galati, noting that the house is over 100 years old, said that the applicants could take advantage of the "heirloom barn" law.

Galati advised Snell to work with Zoning Enforcement Officer Schecher in completing the site plan requirements. Bill Deane asked her to give two weeks' notice when she was ready to return before the Board, and to bring an authorization letter.

Joe Galati – Site plan review, The Inn at Hickory Grove – 6718 State Highway 80 (#69.44-1-5.00)

Chairman Galati went to the public side of the meeting table. In a phased project, he wants to convert The Inn at Hickory Grove into a complex including 12 furnished apartment buildings, a three-bay garage with an apartment above, a swimming pool house, and a picnic area. He submitted a site plan package.

Galati said The Inn at Hickory Grove is in the RA1 district. It was given a use variance as a commercial property by the ZBA in 2000. It has been used as a restaurant/tavern/inn accommodating up to 163 people. Being approximately 160 years old, it qualifies under the “heirloom barn” law. Galati said it is more than 100 feet, but less than 500 feet, from Otsego Lake, and there is no “steep slope” issue. The Department of health has a drainage easement on the property.

Acting Chairman Borgstrom went through the site plan requirements in the *Land Use Law*. Galati said he would be removing nine trees, but does not yet have a landscaping plan. Paul Lord said that the application would have to be referred to the County when complete. Bill Deane asked whether the project was in or adjoining the agricultural district, but Zoning Enforcement Officer Schecher determined that it was not.

The consensus of the Board was that Galati would need to provide information on signage, lighting, landscaping, and numbered notes on the site plan. Galati said that he was applying for an area variance, and would return before the Planning Board when he was done with the ZBA process.

LLIB, LLC (Bill Miller/Jon McManus) – Upper West Side major subdivision – County Highway 28, Pierstown (#84.00-1-15.62)

Joe Galati and Rosemary Craig recused themselves and left the meeting table. Donna Borgstrom reminded the Board that, on May 3, 2011, they had ordered that “The applicant [LLIB] shall return before the Board upon completion of construction to the satisfaction of Town-appointed engineer James Forbes, or submission of a \$54,843.23 performance bond, or to request an extension of the 180-day period, before October 30, 2011.” In November, the Board had voted to extend the period by 90 days, through January 28, 2012. As explained in his letter of December 22, 2011 (filed), applicant Bill Miller is now requesting another 90-day extension, which would run through April 27, 2012 and be the final extension allowed by the Board.

The Board discussed Miller’s options: to sell the whole property; sell one parcel and begin construction on the road; submit the performance bond; or abandon the project. If he does none of those things by April 27, he would have to start the application process from scratch. Joe Potrikus moved to extend the conditional approval by 90 days. Paul Lord seconded the motion and it was approved, 4-0. Galati and Craig returned to the meeting table.

Larry Gallup & Teriann Sammis – First lot split – County Highway 26 (#68.00-1-16.04)

Larry Gallup had had a first lot split approved by the Board on December 4, 2007, authorizing “the chairman to sign the plat when available.” Gallup had never gotten the plat signed.

After brief review, Joe Potrikus moved to deem the application complete and authorize the chairman to sign the Mylar. Steve Purcell seconded the motion and it was approved, 6-0. Chairman Galati stamped the Mylar “approved” and signed it, advising Gallup to file it with the County within 30 days. Attorney Ferrari added that a tax search would have to be done.

OTHER BUSINESS

Attorney Ferrari reviewed the changes in the *Land Use Law*, noting that the main change was the addition of “adult housing” as a special permitted use. Lord noted that the Planning Board had not been advised or consulted about the changes, nor had they received feedback on the most recent proposals they submitted to the Town Board. Lord also noted that there were typos on the replacement pages.

Bill Deane noted that the Board would have to appoint a new Town Board liaison to replace John Phillips. The consensus was the Board could rotate members in that role. Rosemary Craig said that she could attend the January 11 Town Board meeting as liaison, and asked for guidance. Paul Lord asked her to relay his comments about the *Land Use Law* changes.

Bill Deane said there was nothing on the February 7 agenda as of now. He asked Paul Lord if he wanted to add “potential *Land Subdivision Regulations* changes” back to the agenda, but Lord indicated he was not yet ready to return to that.

The Board briefly discussed the Village of Cooperstown project.

With no further business, at 8:37, Joe Potrikus moved to adjourn the meeting.

Respectfully submitted,
Bill Deane
Planning Board Clerk