

Town of Otsego Planning Board
Minutes (Unapproved) – January 3, 2017

PUBLIC HEARING

Orlo & Cindy Burch – Site plan review, special permitted use, bed & breakfast – 124 Dana Clark Road (#112.00-1-29.02)

Chairman Tom Huntsman opened the Burch public hearing at 7:02 PM, and asked if anyone from the public had comments or questions about the application. No one responded. Scottie Baker moved to close the public hearing. Rosemary Craig seconded the motion and it was approved, 7-0.

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. Tom Huntsman (newly-appointed as chairman by the Town Board) called the meeting to order at 7:04 PM and led the Pledge of Allegiance. Huntsman noted that the agenda was dated 2016 instead of 2017.

Clerk Bill Deane took roll call. All Board members were present: Huntsman, Darryl Szarpa, Steve Purcell, Scottie Baker, Rosemary Craig, Chip Jennings (newly-appointed by the Town Board for the 2017-23 term, replacing John Phillips, whose term expired), and Ted Feury (newly-appointed by the Town Board for the 2014-20 term, replacing Ed Hobbie, who is now Zoning Enforcement Officer). Also present were Hobbie, Planning Board Attorney Jim Ferrari, and Town Board members Meg Kiernan (Supervisor), Carina Franck and Tom Hohensee. Toby Wilcox, newly-appointed by the Town Board as alternate member, was absent; Kiernan said he would not be available until March, and that Paul Russo was no longer an alternate member.

The Board reviewed the minutes of December 6, 2016, e-mailed to the members. Jennings moved to approve the minutes as written. Craig seconded the motion and it was approved, 5-0, with Baker and Feury abstaining because they were not at the meeting.

There was no correspondence received since the last meeting. Supervisor Kiernan distributed copies of the Town's Code of Ethics to the Board members and employees. Kiernan asked that everyone read, sign, and return them at their leisure. Chairman Huntsman asked that this be put on the next meeting agenda.

Chairman Huntsman asked if anyone had a conflict with tonight's applicants. No one reported a conflict.

Chairman Huntsman asked if anyone from the public had a comment on a non-agenda item. Pat Hanft of 178 Reiss Road read from a prepared statement (filed in "general correspondence") about the LLIB subdivision conditional approval, scheduled for another potential extension in February. She said she and other neighbors were dismayed that the previous approval was made without conditions, contrary to advice from Attorney Ferrari, and the stop-work order from

former Zoning Enforcement Officer Monroe. Hanft said that the law permitting unlimited extensions should no longer be valid, and that the site has become a dumping site for potentially-contaminated soil and debris. She asked that the Board, if granting another extension, do so only under the conditions specified in the stop-work order. Zoning Enforcement Officer Hobbie responded that he would not have an answer on the New York State asbestos test until March 30, then would enforce Monroe's stop-work order. In response to a question from Jennings, Hobbie said that State law allows the excavation of up to 999 yards of earth without a mining permit.

Julie Huntsman thanked the Planning Board members, past and present, for their volunteer service.

Supervisor Kiernan thanked John Phillips for his long service to the Planning Board.

Hobbie distributed copies of his 10/13-12/31/16 Zoning Enforcement Officer report (filed). He discussed three projects of note:

- Verizon's proposed addition of an aerial to the cell tower on State Highway 80. Hobbie said this would come before the Board next month, and they should consult the telecommunication laws on the Town web-site.
- Michele Barry's proposed Cooperstown Cruise Company. Barry was present, and Scottie Baker read aloud from her January 3 e-mail. Barry plans to carry on this enterprise in a boat on Otsego Lake starting in May, 2017. The consensus of the Planning Board was that this was not under their jurisdiction.
- Joe Visa's purchase of the Pepper Mill restaurant. Visa plans to raze the roof over the dance area and redo the kitchen and interior, with no change to the footprint or capacity. County codes officer Tony Gentile needs a letter from the Planning Board, signing off on the proposed project. Deane said that whatever the Board determines would be reflected in the minutes, and suggested that could serve as documentation for Gentile. The consensus of the Board was that this project as described qualifies as an "extensive renovation," not requiring Planning Board intervention.

