

# Town of Otsego Planning Board

Minutes, June 1, 2021

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

## **PUBLIC HEARING**

### **Peter & Dorothy Martin Estate (Judy Brown, Cassandra Mullinex, Meagen O'Brien) – Minor subdivision in RA1 district – 226 Goose Street (#98.00-1-54.00)**

Chairman Huntsman opened the Martin Estate public hearing at 7:31 PM, and asked if anyone from the public had comments or questions about the application. Jeannette Lyons (224 Goose Street), Jim Fouch (119 Bailey Road), and Chuck & Sue Newman (via Zoom; 239 Goose Street) each asked what was going on with the application. Clerk Bill Deane read aloud from the Planning Board's minutes of May 4 (not yet approved) relevant to the application. The neighbors indicated that this answered their questions.

With no further comments or questions, Sharon Kroker moved to close the public hearing. Ben Bauer 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. Chairman Tom Huntsman called the meeting to order at 7:36 PM and led the Pledge of Allegiance. He announced the new Town policy wherein masks are not required for those vaccinated against COVID-19.

Clerk Bill Deane took roll call. Board members present were Huntsman, Walter Dusenbery, Lynn Krogh, Sharon Kroker, and Ben Bauer. With Elizabeth Horvath and Chip Jennings absent, alternate members Rosemary Brodersen and Antoinette Kuzminski (newly-appointed) joined the meeting table. Also present were Town Supervisor Meg Kiernan, Town Board member Carina Franck, Zoning Enforcement Officer Jess Lanza, and Planning Board attorney Ryan Miosek (who arrived at 7:45).

The Board reviewed the minutes of May 4, 2021, e-mailed to the members. Kroker moved to approve the minutes as written. Krogh seconded the motion and it was approved, 7-0.

There was no correspondence received since the last meeting.

Chairman Huntsman asked if anyone had a conflict with any of tonight's applicants. No one responded.

Huntsman asked if anyone from the public had a comment on a non-agenda item. Ed Hobbie said that a new trailer and septic system had been put up on Marble Road, within 500 feet of Canadarago Lake. Hobbie wondered if any permits had been issued or engineering done. He said he would discuss it further with Zoning Enforcement Officer Lanza after the meeting.

The Board moved on to applications.

## **APPLICATIONS**

### **Peter & Dorothy Martin Estate (Judy Brown, Cassandra Mullinex, Meagen O'Brien) – Minor subdivision in RA1 district – 226 Goose Street (#98.00-1-54.00)**

With the previous meeting's minutes already read, Chairman Huntsman reviewed the Board's options. Walter Dusenbery moved to approve the minor subdivision as submitted. Sharon Kroker seconded the motion and it was approved, 7-0. Huntsman stamped the subdivision map "approved" and signed it.

Representative Judy Brown submitted a check for \$175 (delivered to the Town Clerk) to cover the correct subdivision fee. Clerk Bill Deane returned the \$350 check which had been mistakenly submitted in May.

**Longview Allied, LLC – Site plan modification, deck & septic system behind barn, “Serenity Hill Event Center” in RA2 district – 281 Christian Hill Road (#133.00-1-66.09)**

Representatives Joe Potrikus and Amanda Sittler were present. Potrikus said that they wanted to put in a 24-foot-wide post & beam deck and a septic system behind the Serenity Hill Event Center barn, for which the Planning Board had approved a site plan and issued a special permit in 2018. Potrikus submitted a site map and a drawing of the proposed deck. He said it would not be near any property lines.

Clerk Bill Deane read aloud from the Planning Board’s minutes of March 2, 2021 relevant to the application. During that meeting, the Board had removed the expiration date from the special permit.

Chairman Huntsman said he didn’t think any Planning Board action was needed for this project, as there is no change to the use, nor any setback concerns. No members offered contrary opinions.

**Raymond & Teresa Bader (Jon McManus) – Site plan review, construction of deck within 100 feet of Otsego Lake in RA1 district – 6834 State Highway 80 (#69.44-1-35.00)**

Representative Jon McManus was present on behalf of applicants Raymond & Teresa Bader, who want to construct a 20x22’ deck on their property within 100 feet of Otsego Lake. (Teresa also participated via Zoom). McManus submitted a site survey and photos.

Clerk Bill Deane read aloud from the Zoning Board of Appeals’s minutes of April 20 and May 18 (not yet approved), 2021 relevant to the Bader application. During those meetings, the ZBA had held a public hearing with no negative comment, and approved the variances requested: a 29-foot variance on the north side, along with a variance from *Land Use Law* Section 4.04, which prohibits new construction within 100 feet of Otsego Lake.

Chairman Huntsman went through the site plan requirements in Section 8.04 of the *Land Use Law*, also citing Section 4.04. The consensus was that all necessary items had been submitted.

The Board discussed State Environmental Quality Review (SEQR). Walter Dusenbery moved to deem this a Type II action per SEQR Section 617.5(c)(12). Sharon Kroker seconded the motion and it was approved, 7-0.

Dusenbery moved to deem the application complete. Lynn Krogh seconded the motion and it was approved, 7-0.

Kroker moved to waive the public hearing due to the result of the ZBA hearing. Krogh seconded the motion and it was approved, 7-0.

Dusenbery moved to approve the site plan as submitted. Krogh seconded the motion and it was approved, 7-0. Huntsman stamped the site plan “approved” and signed it.

Zoning Enforcement Officer Lanza said he would settle up with McManus on the fees due.

**Stephen Cembrinski & Roger Smith – Boundary line adjustment in RA1 district – 408 County Highway 26 (#130.00-2-29.00 & -28.02)**

Applicant Stephen Cembrinski said that he plans to buy 1.81 acres from his southeast neighbor, Roger Smith, adjusting their common property boundary to effect the transaction. Cembrinski submitted a 2/22/21 stamped survey, and gave \$50 cash to Zoning Enforcement Officer Lanza in payment of the application fee.

