

Town of Otsego Planning Board

Minutes – May 7, 2013

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 (there was no meeting in April due to no agenda items). Chairman Donna Borgstrom called the meeting to order at 7:29 PM, and clerk Bill Deane took roll call. Members present were Borgstrom, Doug Greene (Vice-Chairman), Joe Galati, Steve Purcell, Rosemary Craig, and Tom Huntsman. With Joe Potrikus late, alternate member Scottie Baker joined the meeting table (Potrikus arrived at 7:48, after all votes were taken). Planning Board Attorney Jim Ferrari arrived during “other business” at 7:53; Zoning Enforcement Officer Tavis Austin was absent.

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

The only correspondence received since the last meeting were a March 8 memo from the Village of Cooperstown, citing their determination of non-significance on the Main Street sidewalk replacement and green infrastructure project (filed in “general correspondence”); and the March/April 2013 issue of *Talk of the Towns&Topics*, copies of which were distributed.

Chairman Borgstrom asked if there were any public comments on non-agenda items. No one responded. The Board moved on to applications.

APPLICATIONS

LLIB, LLC (Bill Miller) – request to extend conditional approval of Upper West Side major subdivision to August 30, 2013 – County Highway 28, Pierstown (#84.00-1-15.62)

Joe Galati and Rosemary Craig recused themselves and left the meeting table. Applicant Bill Miller returned, again requesting a 90-day extension to his conditional approval for the Upper West Side major subdivision approved in 2011. The current extension runs through June 1, 2013.

Chairman Borgstrom asked if there were any changes to the project or situation; Miller said there were not. Steve Purcell moved to extend the conditional approval an additional 90 days (to August 30, 2013). Tom Huntsman seconded the motion and it was approved, 5-0. Miller was invited to return for the August 6 meeting if he wishes to request another extension. Galati and Craig returned to the meeting table.

Diane Wicks-Miller – Lot line adjustment – County Highway 22 (#52.00-2-10.01, -10.61 & -10.62)

Chairman Borgstrom said that, according to Zoning Enforcement Officer Austin, applicant Diane Wicks-Miller said she would not be ready for this meeting, and asked to be postponed until June.

Jim Woolson & Joann Zeh (Bob Schlather) – Lot line adjustment – State Highway 205 (#96.00-1-26.00 & -27.03)

This application was added to the agenda by agreement of Chairman Borgstrom. Attorney Bob Schlather is representing Jim Woolson, who plans to convey 10.76 acres to neighbor Joann Zeh by adjusting the boundary line between their two properties. Schlather submitted a letter of authorization, tax map, and proposed deed, which the Board reviewed.

Joe Galati moved to approve the boundary line adjustment, contingent on Attorney Ferrari’s review and approval of the deed language. Doug Greene seconded the motion and it was approved, 7-0. Chairman Borgstrom turned the documents over to Ferrari for review after the meeting.

OTHER BUSINESS

With Tavis Austin absent, there was no Zoning Enforcement Officer report. Austin told Chairman Borgstrom that a report would essentially be the same as the Board’s agenda.

Chairman Borgstrom suggested that the next time the Board has such a light agenda, they use the time for training. Doug Greene reminded the Board of topics he was prepared to present. The consensus of the Board was to have Greene do a one-hour presentation on “Enforcement of Zoning” at the next opportunity. Greene added that the Board should work on an update of the Town’s Comprehensive Plan. Discussion followed. Chairman Borgstrom said that the Board should address required training before taking on a project such as this.

Scottie Baker said that she recently attended a New York Planning Federation conference. She asked one of the presenters his opinion on a few topics of local controversy: the ethics policy, preventing a Planning Board member from being in the room during presentation of his application; a person holding the Town Attorney and Planning Board Attorney positions simultaneously; and a Planning Board Attorney not giving input unless asked. The presenter gave his opinions, not citing any state or town laws. Attorney Ferrari weighed in on the latter two items. He said that he didn't think the issue here was one person holding both positions, but rather the Town Board's usurping their authority in overruling the Planning Board's decision. Ferrari added that he feels his role is to remain in the background, making sure that the Board follows applicable laws, and giving input when asked or appropriate.

Joe Galati discussed the aforementioned ethics policy clause. He noted that Town Board member Bennett Sandler admitted that the clause "targeted" Galati. Galati said that his being forced out of the room during presentation of his recent application was "awful" and costly to him. He said that he plans to give the Town Board an ultimatum to change the policy, and if they do not, he will sue them. Other members agreed that the policy is unfair, Steve Purcell noting that it was "complaint-driven." Doug Greene suggested that the Planning Board write a resolution to the Town Board, proposing to change the policy. Chairman Borgstrom said she would draft a resolution and e-mail it to the members, so that they could discuss it further at the June meeting.

Joe Galati also discussed Town Attorney Michelle Kennedy giving "free passes" to certain business owners, while others are scrutinized beyond reasonable procedure. There are many people violating Town laws but not having to answer for it.

Joe Potrikus said that he had attended the last Town Board meeting, and that Town Clerk Pam Deane's minutes of their February 27 joint meeting with the Planning Board still have not been approved. Several members of the Planning Board feel that the minutes are incomplete and don't accurately reflect what happened. Supervisor Anne Geddes-Atwell said that approval of the minutes was "tabled" while they await something in writing from the Planning Board. Joe Galati has secured a recording of the meeting and distributed it to the other members. Chairman Borgstrom asked members to review the minutes and recording and be prepared to discuss amendments to the minutes at the June Planning Board meeting. Doug Greene said he would go to the May 8 Town Board meeting and let them know the status.

Bill Deane discussed the June 4, 2013 agenda. At this point, Wicks-Miller is the only application on the agenda.

With no further business, at 8:34, Scottie Baker moved to adjourn the meeting.

Respectfully submitted,
Bill Deane, Planning Board Clerk