

**Town of Otsego Planning Board**  
Minutes – August 2, 2016

**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 John Phillips called the meeting to order at 7:32 PM and led the Pledge of Allegiance.

Clerk Bill Deane took roll call. Members present were Phillips, Vice-Chairman Tom Huntsman, Darryl Szarpa, Steve Purcell, Scottie Baker, and Ed Hobbie. With Rosemary Craig absent, alternate member Paul Russo joined the meeting table. Also present were alternate member Chip Jennings, Planning Board Attorney Jim Ferrari, and Town Board members Carina Franck and Tom Hohensee. Zoning Enforcement Officer Barbara Monroe was absent.

The Board reviewed the minutes of July 5, 2016, 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 (not related to applications) received since the last meeting was the New York Planning Federation's latest issue of *Planning News*, passed around. Chairman Phillips said he had received several unsolicited e-mails and letters related to the Blackbird Hollow project, and that these would be put in the file and read at the next public hearing. Phillips explained, for those who expected a public hearing tonight, that no motion had been made or vote taken to schedule one at last month's meeting.

Chairman Phillips asked if anyone had a conflict with tonight's applicants. No one reported any conflict.

Chairman Phillips asked if anyone from the public had a comment on a non-agenda item. Charlotte Hall said that, if the Planning Board has a difficult application, they should hire an outside consultant for an unbiased opinion.

The Board moved on to applications.

**APPLICATIONS**

**LLIB, LLC (Bill Miller/Jon McManus) – Request to extend conditional approval of Upper West Side major subdivision to November 12, 2016 – County Highway 28, Pierstown (#84.00-1-15.62)**

Representative Jon McManus said that applicant Bill Miller is again requesting a 90-day extension to his conditional approval for the Upper West Side major subdivision approved in 2011. Clerk Bill Deane noted the current approval is good through August 14, 2016, and a 90-day extension would take it to November 12.

Steve Purcell moved to extend the approval for another 90 days, to November 12, 2016. Tom Huntsman seconded the motion and it was approved, 7-0. Miller or an authorized representative will return at the November meeting if he wants another extension.

**Frank Kukenberger – Site plan review, gravel mine – 523 County Highway 26 (#114.00-1-75.01)**

No one appeared on behalf of this application. Chairman Phillips said that, if applicant Frank Kukenberger comes to a future meeting, the Planning Board should recommend input from the Department of Environmental Conservation and other agencies. Tom Huntsman noted that this is specified in Section 4.05 of the *Land Use Law*.

**Farmers' Museum (Joe Siracusa/Michael Haas) – Site plan review, Farmers' Museum parking lot upgrade – 5775 State Highway 80 (#115.00-1-9.00)**

Representatives Joe Siracusa and Michael Haas displayed a July 18, 2016 site plan and other depictions of the proposed parking lot, showing new details of the drainage system and LED lighting.

In answer to Board members' questions, the representatives explained snow removal plans, entrance signs, and the use of lighting during after-hours events and winter afternoons. They said they would follow Department of Transportation guidelines as far as lighting along State Highway 80.

The Board discussed State Environmental Quality Review (SEQR). Steve Purcell moved to declare this a Type II action per SEQR sections 617.5(c)(2), -(4), and -(5). Tom Huntsman seconded the motion and it was approved, 7-0.

Huntsman went through the site plan requirements in section 8.04 of the *Land Use Law*. The consensus of the Board was that all of these had either been met or were not applicable. Huntsman moved to deem the application complete. Purcell seconded the motion and it was approved, 7-0.

Chairman Phillips suggested waiving the public hearing. Attorney Ferrari said that was not appropriate in this case. Scottie Baker moved to schedule a public hearing for September 6. Darryl Szarpa seconded the motion and it was approved, 7-0. Clerk Bill Deane advised Siracusa that, within two weeks, he would need mailing addresses of neighbors within 200 feet of the property.

**Blackbird Hollow, LLC (Joe Galati & Susanne Adsit/Jon McManus/Les Sittler) – Site plan modification, special permitted use, restaurant/hotel – 6855 State Highway 80 (#69.44-1-5.00)**

Representative Jon McManus asked the Planning Board to schedule another public hearing on this application. Tom Huntsman moved to schedule a public hearing for September 6. Steve Purcell seconded the motion and it was approved, 7-0.

Clerk Bill Deane said he had initiated coordinated review on July 12 by sending letters to the State Historic Preservation Office (SHPO), Department of Environmental Conservation (DEC), Department of Transportation (DOT), U.S. Army Corps of Engineers, Otsego County Planning Department, and Town of Springfield. These agencies have until August 11 to respond. Chairman Phillips said the only response received so far was from Karen Sullivan of the Otsego County Planning Department, agreeing with the Planning Board's lead agency declaration.

Scottie Baker said she thought there were discrepancies between what was presented and what was approved in 2014. She asked to see the signed site plan and architectural drawing. McManus retrieved these from the Town file. Baker noted a

March 5, 2013 resolution of approval in the file. McManus noted that it was unsigned, and said it was just the applicant's draft of suggested language, but not the final resolution approved in 2014. Attorney Les Sittler said the approved resolution was dated March 4, 2014 and signed April 1, 2014. Sittler also noted that the Heirloom Barn Law (*Land Use Law* Section 3.15) specifies "adaptive rehabilitation," not architectural control.

McManus said that, for all intents and purposes, the 2014 approved plan is already built, and they are just requesting interior modifications. He said there will be no change to the approved footprint or exterior architecture, unless directed by codes. Ed Hobbie said that he had determined that, while many 2014 drawings showed open porches, the approved plan had an enclosed porch. Tom Huntsman noted that the *Land Use Law* has no definition of porch.

Audience members interrupted the proceedings on several occasions, and were reminded by the representatives and chairman that this was not a public hearing.

Left to complete are the public hearing, SEQR, and a decision on the application. The representatives will return in September.

### **OTHER BUSINESS**

With Barb Monroe absent, there was no Zoning Enforcement Officer report. Chairman Phillips said that he should receive an e-mail or call if someone is not able to make a meeting.

Chairman Phillips asked for a volunteer to serve as Planning Board liaison for August 10 Town Board meeting. Tom Huntsman said that he would plan to do it, and call Phillips if he could not make it.

Scottie Baker wondered whether the Board's time on the Blackbird Hollow application could count toward their training requirements. She said she has studied and learned more during this application than in any formal training.

Bill Deane discussed the September 6, 2016 agenda. The Farmers' Museum and Blackbird Hollow will both be returning with public hearings. Deane didn't know about Kukenberger or any new applications.

Chairman Phillips said he had signed the Zoeller subdivision plat, and also checked on the Brookwood Point and Cliff Foreman projects.

With no further business, at 8:54, Scottie Baker moved to adjourn the meeting.

Respectfully submitted,  
Bill Deane, Planning Board Clerk