Chairman Huntsman went through the boundary line adjustment requirements. He said the only missing item was a copy of the proposed deeds, describing the revised lots. Cembrinski said that attorney

Dave Clinton was working on the deeds. Huntsman advised Cembrinski to return to the July 6 meeting with those.

**Constantine Gavalas (Jon McManus) – Sketch plan conference, site plan modification of restaurant in hamlet business district – 6208 State Highway 28 (#114.05-1-37.00)**

Representative Jon McManus was present on behalf of applicant Constantine Gavalas, who wants to upgrade the stairs at the former Harmony House restaurant. Clerk Bill Deane read aloud from the ZBA's minutes of March 16 and April 20, 2021 relevant to the Gavalas application. During those meetings, the ZBA had held a public hearing with no public comment, and approved the variance requested: a seven-foot variance on the rear (north) side. Deane had advised McManus that the project may need site plan review, due to the change in the site plan approved by the Planning Board in 2005.

Chairman Huntsman said he didn't think any Planning Board action was needed for this project, as there is no change to the use, nor setback concerns. The other members agreed by consensus.

**Jeff Dudley (Jon McManus) – Site plan review, erection of Amish shed within 100 feet of Otsego Lake in RA1 district – 6471 State Highway 80 (#84.12-1-9.01)**

Representative Jon McManus was present on behalf of applicant Jeff Dudley, who wants to erect a 10x16' Amish shed on his property within 100 feet of Otsego Lake. Clerk Bill Deane read aloud from the ZBA's minutes of April 20 and May 18 (not yet approved), 2021 relevant to the Dudley application. During those meetings, the ZBA had held a public hearing with no public comment, and approved the variances requested: a 25-foot variance on the west side, and a 28-foot variance on the east side, along with a variance from *Land Use Law* Section 4.04, which prohibits new construction within 100 feet of Otsego Lake.

There was discussion as to whether the project required site plan review, since no actual construction is taking place. Chairman Huntsman said it did, citing *Land Use Law* Section 4.04. He went through the site plan requirements in Section 8.04. The consensus was that all necessary items, other than a survey, had been submitted. McManus asked that the survey requirement be waived.

The Board discussed State Environmental Quality Review (SEQR). Walter Dusenbery moved to deem this a Type II action per SEQR Section 617.5(c)(12). Lynn Krogh seconded the motion and it was approved, 7-0.

Rosemary Brodersen moved to deem the application complete, waiving the survey in view of the ZBA review. Ben Bauer seconded the motion and it was approved, 7-0.

Krogh moved to waive the public hearing due to the result of the ZBA hearing. Dusebery seconded the motion and it was approved, 7-0.

Sharon Kroker moved to approve the site plan as submitted. Krogh seconded the motion and it was approved, 7-0. Huntsman stamped the site plan "approved" and signed it.

Zoning Enforcement Officer Lanza said he would settle up with McManus on the fees due.

**Christina Pidhoreckyj (Ed Hobbie) – Site plan review, construction within 100 feet of Canadarago Lake in RA2 district – 2093 County Highway 22 (#52.08-1-5.00)**

Representative Ed Hobbie was present on behalf of applicant Christina Pidhoreckyj, who wants to do demolition and construction on her property within 100 feet of Canadarago Lake. She owns two buildings on the property, both of which will be torn down. She hopes to relocate the existing utility pole (toward the northern property boundary), septic system, and underground drainpipe, and replace only the building closest to the Lake, centering it between the neighboring property lines. Hobbie submitted photos.

Clerk Bill Deane read aloud from the ZBA's minutes of April 20 and May 18 (not yet approved), 2021 relevant to the Pidhoreckyj application. During those meetings, the ZBA had held a public hearing with no negative comment, and approved the variances requested: an 18-foot variance on the north side, and an 18-foot variance on the south side, along with a variance from *Land Use Law* Section 4.04, which prohibits new construction within 100 feet of Canadarago Lake.

Chairman Huntsman went through the site plan requirements in Section 8.04 of the *Land Use Law*, also citing Section 4.04. Hobbie asked that the survey requirement be waived.

The Board discussed State Environmental Quality Review (SEQR). Walter Dusenbery moved to deem this a Type II action per SEQR Section 617.5(c)(11). Lynn Krogh seconded the motion and it was approved, 7-0.

Chairman Huntsman said the Board would need a map drawn to scale, showing exactly where the new house would be located. Hobbie said he would return to the July 6 meeting with that.

### **OTHER BUSINESS**

Zoning Enforcement Officer Lanza reported that he had received six applications and no complaints in May.

Lynn Krogh said she had attended the May 12 Town Board meeting as Planning Board liaison (with Ben Bauer covering for her at the beginning). The Town Board had appointed Antoinette Kuzminski as new Planning Board member, replacing Bauer, who had previously been appointed as full-fledged member. The Town Board had also discussed solar farm projects. Rosemary Brodersen is assigned to serve as Planning Board liaison for the June 9 Town Board meeting.

Clerk Bill Deane remarked that the ZBA typically defers review to the Planning Board, but then the Planning Board streamlines its process because the ZBA has already reviewed the application. Chairman Huntsman said the Planning Board had considered ZBA review only in waiving the survey requirement.

Deane discussed the July 6, 2021 agenda. Cembrinski and Pidhoreckyj are slated to return. Lanza said he knew of no other applications in process.

With no further business, at 9:10 PM Ben Bauer moved to adjourn the meeting.

Respectfully submitted,  
Bill Deane, Planning Board Clerk