

Town of Otsego Planning Board

Minutes, February 6, 2024

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

PUBLIC HEARINGS

Roger Smith Estate (Steven Smith) – Minor subdivision in RA2 district – County Highway 26 (#130.00-2-28.01)

Chairman Huntsman opened the Smith public hearing at 7:34 PM and asked if anyone from the public had questions or comments about the project. No one responded. Clerk Bill Deane read aloud a note from neighbor Steve Cembrinski, expressing his understanding of the application. Sharon Kroker moved to close the public hearing. Steve Talevi seconded the motion and it was approved, 5-0.

6 Old Maiden Lane, LLC (Rob Bohm/Bob Birch) – Site plan review, special permitted use, one family dwelling in GB2 district – 6168 State Highway 28 (#114.05-1-40.00)

Chairman Huntsman opened the 6 Old Maiden Lane public hearing at 7:35 PM and asked if anyone from the public had questions or comments about the project. No one responded. Sharon Kroker moved to close the public hearing. Steve Talevi seconded the motion and it was approved, 5-0.

Fenimore Art Museum – Site plan review, tent pad and lawn pedestals within 500' of Otsego Lake in RA1 district – 5798 State Highway 80 (#115.00-1-4.00)

Chairman Huntsman opened the Fenimore Art Museum public hearing at 7:36 PM and asked if anyone from the public had questions or comments about the project. No one responded. Sharon Kroker moved to close the public hearing. Steve Talevi seconded the motion and it was approved, 5-0.

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. Chairman Tom Huntsman called the meeting to order at 7:36 PM and led the Pledge of Allegiance.

Clerk Bill Deane distributed copies of the 2024 Planning Board directory. He reported that, with the resignation of Antoinette Kuzminski, the Town Board had appointed alternate member Ann Cannon (absent today) to complete Kuzminski's term through 2027, and had appointed Jay Bosley and Matt Glynn (absent today) as new alternate members. Deane took roll call. Board members present were Huntsman, Ted Feury (Vice-Chairman), Steve Talevi, and Sharon Kroker. With Cannon, May Leinhart, and Elizabeth Horvath absent, alternate member Bosley joined the meeting table. Planning Board Attorney Jill Poulson and Zoning Enforcement Officer Wylie Phillips were also present.

Chairman Huntsman reviewed correspondence received since the last meeting:

- The Fall, 2023 issue of the *Biological Field Station Reporter*.
- A January 7 letter (read aloud by Huntsman) from Ed & Eileen Kukenberger, expressing concerns about a solar farm proposed on County Highway 26.
- A flier about a Town of Otsego Solar Energy Informational Meeting, to be held on February 7 at the Town building.

- A notice from the County Clerk's office, regarding the filing of the 6 Old Maiden Lane lot line adjustment.

The Board reviewed the minutes of January 2, e-mailed to the members. Feury moved to approve the minutes as written. Kroker seconded the motion and it was approved, 5-0.

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

Chairman Huntsman asked if anyone from the public had comments on a non-agenda item. Four Town residents spoke:

- Rob Bohm expanded on concerns brought up by the Kukueningers' letter. Bohm said solar projects would alter agricultural soil. Chairman Huntsman advised that the Town has no law governing solar energy as yet, but if added it would be by the Town Board, not the Planning Board. Bohm said that, if a new law were passed, applicants should be bonded to protect the Town. Attorney Poulson said that is addressed in the proposed Town legislation.
- Cindy Kukueninger expressed environmental, safety, and aesthetic concerns about possible solar legislation.
- Eileen Kukueninger expressed concerns about a potential change to property zoning as a result of such legislation.
- Bart Brush asked where the proposed project was.

With no further comments, the Board moved on to applications.

APPLICATIONS

Roger Smith (Steven Smith) – Minor subdivision in RA2 district – County Highway 26 (#130.00-2-28.01)

Clerk Bill Deane read aloud the January 2 minutes relevant to the Smith application. He noted that applicant Roger Smith had died in the interim. Representative Steven Smith was present.

