

## Town of Otsego Planning Board

Minutes, April 2, 2024

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

### **PUBLIC HEARING**

#### **Andrew Tillapaugh (Martin Tillapaugh/Teresa Drerup/Virginia Ofer) – Site plan review, addition to existing camp within 100’ of Otsego Lake in RA1 district – 6688 State Highway 80 (#69.76-1-9.00)**

Chairman Tom Huntsman opened the Tillapaugh public hearing at 7:30 PM, and asked if anyone from the public had comments or questions about the application. No one responded.

Clerk Bill Deane noted that a hearing notice addressed to Charlton Jones was returned to sender due to “insufficient address.”

Sharon Kroker moved to close the public hearing. Ann Cannon seconded the motion and it was approved, 7-0.

### **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 (in the main part of the building, due to the New York Presidential primary election). Chairman Tom Huntsman called the meeting to order at 7:31 PM and led the Pledge of Allegiance.

Clerk Bill Deane took roll call. Board members present were Huntsman, Ted Feury (Vice-Chairman), Steve Talevi, Sharon Kroker, Ann Cannon, and May Leinhart. With Elizabeth Horvath and alternate member Matt Glynn absent, alternate member Jay Bosley joined the meeting table. Planning Board Attorney Jill Poulson and Zoning Enforcement Officer Wylie Phillips were also present.

The Board reviewed the minutes of March 5, e-mailed to the members. Talevi moved to approve the minutes as written. Kroker seconded the motion and it was approved, 7-0.

Deane said the only correspondence received since the last meeting was a notice (filed) from the Otsego County Planning Department, regarding the filing of the Roger Smith subdivision which the Board approved in February.

Chairman Huntman asked if anyone had a conflict with any of tonight’s applicants. No one reported any conflict. Huntsman asked if anyone from the public had comments on a non-agenda item. Again, no one responded. The Board moved on to applications.

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### **APPLICATIONS**

#### **Andrew Tillapaugh (Martin Tillapaugh/Teresa Drerup/Virginia Ofer) – Site plan review, addition to existing camp within 100’ of Otsego Lake in RA1 district – 6688 State Highway 80 (#69.76-1-9.00)**

Clerk Bill Deane read aloud from the Planning Board’s minutes of March 5 relevant to the Tillapaugh application. Virginia Ofer of Altonview Architects represented applicant Andrew Tillapaugh. She had submitted a letter from the Department of Environmental Conservation (DEC), expressing no concerns about the project, but is still awaiting similar sign-offs from the Department of Transportation (DOT) and Watershed Supervisory Committee (WSC).

Chairman Huntsman reviewed the Board's options. Ted Feury moved to approve the site plan as submitted, contingent on DOT and WSC sign-offs. Steve Talevi seconded the motion and it was approved, 7-0. Chairman Huntsman said he would arrange to stamp and sign the site plan upon the Town's receipt of those items.

**Peter & Cynthia Mateunas (Neal McManus) – Minor subdivision in RA2 district – 102 Mateunas Road (#128.00-1-17.01)**

Clerk Bill Deane read aloud from the Planning Board's minutes of February 6 relevant to the Mateunas application. Applicant Peter Mateunas was accompanied by representative Neal McManus. Zoning Enforcement Officer said the \$175 subdivision fee (creation of one new lot) had been paid, and that he would print out a neighbor list.

McManus said that the plan had been changed, and he was now purchasing 3.03 acres instead of five. This would increase the buffer strip next to Dow's property to 125 feet (representing Mateunas's remaining frontage). Mateunas submitted a Mylar and plat done last week, and based on a February, 2022 survey with the proposed lines drawn in, but no new date. The consensus of the Board was that this met their requirements for a survey and five copies of the subdivision plat.

Chairman Huntsman reviewed Sections 5.2 and 3.2 of the *Land Subdivision Regulations*. The Board discussed State Environmental Quality Review (SEQR). Sharon Kroker moved to deem this a Type II action per SEQR Section 617.5(c)(47). Ted Feury seconded the motion and it was approved, 7-0.

