

Town of Otsego Planning Board

Minutes – February 7, 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 7:00 PM, and roll call was taken by clerk Bill Deane. Members present were Galati, Donna Borgstrom (Vice-Chairman), Paul Lord (who arrived at 7:19, during the first application), Joe Potrikus, Steve Purcell, and Tom Huntsman. With Rosemary Craig absent, alternate member Scottie Baker joined the meeting table. Zoning Enforcement Officer Hank Schecher and Planning Board Attorney Jim Ferrari were also present.

The Board reviewed the minutes of January 3, e-mailed to the members. Borgstrom moved to approve the minutes as written. Potrikus seconded the motion and it was approved, 6-0.

Chairman Galati passed around correspondence received since the last meeting:

- Fliers from Lorman Educational Services about an audio conference, “Wetlands Challenges and Use of Mitigation Bank Credits,” to be held on February 16.
- Fliers from Lorman Educational Services about an audio conference, “Potholes: Causes, Maintenance and Pitfalls,” to be held on February 28.
- A January 23 letter from the Army Corps of Engineers regarding the Hager residence. No one was familiar with this project, and the letter was filed in “general correspondence.”

Schecher distributed copies of his Zoning Enforcement Officer report (filed). It listed two land use permits 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. No one responded. The Board moved on to applications.

APPLICATIONS

Steve & M. J. Harris (Susan Snell/Jon McManus) – Site plan review, special permitted use, conversion of house into motel – 398 Wiley Town Road (#112.00-1-24.22)

Joe Galati recused himself and moved to the audience side of the table, due to the applicants’ retention of McManus Engineering for septic design. Applicant M. J. Harris, architect Susan Snell, and engineer Jon McManus were present. Acting Chairman Donna Borgstrom read aloud from the January 3 minutes relevant to the application.

Snell submitted an application package, including a site plan, survey, photo, short environmental assessment form (EAF), architectural drawings, and list of neighbors. The Board examined the documents, and Borgstrom went through the site plan requirements from Section 8.04 of the *Land Use Law*. The consensus of the Board was that the only things missing were topographic contours.

Joe Potrikus moved to waive the topographic contours requirement, due to no extreme changes to the footprint of the existing buildings. Steve Purcell seconded the motion and it was approved, 6-0.

Potrikus moved to deem the application complete and schedule a public hearing for March 6. Purcell seconded the motion and it was approved, 6-0.

McManus asked the Board to determine which category the project falls under the State Environmental Quality Review Act (SEQRA): Type I, Type II, or unlisted. Paul Lord said that the Board’s policy is to wait until after the public hearing to determine that. Joe Galati said that Section 8.04 indicates that the Planning Board should make this determination now. Lord said that Galati, being a Board member should not be speaking on behalf of the applicant. Galati disagreed, saying he was a Board member only when on the members’ side of the table.

Potrikus moved to deem this a Type II action per SEQRA Section 617.5(c)(7). With no second, the motion failed.

New York Land & Lakes (Alan Lord) – Sketch plan conference, major subdivision – Thayer Road (#97.00-1-7.00, -8.01, -8.02 & -9.00)

No one appeared on behalf of this sketch plan. The applicants plan to appear next month.

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

Joe Galati remained on the applicants' side of the table. Acting Chairman Donna Borgstrom read aloud from the January 3 minutes relevant to the application.

Galati passed around copies of the revised site plan and foundation plans. The Board examined the documents and determined that they covered everything requested by the Board, except for the Zoning Board of Appeals (ZBA) approval of an area variance.

Bill Deane read aloud from the minutes (not yet approved) of the ZBA's January 17 meeting. The ZBA had deemed Galati's application complete and scheduled a public hearing for February 21. It is likely that the variance will be decided on at that time.

Joe Potrikus moved to deem the application complete, contingent on ZBA approval of the variance on February 21, and to schedule a public hearing for March 6. Scottie Baker seconded the motion and it was approved, 6-0.

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

Joe Galati remained on the audience side of the table. Acting Chairman Borgstrom and Attorney Ferrari explained that a new "emergency" law now allows the Planning Board to extend conditional approvals for additional 90-day periods without limit, due to the state of the real estate market. The current extension on the LLIB approval runs through April 27.

Applicant Bill Miller gave a brief overview of the project for the benefit of the new Planning Board members. He asked for his contingent approval to be extended again, but the consensus of the Board was that it could wait until the April 3 meeting. Miller asked to be put on the April agenda. Bill Deane asked Miller to remind him in mid-March. Galati returned to the meeting table.

OTHER BUSINESS

Chairman Galati said he had spoken with Town Supervisor Anne Geddes-Atwell about scheduling a joint workshop with the Town Board and ZBA, to discuss a housekeeping review of the *Land Use Law*. After discussion, the Planning Board chose February 22 or 29 as possible dates for the workshop. Galati said he would contact the other Boards and let everyone know which date is selected. He will also ask people to contact Bill Deane with potential items at least two weeks before the meeting, so he can prepare an agenda. Deane will also need ten days' notice to advertise the workshop. The consensus was that he would not need to be present to take minutes.

The Board briefly discussed the Village of Cooperstown project.

Bill Deane discussed the March 6 agenda. Scheduled to return are Harris (public hearing), Land & Lakes, and Galati (public hearing).

With no further business, at 8:27, Scottie Baker moved to adjourn the meeting.

Respectfully submitted,
Bill Deane
Planning Board Clerk