The Board moved on to applications.

APPLICATIONS

Orlo & Cindy Burch – Site plan review, special permitted use, bed & breakfast – 124 Dana Clark Road (#112.00-1-29.02)

Orlo Burch gave a brief review of his plan to use part of his existing RA2 residence as a bed & breakfast (Cindy Lou's B & B) starting in 2017. He said he had submitted a copy of the survey as requested. Clerk Bill Deane read aloud from the minutes of December 6, 2016 relevant to the application.

After brief discussion, Scottie Baker moved to approve the application and special permitted use (bed & breakfast). Chip Jennings seconded the motion and it was approved, 6-0, with Ted Feury abstaining because he was not familiar with the application. Deane prepared a special permit which Chairman Huntsman signed; Deane said he would mail a copy to Burch (done January 10).

Dave Shepard (Brad Carso) – Minor subdivision – 113 Goose Street (#114.00-1-7.01 & -7.04)

Applicant Dave Shepard and representative Brad Carso were present. Carso gave a brief description of the proposed project: Shepard owns two contiguous lots totaling 11.12 acres in the hamlet residential district. He wants to change the boundary line and create a new parcel, resulting in three lots of approximately 7.01, 2.08, and 2.03 acres, respectively, one of which would be bought by Carso. Zoning Enforcement Officer Hobbie said no setback variances would be needed, and he thought this qualified as a minor subdivision.

Darryl Szarpa and Chip Jennings checked the Town maps, determining that there had been no previous splits of this property since 1987. Chairman Huntsman read aloud from sections 5.1 and 5.2 of the *Land Subdivision Regulations*. Huntsman had questions as to how to proceed on State Environmental Quality Review (SEQR). Clerk Bill Deane suggested the Board ask their attorney for guidance.

Attorney Ferrari said that, based on what he had heard, this could probably be done as a boundary line adjustment followed by a first lot split, rather than a subdivision, thus requiring no SEQR. The consensus of the Board was to agree. They advised Shepard and Carso to return in February with proposed deed descriptions and a map showing the proposed new lot lines.

OTHER BUSINESS

Chairman Huntsman asked for a volunteer to serve as Planning Board liaison for the January 11 Town Board meeting. Chip Jennings volunteered.

Chairman Huntsman said he wanted to set up interviews for the two applicants for Planning Board Attorney, Jim Ferrari and Ryan Miosek. He suggested to do this at 6:15 PM on the night of the next Board meeting, February 7. The members agreed to this, and said no clerk would be needed to record minutes.

The Board discussed appointing a new Vice-Chairman, replacing Tom Huntsman, who was appointed Chairman by the Town Board. Scottie Baker moved to nominate Darryl Szarpa for the position, and Chip Jennings seconded the motion. Szarpa said he was willing to serve if no one else wanted the position. The motion was approved, 6-0, with Szarpa abstaining.

Rosemary Craig thanked John Phillips for his long service to the Planning Board. Members and attendees applauded in agreement.

Chairman Huntsman suggested that future agendas include the land use districts of the properties. Clerk Bill Deane said he would try to include those. Craig asked that members get scanned copies of site plans of new agenda items, as they sometimes had in the past. Supervisor Kiernan said she would instruct Zoning Enforcement Officer Hobbie on how to do that.

Bill Deane discussed the February 7, 2017 agenda. Shepard & Carso will be back, LLIB is due for its conditional approval extension, and the Verizon project that Hobbie mentioned should be on. There are a few other potential applications, including a first lot split by Joyce Boyd.

With no further business, at 8:09 PM Baker moved to adjourn the meeting.

Respectfully submitted,
Bill Deane, Planning Board Clerk