

Town of Otsego Planning Board

Minutes – July 2, 2013

PUBLIC HEARING

Chris Chandler (NOTS Productions) – Site plan review, special permitted use, recreational facility (Halloween walking trail) – 446 County Highway 26 (#114.00-1-74.06)

Joe Potrikus recused himself, leaving the meeting table and going to the public seating area; alternate member Scottie Baker joined the meeting table. Chairman Donna Borgstrom called the public hearing to order at 7:32 PM and asked applicant Chris Chandler to give a brief description of the project for the benefit of the public. After he did so, Borgstrom asked if anyone from the public had questions.

Steve Cembrinski, an adjoining neighbor of the property, asked what types of props and sets would be used; creative director Jim Soufflas described them as mostly “organic props.” Cembrinski asked why the project would be so close to his property line; Soufflas said they were using existing trails on the property. Cembrinski asked how the applicant could assure safety of the customers; Soufflas cited his track record of safety on similar projects, and noted that they were fully insured, adding that wooden railings and trained guides would help ensure safety. Cembrinski questioned why there were 32 designated parking spaces, when the applicant was anticipating no more than 50 people at a time; Soufflas said they didn’t want traffic backing up on the County road. Cembrinski asked how the project fits in with the natural character of the neighborhood; Chandler said that it is a permitted use according to the *Land Use Law*. Cembrinski asked what type of lighting would be used; Chandler said there would be LED lighting placed in trees.

With no further questions, Chairman Borgstrom asked for comments.

Joe Potrikus, a neighbor across the street, said that he had no problem with the trail, but had concerns about parking. The designated parking area, which the applicants had said was well-drained, is currently 85% underwater. Potrikus is afraid that people will use his property for parking, and he will have to install security fencing and lighting to prevent it, compromising the rural quality of the neighborhood.

Steve Cembrinski said he was concerned about the integrity of wildlife, noise control, and the number of people which might use the trail. He noted that college students will be targeted as potential customers, and that teenagers are typically not good at following directions.

With no further comments, Rosemary Craig moved to close the public hearing. Joe Galati seconded the motion and it was approved, 7-0. Potrikus returned to the meeting table.

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 7:48 PM, and clerk Bill Deane took roll call. All members were present: Borgstrom, Doug Greene (Vice-Chairman), Joe Potrikus, Rosemary Craig, Tom Huntsman, Joe Galati, and Steve Purcell. Alternate member Scottie Baker, Planning Board Attorney Jim Ferrari, and Zoning Enforcement Officer Tavis Austin were also present.

The Board reviewed the minutes of June 4, e-mailed to the members. Potrikus moved to approve the minutes as written. Craig seconded the motion and it was approved, 6-0, with Galati abstaining because he missed that meeting.

The only correspondence received since the last meeting consisted of outdated invitations (distributed) to a Glimmerglass Opera event.

Galati noted that the Department of Transportation was planning on taking “eminent domain” on a repairing project along State Highway 80, and that a public hearing would be held on July 19 at Cooperstown High School.

Chairman Borgstrom asked if there were any public comments on non-agenda items. Potrikus said that he was recusing himself from the Chandler application due to being a neighboring property owner.

The Board moved on to applications.

APPLICATIONS

Chris Chandler (NOTS Productions) – Site plan review, special permitted use, recreational facility (Halloween walking trail) – 446 County Highway 26 (#114.00-1-74.06)

Joe Potrikus recused himself, leaving the meeting table and going to the public seating area; alternate member Scottie Baker joined the meeting table. Doug Greene read aloud from the June 4 minutes relevant to the application. Applicant Chris Chandler was accompanied by creative director Jim Soufflas and land surveyor Jeneé Rasmussen. The Board reviewed the revised site plan, including the relocated parking area.

Baker questioned the Soufflas’s description of the props as “organic,” noting the airplane fuselage. Soufflas said that exhibit is not permanent. Baker also wondered about potential extended business dates and hours. Chairman Borgstrom pointed out that the Board could limit hours of operation.

