

Town of Otsego Planning Board

Minutes – April 1, 2014

PUBLIC HEARING

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

Chairman Donna Borgstrom called the Galati public hearing to order at 7:02 PM and left the meeting table, leaving Vice-Chairman Joe Potrikus in charge. Alternate member Darryl Szarpa joined the table.

Potrikus asked representative Jon McManus to give a brief description of the project; McManus read aloud from the environmental assessment form (EAF). Potrikus asked if anyone from the public had comments about the proposed project.

Charlotte Hall, an adjacent neighbor, said that she hopes the Planning Board follows the “Heirloom Barn” portion of the *Land Use Law*, which specifies a “minimum impact” on neighbors. She said that no Board member had approached her about the impact to her by this project, which she is concerned will negatively affect her property value. Hall asked about the use of the pool and pavilion, whether they are enclosed, and how late they will be open; she is concerned about the 11 PM proposed closing time. She also wondered about where laundry trucks will go in and out and where the garbage dumpster(s) will be located, and expressed concern about odors.

Cheryl Zamelis said she is concerned the parking is inadequate, as it doesn’t account for employees; is there room for emergency vehicles or loading trucks? She asked about the layout of rooms, which will accommodate three people each. She expressed concern about excessive tree removal, discharge of chlorinated water into Otsego Lake, and the noise levels from the pool/pavilion area at late hours. She asked where the water to fill the pool would come from, and what the pavilion would be used for.

Kathy Chase expressed concern about the pool being near the creek, which feeds into the Lake, and about the noise at late hours.

With no further comments, Steve Purcell moved to close the public hearing. Ed Hobbie seconded the motion and it was approved, 7-0. Borgstrom returned to the meeting table and Szarpa left it.

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 Donna Borgstrom called the meeting to order at 7:13 PM, and clerk Bill Deane took roll call. Members present were Borgstrom, Joe Potrikus (Vice-Chairman), Steve Purcell, Rosemary Craig, Tom Huntsman, Scottie Baker, and Ed Hobbie. With absent, and joined the table. Second alternate member Darryl Szarpa, Planning Board Attorney Jim Ferrari, Zoning Enforcement Officer Tavis Austin, and Town Board member Tom Hohensee were also present. First alternate member John Phillips was absent.

The Board reviewed the minutes of March 4, e-mailed to the members. Potrikus, remarking that they were “outstanding,” moved to approve the minutes as written. Purcell seconded the motion and it was approved, 6-0, with Baker abstaining because she was not at the meeting.

Chairman Borgstrom led the Pledge of Allegiance.

Chairman Borgstrom reviewed correspondence received since the last meeting: a February 26 letter (passed around, and filed in “general correspondence”) from the Department of Transportation (DOT), regarding a large culvert project affecting several Otsego County Towns; and registration forms for a training whose date (March 24) had already passed.

Chairman Borgstrom asked if there were any member disclosures regarding potential conflicts. She said that she would again be recusing herself from the Galati application, and also the Hodgins application, as the applicant is a client of her law firm.

Chairman Borgstrom asked if there were any public comments on non-agenda items. No one responded.

The Board moved on to applications.

APPLICATIONS

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

Chairman Donna Borgstrom recused herself and left the meeting table, leaving Vice-Chairman Joe Potrikus in charge. Alternate member Darryl Szarpa joined the meeting table. It was noted that the Board had received a coordinated review response (filed) from the Department of Environmental Conservation (DEC), offering “no objection” to the Planning Board’s lead agency status. Clerk Bill Deane read aloud from the minutes of the March 4 meeting relevant to the application.

Representative Jon McManus said there were no changes to the project. He responded to some of the comments and questions raised during the public hearing. McManus said the pool/pavilion area will not be enclosed, and cannot be relocated due to the traffic flow on the property. He said the pool would be filled by the Fire Department, and chlorine levels are monitored by the Department of Health and DEC. McManus said that noise levels are covered by

the local noise ordinance, policed by the Sheriff's Department or State Police, and there will be "24/7 oversight" of the property. In response to the question of three people per room, McManus said he wasn't prepared to answer that. Potrikus noted that three people per rental group is the typical demographic for Dreams Park families.

Steve Purcell suggested adding vegetation to the eight-foot fence to buffer sound. Potrikus suggested planting evergreens.

After discussion, Rosemary Craig moved to approve the March 4, 2014 site plan and special permitted use (restaurant/hotel) with the following conditions added to the special permit: pool hours of operation, 8:30 AM-11 PM; 10-12 evergreens added to promote privacy and noise control; and the addition of a secondary dumpster enclosure. Ed Hobbie seconded the motion and it was approved, 7-0. Potrikus stamped the site plan "approved" and signed it. Attorney Ferrari submitted a negative declaration, which Potrikus signed and filed. Deane prepared a special permit, which Potrikus also signed; Deane will mail it to Joe Galati.

Annbritt Hodgins – Site plan review, special permitted use (recreational facility – horse-boarding & riding) – 6424 State Highway 28 (#97.00-1-51.01 & -.02)

Chairman Donna Borgstrom recused herself and remained away from the meeting table, leaving Vice-Chairman Joe Potrikus in charge. Alternate member Darryl Szarpa remained at the meeting table.

Applicant Annbritt Hodgins submitted an application package, including a site plan, aerial property photo, and photos of existing buildings. She is proposing a new 70x140' structure, approximately 28 feet high, to be used for horse boarding. It would be used mostly for her eight horses, but also 4-5 horses of friends. At this point there would be no commercial use nor signs, but it could evolve into a public facility for boarding, training, and riding. She is anxious to get the building started soon.

Acting Chairman Potrikus said that the Board would need the items listed in the "site plan requirements" section of the *Land Use Law*, including water runoff plans, lighting, electric, ingress and egress plans, and hours of operation. Ed Hobbie said these should be included in engineered plans.

Attorney Ferrari noted that agriculture is a permitted use, and one doesn't need Planning Board approval for a barn. He cited the precedence of the B&B Ranch. Ferrari suggested that Hodgins could build the structure now, and return before the Planning Board if it expanded into a public, commercial venture.

After discussion, Hobbie moved that the application as presented has been deemed a permitted agricultural use, requiring no Board intervention at this time. Steve Purcell seconded the motion and it was approved, 7-0. Hodgins will return before the Board if the scope of the project changes.

OTHER BUSINESS

Chairman Borgstrom returned to the meeting table. She said that, while she was away, Ed Kukenberger had consulted her about renewing the EIS permit for his Kukenberger Sand & Gravel Mine on 595 County Highway 26. She determined it was a DEC, not a Planning Board, issue, and gave him appropriate direction.

Zoning Enforcement Officer distributed copies of his April 4 report (filed). The consensus of the Board was that they like the new spreadsheet format. Austin gave a brief update on the Hummel situation.

Board members updated Chairman Borgstrom on their training activities.

Deane discussed the May 6 agenda, reminding the Board of the resumption of the 7:30 start time. As of now, only Bill Miller (conditional approval extension) is on it.

With no further business, at 8:35, Ed Hobbie moved to adjourn the meeting.

Respectfully submitted,
Bill Deane, Planning Board Clerk