

Town of Otsego Planning Board
Minutes – March 1, 2016

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. Acting Chairman Darryl Szarpa called the meeting to order at 7:01 PM and led the Pledge of Allegiance.

Clerk Bill Deane took roll call. Members present were Szarpa, Steve Purcell, Rosemary Craig, and Ed Hobbie. With John Phillips (Chairman), Tom Huntsman (Vice-Chairman), and Scottie Baker absent, alternate members Paul Russo and Chip Jennings joined the meeting table. Deane introduced new Zoning Enforcement Officer Barbara Monroe. Also present were Planning Board Attorney Jim Ferrari, Town Supervisor Meg Kiernan, and Town Councilperson Carina Franck.

The Board reviewed the minutes of February 2, 2016, e-mailed to the members. Hobbie moved to approve them as written. Purcell seconded the motion and it was approved, 6-0.

Correspondence received since the last meeting consisted of a February 3 memo (filed) from the Otsego County Clerk, regarding the filing of the Zeh subdivision plat; and an updated Planning Board directory prepared by Deane, with copies distributed to the members.

Acting Chairman Szarpa asked if anyone had a conflict with tonight's applicants. No one reported a conflict. Szarpa asked if anyone from the public had a comment on a non-agenda item. No one responded. The Board moved on to applications.

APPLICATIONS

Blackbird Hollow, LLC (Joe Galati & Susanne Adsit/Jon McManus/Les Sittler)
– Site plan review, special permitted use, restaurant/bar/hotel – 6855 State Highway 80 (#69.44-1-5.00)

Applicants Joe Galati and Susanne Adsit were represented by engineer Jon McManus and attorney Lester Sittler. McManus distributed copies of an approximately 50-page application package to the Board members. He said his hopes for tonight were for the Board to deem the application complete and declare lead agency status.

McManus said that they wanted this treated as a new application, not a revision to the application approved by the Board in 2014. The previous approval was for a 21-room hotel and 68-seat restaurant, with a swimming pool and gazebo. The current application calls for a 36-room hotel and 52-seat restaurant (including bar), with no pool or gazebo.

McManus compared former approvals (including a site plan approved on July 10, 2001, the 149-seat restaurant permit issued September 25, 2012, and the site plan approved on April 1, 2014) to the new plan. Though there have been some increases, the site occupancy has been reduced from 163 to 144, and the square footage of impervious surface has been reduced from 1,984 to 1,920. The number of parking spaces has been increased from 44 to 49 to meet the *Land Use Law* requirements. McManus noted that these requirements do not account for the estimated 10-15 employees. There are no changes to the footprint, height, or hours of

restaurant operation. Attorney Sittler said the new plan represented “a less-burdensome use.”

Board members examined the application packages and asked questions about signs (none proposed), music (only indoors, and during hours of operation), handicap parking (not yet designated), septic system, lighting (details needed), and emergency vehicle access. In light of neighbors’ previously-expressed concerns about parking adequacy, acting Chairman Szarpa noted that the current plan barely meets the parking requirements, whereas the previous plan exceeded them.

Szarpa went through the site plan requirements listed in Section 8.04 of the *Land Use Law*. Clerk Bill Deane said that the Board would need a current list of neighbors within 200 feet of the property, and a letter from the applicants, authorizing McManus and Sittler to represent them. The consensus of the Board was that the other requirements essentially had been met. McManus said the only outstanding permit applications are from the Watershed Council, with approval expected in April, and County Codes, expected in May. Steve Purcell moved to deem the application complete, contingent on the neighbor list and rep letter. Ed Hobbie seconded the motion and it was approved, 6-0.

Hobbie moved to declare lead agency status for the Planning Board. Rosemary Craig seconded the motion and it was approved, 6-0. Deane will initiate coordinated review by sending letters to the State Historic Preservation Office (SHPO), Department of Environmental Conservation (DEC), Department of Transportation (DOT), U.S. Army Corps of Engineers, Otsego County Planning Department, and Town of Springfield (done March 10).

McManus said they would return to the April 5 meeting. Items yet to address include State Environmental Quality Review (SEQR), and scheduling of a public hearing.

Peter & Anouk Van der Riet (Teresa Drurup, Altonview Architects) – Site plan review, special permitted use, indoor tennis facility – Linden Avenue (#131.00-1-16.01 & -16.02)

Applicants Peter and Anouk Van der Riet were present. They want to build an indoor tennis facility, for schoolchildren and other youths, on the land where the Cooperstown Little League field was proposed a few years ago. The two lots involved are owned by the Clark Foundation and Cooperstown Central School (CCS), with the Village of Cooperstown having permanent easements. The Van der Riets submitted a site map/plan and brochure for the proposed facility, and letters of support/representation from the Village and CCS. They will need to submit a similar letter from the Clark Foundation.

The Board examined the documents, noting that the facility is right on the lot line, and its height (46 feet) exceeds the limit specified by the *Land Use Law*. Thus, the applicants will need variances from the Zoning Board of Appeals (ZBA) before the Planning Board can take any action. Attorney Ferrari advised the applicants to consult Section 8.04 of the *Land Use Law* for site plan requirements.

Clerk Bill Deane advised the applicants that, if they submit a ZBA application tonight, they can get on that Board’s March 15 meeting agenda, with the potential of getting approval in April, and returning before the Planning Board in May. Deane said they would need to submit a current list of neighbors within 200 feet of the property lines.

Alex Zoeller (Bob Birch) – First lot split? – Cty. Hwy. 26 (#114.00-1-54.21)

Zoning Enforcement Officer Monroe said this item was removed from the agenda until further notice.

Theodosia Jones (Philip Vecchio, KMS Surveyors) – Boundary line adjustment – 170 Thayer Rd. (#96.00-1-8.02)

Surveyor Philip Vecchio, representing the Estate of Theodosia Jones, was present. He submitted a survey map and proposed deed language for a boundary line adjustment, transferring 10.03 acres from a 200-acre parcel to a small, non-conforming lot which adjoins it.

Board members noted that the revised lots would meet acreage and frontage requirements. Attorney Jim Ferrari examined the deed language and deemed it “all set.”

Rosemary Craig moved to approve the lot line adjustment and authorize the acting chairman to stamp and sign the map. Ed Hobbie seconded the motion and it was approved, 6-0. Szarpa stamped two copies of the map “approved” and signed them, keeping one for the file and giving the other to Vecchio. Clerk Bill Deane advised him to file their copy with the County as soon as possible.

OTHER BUSINESS

Acting Chairman Darryl Szarpa asked for a volunteer to serve as Planning Board liaison for the March 9 Town Board meeting. Ed Hobbie volunteered.

Barbara Monroe said she had no written Zoning Enforcement Officer report, but would start preparing monthly reports in April. Hobbie made some suggestions on the format of the report. Steve Purcell wished Monroe congratulations and good luck on her new position.

Hobbie mentioned the training seminar to be held in Milford on March 22.

Clerk Bill Deane discussed the April 5 agenda. Blackbird Hollow will be returning, and there is a new boundary line adjustment application from Steven Smith.

The Board engaged in informal discussion about the proposed tennis facility.

With no further business, at 8:55, Rosemary Craig moved to adjourn the meeting.

Respectfully submitted,
Bill Deane, Planning Board Clerk