Tom Huntsman asked about the parking concern brought up by Potrikus during the public hearing. Chandler

noted that he had moved the parking area to a drier spot, and would have employees directing traffic along with trained security personnel.

Chairman Borgstrom went through the special permitted use guidelines in Section 2.02 of the *Land Use Law*. Joe Galati asked whether there were any other “recreational facilities” in the Town. Zoning Enforcement Officer Austin said that the B&B Ranch was the only one.

Chairman Borgstrom asked how many employees would be on site, and where would they park? Chandler said he anticipated 10-20 support staff people, and would have them park by his house.

Galati noted that the site plan has only 20-foot contours, rather than the recommended five-foot contours. After input from Rasmussen, the consensus was that the 20-foot contours were sufficient.

Galati asked whether Chandler had contacted the Department of Environmental Conservation (DEC), Fish & Wildlife, County Codes Office, or Department of Health (DOH)? Chandler said he had not. Galati suggested he send copies of his site plan to each of those agencies.

Rosemary Craig asked whether the noise would be disturbing to neighbors. Chandler said he didn’t think so. Greene suggested he move or remove the chainsaw exhibit, which is close to Cembrinski’s property line.

The consensus of the Board was that Chandler should return to the August meeting with a revised site map, showing a change of the chainsaw exhibit location, and noting employee parking and lighting details; proof of letters to (and any responses from) the four agencies Galati mentioned; and a long environmental assessment form. The Board will do State Environmental Quality Review at that time.

Potrikus returned to the meeting table.

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

Applicants Glen Miller and Diane Wicks-Miller were accompanied by attorney Bob Birch. This is a follow-up to their subdivision approved in October, 2012. They distributed copies of a boundary survey map, which Attorney Ferrari had already reviewed. Ferrari said it “Looks good to me.”

The Board reviewed the map, showing a proposed lot line adjustment which would change two lots of 3.01 and 27.22 acres, respectively, into two lots of 10.00 and 20.23 acres, respectively.

Doug Greene moved to approve the lot line adjustment. Joe Galati seconded the motion and it was approved, 7-0. Chairman Borgstrom signed the map as “approved” and advised the applicants to file it with the County within 30 days.

Bruce Mang (Bob Birch) – First lot split(?), 1945 County Highway 22 (#52.00-2-10.11)

This application was added to the agenda by agreement with Chairman Borgstrom. Attorney Bob Birch said that applicant Bruce Mang’s lot was part of the Canadarago Acres Subdivision, filed on August 12, 1987 – eight days later than the map used by the Planning Board in determining subdivision status. Mang wants to split an 8.6-acre containing two houses, lot into two parcels of 4.6 and 4 acres, respectively, each with one house. Birch said Mang’s was the “parent lot,” and he believes this should be considered a first lot split rather than a major subdivision.

The Board examined the survey map, noting a shared well, and meeting of frontage requirements. They said the boundary line should be moved to allow for setback requirements, due to the porch location on one house.

Chairman Borgstrom said she would research whether this can be considered a first lot split, or whether it has to be treated as a major subdivision, and get back to Birch with an answer.

OTHER BUSINESS

Doug Greene asked members what date would work best for a two-hour joint training workshop on “Zoning Enforcement.” The Board decided on Wednesday, July 24, from 7:30-9:30 PM. Greene said he would contact the Town Board and Zoning Board of Appeals members, and would send out training materials to everyone before July 24. Chairman Borgstrom said that no clerk would be needed.

Tavis Austin distributed copies of his July 2 Zoning Enforcement Officer report (filed) and went over it. Austin offered to file a County Planning Agency referral on the Chandler application.

Bill Deane discussed the August 6, 2013 agenda. At this point, Chandler and Mang are the only applications on the agenda. Chairman Borgstrom said she would miss that meeting.

Doug Greene offered to draft up and outline for new Land Subdivision Regulations. The Board was receptive to that.

With no further business, at 9:06, Joe Potrikus moved to adjourn the meeting.

Respectfully submitted,
Bill Deane, Planning Board Clerk