Feury moved to deem the application complete. Kroker seconded the motion and it was approved, 7-0. Kroker moved to schedule a public hearing for May 7. Steve Talevi seconded the motion and it was approved, 7-0.

**Joseph Stagliano (Nick Drummond/Redpoint Builders) – Sketch plan conference, addition to camp within 500 feet of Otsego Lake in RA1 district – 6723 State Highway 80 (#69.68-1-10.00)**

Representative Nick Drummond of Redpoint Builders said that applicant Joseph Stagliano wants to expand his camp, located more than 100 feet from but within 500 feet of Otsego Lake. Clerk Bill Deane read aloud from the Zoning Board of Appeals's minutes of September 19, October 17, November 21, and December 21, 2023 relevant to the Stagliano application. In December, the ZBA held a second public hearing, and approved variances of 17'5" on the north side, 12'11" on the south side, and 7 feet on the front or east (State Highway 80) side, conditional on Watershed Supervisory Committee (WSC) approval of the septic plan, and either the drainage plan signed off by the Department of Transportation (DOT), or an engineered plan approved by the Planning Board. Deane said he would e-mail a Word document to the members, giving a history of this property's recent experiences with the ZBA and Planning Board.

Zoning Enforcement Officer Phillips said there are no outstanding violations on the property, and that the WSC signed off on this project. Chairman Huntsman noted that the well is only 11 feet from the proposed septic system, and said that he didn't think the WSC considers well location in its decisions. He suggested that the Department of Health (DOH) should be consulted.

Drummond explained the project and distributed copies of sketches and photos. He read from a 12/20/23 letter from Redpoint Builders, responding to concerns expressed by neighbor Joe Galati, but did not have a legible copy of the letter for the file.

Chairman Huntsman said this should be considered a sketch plan conference. He asked Drummond to review Section 8.04 of the *Land Use Law* and be prepared to address those items at the next meeting. Huntsman also asked him to resubmit the 12/20/23 letter, and to solicit written input from the DOH and DOT.

**Peter Kapsales (Tim Yerdon) – Sketch plan conference, addition to residence within 500 feet of Otsego Lake in RA1 district – 6447 State Highway 80 (#84.00-1-17.02)**

Representative Tim Yerdon said that applicant Peter Kapsales wants to expand his residence within 500 feet of Otsego Lake, with two-story, 16' x 26'4" addition. Clerk Bill Deane read aloud from the Zoning Board of Appeals's minutes of December 21, 2023, February 20, 2024, and March 19, 2024 (not yet approved) relevant to the Kapsales application. In February, the ZBA held a public hearing with no comments, and in March they granted a five-foot variance on the north side, with the following conditions: (1) Watershed Supervisory Committee approval of the septic system; (2) a gutter, downspout, or similar system to be installed on the addition to mitigate water runoff; (3) a siltation system to be installed down-slope from the building to mitigate silt/debris runoff. Deane suggested that any Planning Board approval include those conditions.

Chairman Huntsman said this should be considered a sketch plan conference. He asked Yerdon to review Section 8.04 of the *Land Use Law* and be prepared to address those items, as well as submitting documentation of adherence to the ZBA conditions, at the next meeting. Huntsman also advised Yerdon to seek Department of Environmental Conservation sign-off on the project.

**OTHER BUSINESS**

Zoning Enforcement Officer Phillips reported that things have been "uneventful."

Ted Feury said he attended the March 13 Town Board meeting as Planning Board liaison. He reported to them on this Board's activities, and listened to discussion about the WSC and other matters. Elizabeth Horvath is scheduled to serve as liaison at the April 10 Town Board meeting; clerk Bill Deane said he would remind her.

Deane announced that he had now served as Planning Board clerk for 20 years.

Deane discussed the May 7 agenda. Mateunas (public hearing), Stagliano, and Kapsales are expected to return. There are also three lakeshore applications (Otsego Land Trust, Arlene Nygren, Ken Marx) on the ZBA agenda, two having public hearings this month; they will likely all proceed to the Planning Board eventually, possibly two of them next month.

With no further business, at 9:06 PM Sharon Kroker moved to adjourn the meeting.

Respectfully submitted,  
Bill Deane, Clerk