

Town of Otsego Planning Board

Minutes – July 1, 2014

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 June, due to no agenda items). Chairman Donna Borgstrom called the meeting to order at 7:30 PM, and led the Pledge of Allegiance.

Clerk Bill Deane took roll call. Members present were Borgstrom, Joe Potrikus (Vice-Chairman), Steve Purcell, Rosemary Craig, Tom Huntsman, and Scottie Baker. With Ed Hobbie absent, first alternate member John Phillips joined the table. Second alternate member Darryl Szarpa and Planning Board Attorney Jim Ferrari were also present; Zoning Enforcement Officer Tavis Austin arrived at 9:07.

The Board reviewed the minutes of May 6, e-mailed to the members. Potrikus moved to approve the minutes as written. Baker seconded the motion and it was approved, 6-0 (Phillips had temporarily left the room).

Correspondence received since the last meeting was passed around: the most recent edition (Volume 28, Issue 2) of *Talk of the Towns & Topics*; a “Training Fact Sheet” from the New York State Legislative Commission on Rural Resources; and a listing of “2014 Planning and Zoning Summer Schools” from the New York Planning Federation. Chairman Borgstrom asked if there were any member disclosures regarding potential conflicts. She said that she would again be recusing herself from the Hodgins application.

Chairman Borgstrom asked if there were any public comments on non-agenda items. Julia Roy said that she has owned a camp on State Highway 80, 4.2 miles up Otsego Lake, since 1972. She expressed concern about the activities of her neighbor, Addison Bissell, proprietor of Cobblecote on the Lake. Roy has contacted the Town Zoning Enforcement Officer, Supervisor, and Attorney about this matter, along with the Watershed Supervisory Committee and Department of Environmental Conservation, among others, and wanted the Planning Board to be aware of the situation. She said that Bissell has cut down many trees, put in an access road through her property, expanded his deck so that it is over her property line, and set up a drainage system which drains into her property.

Chairman Borgstrom said that the Planning Board is aware of Bissell’s transgressions and shares Roy’s concerns, but that it has no authority to do anything about them. She encouraged Roy to take her concerns to the Town Board.

The Board moved on to the application.

APPLICATION

14-006 – Annbritt Hodgins (Oakstone Farms) – 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 left the meeting table, leaving Vice-Chairman Joe Potrikus in charge. Alternate member Darryl Szarpa remained at the meeting table.

Applicant Annbritt Hodgins returned before the Board. Bill Deane read aloud the April 1 minutes relevant to the application. At that point, the Board had decided that the application as presented was a permitted agricultural use, requiring no Board intervention. Hodgins was to return before the Board if the scope of the project changed.

Hodgins said that she proposes a recreational facility, sort of a “summer camp” for up to eight local children aged 5-8. It would be open Tuesdays and Thursdays, 9 AM to 1 PM, in July and August. They would have three or four staff-persons, and offer activities such as trail riding and games.

The only application in the file was the one submitted in March, and deemed unnecessary by the Board. Hodgins said she had submitted a new application in June, but Zoning Enforcement Officer Austin was not present to confirm. It is possible that what Hodgins filled out in June was the Environmental Assessment Form, and that Austin thought the Board could use the March application.

Members discussed whether the facility even needed site plan approval – is it agricultural use? The consensus was that the Board did not want another situation like the B&B Ranch, and it would be better to go through the full

special permit process. Rosemary Craig read aloud the *Land Use Law* definition of “recreational facility.” Steve Purcell moved to waive the public hearing, due to no ground disturbance, and in interest of expediting the process, and to declare this a Type II action. John Phillips seconded the motion, and long discussion followed. Bill Deane suggested the motion was premature, since no application had even been deemed complete yet. Purcell withdrew the motion.

Phillips went through the site plan requirements in Section 8.04 of the *Land Use Law*. He concluded that most of the items had either been submitted or were not applicable, while others could be waived. Phillips moved to deem the application complete, waiving *Land Use Law* Section 8.04, numbers 1 (survey), 2 (topographic contours, etc.), and 6 (traffic circulation plans). Tom Huntsman seconded the motion and it was approved, 7-0.

Huntsman moved to waive the public hearing due to the limited scope of the project. Purcell seconded the motion and it was approved, 5-2, with Potrikus and Szarpa opposed.

Phillips moved to deem the project a Type II action per *State Environmental Quality Review Act (SEQRA)* Section 617.5(c)(1). Scottie Baker seconded the motion and it was approved, 7-0.

Zoning Enforcement Officer Austin arrived and was briefed on the Board’s activity and questions.

Purcell moved to approve the site plan with the existing facilities, including an indoor riding arena. Huntsman seconded the motion and it was approved, 6-1, with Potrikus opposed.

Huntsman moved to approve the special permitted use (recreational facility), with outdoor activities limited to daylight hours, and an expiration date of December 31, 2014. Szarpa seconded the motion and it was approved, 6-1, with Purcell opposed.

Deane prepared a special permit which acting Chairman Potrikus signed. The applicant received the original and one copy, with a second copy going into the file. Hodgins will return before the Board on December 2 to pursue extending the special permit; she may return sooner, depending on insurance requirements. Chairman Borgstrom returned to the meeting table, and Szarpa left it.

OTHER BUSINESS

Zoning Enforcement Officer distributed copies of his July 1 report (filed). He also gave an update on the Bissell/Cobblescote situation.

Bill Deane discussed the August 5 agenda. Bill Miller is slated to return, and Jonathan Bass may submit a lot line adjustment application.

With no further business, at 9:47, Scottie Baker moved to adjourn the meeting.

Respectfully submitted,
Bill Deane, Planning Board Clerk