

Town of Otsego Planning Board
Minutes (unapproved), March 6, 2018

PUBLIC HEARING

Joyce Boyd – Minor subdivision in RA1 & RA2 districts – 1914 County Highway 26 (#68.00-1-23.02)

Vice-Chairman Darryl Szarpa opened the floor for public comments on the application at 7:00 pm. With no one in the audience making any comments the public hearing was closed. Brooke Torruella arrived after the public hearing. Acting Clerk Meg Kiernan suggested she ask ZEO, Ed Hobbie, to view the plans.

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. With Chairman Tom Huntsman absent Vice-Chairman Darryl Szarpa called the meeting to order at 7:05 PM. and led the Pledge of Allegiance.

Acting Clerk Meg Kiernan took roll call. Board members present were: Darryl Szarpa (Vice-Chairman), Elizabeth Horvath, Walter Dusenbery, and Ted Feury. Also present were alternate member Sharon Kroker, who came to the table, Zoning Enforcement Officer Ed Hobbie, Planning Board attorney Ryan Miosek, and Town Board member Carina Franck. Chairman Tom Huntsman, Scottie Baker, Chip Jennings and alternate member Toby Wilcox were absent.

The Board reviewed the minutes of February 6, 2018, e-mailed to the members. Horvath moved to approve the minutes as written. Feury seconded the motion and it was approved, 5-0.

Acting Clerk Kiernan discussed correspondence:

- A letter addressed to Joan Ferrando, 1961 Cty Hwy 26, notifying neighbors of the Joyce Boyd minor subdivision had been returned unable to be forwarded.

Vice-Chairman Szarpa asked if anyone had a conflict with any of tonight's applicants. Attorney Miosek said he had a conflict with the Aaron Hall application.

Vice-Chairman 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

Joyce Boyd – Minor subdivision in RA1 & RA2 districts – 1914 County Highway 26 (#68.00-1-23.02)

Ted Feury read aloud from the minutes of February 6 relevant to the Joyce Boyd application. Feury read the rules for approval of an application. Elizabeth Horvath moved to approve the application. Walter Dusenbery seconded the motion and it was approved, 5-0. Vice-Chairman Szarpa stamped the site plan "approved" and signed it.

Otsego Sailing Club – Sketch plan conference, construction of pavilion within 100 feet of Otsego Lake – State Highway 80 (#99.00-1-32.02)

Representatives Ron Streek and David Ainsworth were present, along with members Jim Dulak and Finn Jensen. Originally scheduled to erect a pavilion within 100 feet of the lake, the applicants had changed the plans by situating their proposed pavilion between 101-500 feet of

the lake thereby removing the need for a variance. A wooden scaled model of the proposed pavilion was displayed. The pavilion will be 60' x 30' with a roof height of 20'. A cement floor will be poured with 24 inches of gravel underneath. There will be no plumbing.

Vice-Chairman Szarpa explained the next steps were to fill out an application and refer to section 8.04 of the Land Use Law for instructions and the necessary documents needed. They will return next month with all the information needed.

Aaron Hall – Sketch plan conference, replacement of garage in Otsego Lakeshore protection area – 6555 State Highway 80 (#84.08-1-24.01)

No one appeared on behalf of this application.

Bill Michaels (Jon McManus, Hyde Clarke) – Site plan review, special permitted use (“Heirloom Barn”), craft beverage manufacturing business in hamlet residential district – 276 Goose Street (#98.00-1-29.00)

Representatives Jon McManus and Hyde Clarke from Young-Sommer were present. Clarke reviewed updates to the plans. They had sought an interpretation from ZEO Hobbie to determine if by moving an appendage from the rear of the structure to the East side would constitute remaining in the footprint. ZEO determined in writing that would constitute keeping within the footprint. They also removed the inclusion of other outlying buildings in their building footprint calculation since this method is not allowed in the district. Doing so removed the need for a variance as all sides meet the appropriate setbacks. Feury stated footprint was determined from the air. He disagreed whether same size meant same footprint. McManus stated functionality was the issue in relocating the appendage and wanted it away from the creek. Miosek stated this was adaptive rehabilitation.

Attorney Miosek questioned the age of the structure. A neighbor claims it was built in 1959 from scrap wood. McManus requested the names of the Town Historians to perhaps ask them to assist in determining the age a historical merit.

Dusenbery asked about the proposed uses. He read in the application they might hold events that went until 11 pm. Concern was raised about the many uses listed. Consensus was they should be more specific in what they intend to do there. Will they be bottling products? McManus thought 50% would fall under Ag & Markets and 50% would fall under NYS Health Department.

McManus asked that the application be deemed complete and a public hearing scheduled for next month. Miosek felt the question needed to be answered whether or not this is an Heirloom Barn before they go any further. McManus said he would review the deed and other deeds that might apply to it. They did disclose this building was relocated from another property.

Horvath felt the EAF was not enough to determine the type of action regarding SEQRA. Manufacturing was listed as a use. Horvath stated this alone would have an impact on the neighborhood. McManus stated it was a Type II action based on the threshold level of Type I actions. Dusenbery stated there were too many uses listed to perform a proper SEQRA review. Miosek read the Type I actions. McManus and Clarke again asked that a public hearing be schedule for next month to get public comment without the application being deemed complete. It was determined there are costs to the Town for this and there was a lack of information for the

public to comment on. Lacking information: An updated sketch of the new design, exact description of use(s) current and proposed, applied for permits, equipment used in the manufacturing to determine scale of operation, more detail to walkways for pedestrian traffic, lighting, hours of operation, traffic density, estimate of increased customers.

They will return next month.

OTHER BUSINESS

Ed Hobbie distributed his formal Zoning Enforcement Officer report, and discussed some projects and situations of interest.

Vice-Chairman Szarpa asked for a volunteer to serve as Planning Board liaison at the March 14 Town Board meeting. Ted Feury volunteered. It was discussed whether or not it was necessary to have a liaison. Acting Clerk Kiernan thought that it was up to them. She said communication between the boards outside the meetings had improved and since Councilpersons Franck and Hohensee attend the Planning Board meetings on a regular basis it would be up to the Planning Board whether or not they felt it necessary.

During member discussion Elizabeth Horvath brought up a question pertaining to the Heirloom Barn. Can someone move a barn from another property and a week later apply for a use under the Heirloom Barn Law? This will go forward to the Town Board members working on revising the law.

With no further business, at 8:50 PM Walter Dusenbery moved to adjourn the meeting.
Respectfully submitted,

Meg Kiernan, Acting Planning Board Clerk