Chairman Huntsman reviewed the Board's options. Sharon Kroker moved to approve the minor subdivision as submitted. Ted Feury seconded the motion and it was approved, 5-0. Chairman Huntsman stamped the application "approved" and signed it. Smith said his attorney has the Mylar. Huntsman said that Smith could arrange with him to have that signed at another time. Deane advised Smith to file the signed Mylar with the County within 30 days.

6 Old Maiden Lane, LLC (Rob Bohm/Bob Birch) – Site plan review, special permitted use, one family dwelling in GB2 district – 6168, 6170 & 6174 State Highway 28 (#114.05-1-40.00 & -41.00)

Clerk Bill Deane read aloud the January 2 minutes relevant to the 6 Old Maiden Lane application. Applicant Rob Bohm and attorney Bob Birch were present.

Chairman Huntsman reviewed the Board's options. Sharon Kroker moved to approve the site plan/special permitted use (one-family dwelling) as submitted. Steve Talevi seconded the motion and it was approved, 5-0. Deane prepared a special permit, which Chairman Huntsman stamped "approved" and signed. Zoning Enforcement Officer Phillips made a copy for Bohm.

Fenimore Art Museum (Joe Siracusa/Dan O'Neill) – Site plan review, tent pad and lawn pedestals within 500' of Otsego Lake in RA1 district – 5798 State Highway 80 (#115.00-1-4.00)

Clerk Bill Deane read aloud the January 2 minutes relevant to the Fenimore Art Museum application. Fenimore Art Museum Vice-President Joe Siracusa was present.

Chairman Huntsman reviewed the Board's options. Sharon Kroker moved to approve the site plan as submitted. Steve Talevi seconded the motion and it was approved, 5-0. Chairman Huntsman stamped the site plan "approved" and signed it. Zoning Enforcement Officer Phillips said he would scan and e-mail a copy to Siracusa.

Peter & Cynthia Mateunas (Neal McManus) – Sketch plan conference, minor subdivision in RA2 district – 102 Mateunas Road (#128.00-1-17.01)

Representative Neal McManus said that applicants Peter & Cynthia Mateunas own a 53.55-acre lot which encircles one owned by Joanne Dow. McManus wants to buy five acres from the northeast corner of Mateunas's lot. It would have about 358 feet of road frontage, and leave a 100-foot-wide buffer strip (representing Mateunas's remaining frontage) between the new lot and Dow's. There had been a previous division (2022 first lot split) of the property, making this a minor subdivision.

McManus submitted a map of the properties; the survey is not yet complete. Peter Mateunas said there would be no deed restrictions or covenants.

Ted Feury said that Mateunas's remaining lot would not meet frontage requirements. McManus said it would under Section 2.11 of the *Land Use Law*, "lot size averaging."

Chairman Huntsman went through the *Land Subdivision Regulations*. He said this appeared to be a reasonable subdivision. Among the items needed would be a survey, five copies the subdivision plat, a list of neighbors within 200 feet of the property lines, and a \$175 fee.

Clerk Bill Deane asked McManus to give two weeks' notice when he was ready to return before the Board.

OTHER BUSINESS

Zoning Enforcement Officer Phillips reported issuing two Land Use permits.

Ann Cannon attended the January 10 Town Board meeting as Planning Board liaison, and left a written report, which clerk Bill Deane read aloud. Tom Huntsman is scheduled to serve as liaison at the February 14 Town Board meeting.

The Board and members of the public continued informal discussion about the Town's proposed solar legislation. Zoning Enforcement Officer Phillips gave the Board draft copies of it.

Deane discussed the March 5 agenda. As of now there is nothing on it, but Mateunas is expected to return at some point. Also, Joseph Stagliano's lakeshore application was conditionally-approved by the ZBA in December; it will require site plan review when they are ready to proceed with that. Andrew Tillapaugh's application (from January) may also be returned to the Planning Board. Chairman Huntsman said the March 5 meeting could be cancelled if there is nothing ready by the February 20 agenda deadline. With no further business, at 8:37 PM Sharon Kroker moved to adjourn the meeting.

Respectfully submitted,

Bill Deane, Clerk