

**Town of Otsego Planning Board
Minutes July 2, 2019**

PUBLIC HEARING

James Marini – Site plan review, construction of deck within 500 feet of Otsego Lake – 6616 State Highway 80 (#84.08-1-34.02)

Chairman Tom Huntsman opened the Marini public hearing at 7:34 PM, and asked if anyone from the public had comments or questions about the proposed project.

Debra Creedon asked where the property was, and Chairman Huntsman answered the question.

Clerk Bill Deane noted that a hearing notice addressed to Chad & Jennifer Polus was returned to sender due to no mail receptacle.

Ted Feury moved to close the hearing. Walter Dusenbery seconded the motion and it was approved, 6-0.

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 7:35 PM and led the Pledge of Allegiance.

Clerk Bill Deane took roll call. Board members present were Huntsman, Ted Feury (vice-chairman), Walter Dusenbery, and Sharon Kroker. With Darryl Szarpa, Chip Jennings, and Elizabeth Horvath absent, alternate members Rosemary Brodersen and Lynn Krogh joined the meeting table. Also present were Zoning Enforcement Officer Ed Hobbie, Planning Board attorney Ryan Miosek, and Town Board member Carina Franck.

The Board reviewed the minutes of June 4, 2019, e-mailed to the members. Krogh moved to approve the minutes as written. Dusenbery seconded the motion and it was approved, 6-0.

Huntsman and Brodersen read aloud correspondence received since the last meeting:

- A June 27 e-mail from Win McIntire of Watershed Supervisory Committee, expressing concerns about the Scarzafava application.
- A July 2 e-mail from David Creedon of 6763 State Highway 80, saying the Scarzafava application is not in keeping with the neighborhood.
- A July 1 e-mail from Debra Creedon of 6763 State Highway 80, expressing concerns about the Scarzafava application, with photos of the property attached.
- A package of memos (filed) from the Otsego County Clerk's office, regarding the filing of subdivision plats for Mary Winne (February 22), Charisma Partners (March 8), Bruce Kramer & Laura Kilty (March 20), James Ainslie & Catherine Walker (April 10), and Lawrence Brookes (April 23).

Chairman Huntsman asked if anyone had a conflict with tonight's applicant. Huntsman said he had a conflict with the Susquehanna SPCA application.

Chairman Huntsman asked if anyone from the public had a comment on a non-agenda item. No one responded. The Board moved on to applications.

APPLICATIONS

James Marini – Site plan review, construction of deck within 500 feet of Otsego Lake – 6616 State Highway 80 (#84.08-1-34.02)

Walter Dusenbery read aloud from the minutes of June 4 relevant to the application. Chairman Huntsman read aloud undated e-mails from Jackson DuBois, explaining the project, and Peter Polus and Tom Breiten, supporting it.

Chairman Huntsman reviewed the Board's options regarding the application. Sharon Kroker moved to approve the site plan as submitted. Rosemary Brodersen seconded the motion and it was approved, 6-0. Huntsman stamped the site plan "approved" and signed it.

Nettie Jean Scarzafava (Elizabeth Davidson) – Site plan review, construction of wine cellar and walkway near existing residence within 100 feet of Otsego Lake – 6762 State Highway 80 (#69.60-1-17.00 & -18.00)

Walter Dusenbery read aloud from the minutes of June 4 relevant to the Scarzafava application. Representative Elizabeth Davidson submitted a stamped site plan, scale drawing, and engineering plans, as requested at the June meeting. She said there were no changes to the proposed project.

Chairman Huntsman asked about vegetation removal, and agreed that it was well under the 30% threshold for the Lakeshore protection area. He said he believed the project would improve drainage on the property.

Ted Feury noted the e-mail from the Watershed Supervisory Committee, and asked about that committee's functions. Jon McManus and Carina Franck explained that they oversaw septic systems around the Lake.

After discussion, Sharon Kroker moved to deem the application complete. Rosemary Brodersen seconded the motion and it was approved, 6-0. Kroker moved to waive the public hearing, due to the result of the Zoning Board of Appeals (ZBA) hearing. Walter Dusenbery seconded the motion and it was approved, 6-0.

Chairman Huntsman reviewed the Board's options regarding the application. Dusenbery moved to approve the site plan as submitted. Kroker seconded the motion and it was approved, 6-0. Huntsman stamped the site plan "approved" and signed it.

Susquehanna SPCA (Jon McManus) – Sketch plan conference, special permitted use, animal shelter and thrift shop in RA2 district – 5082 & 5088 State Highway 28 (#146-2-5.00 & -6.00)

Chairman Huntsman recused himself and left the meeting table. Vice-Chairman Ted Feury took over as chair. Clerk Bill Deane reminded the Board that, even with only five members voting, at least four votes are required to pass any motion.

Walter Dusenbery read aloud from the minutes of June 4 relevant to the SPCA application. Representative Jon McManus submitted a revised site plan dated "7/2/19 – REV 0." It included elevations, a floor plan, and wall details for the proposed animal shelter.

McManus said there were no architectural plans for the thrift store, and asked if they could be waived. Acting Chairman Feury and Attorney Miosek said that these, including floor plans and elevations, were a necessary component of the site

plan. McManus then asked that the site plan be deemed complete contingent on these plans.

Acting Chairman Feury went through the site plan requirements in Section 8.04 of the *Land Use Law*. McManus answered questions about some of these, including lighting and customer traffic. He said both existing houses would be demolished, and that no signs are proposed at present, but that they would return if and when signs are proposed. McManus said the Departments of Environmental Conservation, Health, and Transportation would be involved.

The Board discussed State Environmental Quality Review (SEQR). McManus said this would qualify as an Unlisted Action. Dusenbery moved to declare lead agency status for the Planning Board. Sharon Kroker seconded the motion and it was approved, 5-0. With member input, acting Chairman Feury started through the Environmental Assessment Form (EAF) submitted by McManus. McManus asked that the Board wait to determine environmental significance until after the public hearing. The Board agreed to resume SEQR from Section 617.7(b)(3) after the hearing.

Susquehanna SPCA Executive Director Stacie Haynes submitted a financial audit and a list of nearby animal shelters supported by thrift stores, as requested at the previous meeting.

After discussion, Dusenbery moved to deem the application complete, contingent on architectural plans for the thrift store to be submitted to Zoning Enforcement Officer Hobbie's satisfaction by July 23. Lynn Krogh seconded the motion and it was approved, 4-1, with Feury opposed.

Kroker moved to schedule a public hearing for August 6 with the same contingency. Krogh seconded the motion and it was approved, 5-0.

Huntsman returned to the meeting table.

OTHER BUSINESS

Ed Hobbie discussed some matters of interest to the Board.

Walter Dusenbery said that he had served as Planning Board liaison at the June 12 Town Board meeting. Chairman Huntsman said Elizabeth Horvath had advised that she could not serve as liaison for the July 10 Town Board meeting, so Huntsman agreed to switch with her, and she will do so in August.

Chairman Huntsman suggested the Board table proposed *Land Use Law* definitions until August.

Clerk Bill Deane discussed the August 6, 2019 agenda. The only returning applicant will be the SPCA. Hobbie said there were no new applications at this point.

With no further business, at 9:14 PM Dusenbery moved to adjourn the meeting.

Respectfully submitted,
Bill Deane, Planning Board Clerk