

Town of Otsego Planning Board

Minutes – August 3, 2010

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. Acting Chairman Donna Borgstrom called the meeting to order at 7:31 PM, and roll call was taken by Clerk Bill Deane. Members present were Borgstrom, Joe Galati, Wes Ciampo, Joe Potrikus, and alternate member Rosemary Craig, who joined the meeting table due to the absences of Chairman Paul Lord, John Phillips, and Steve Purcell (Phillips arrived at 9:24 PM, after the Village of Cooperstown application). Zoning Enforcement Officer Hank Schecher (who arrived during the Village of Cooperstown application) and Planning Board Attorney Jim Ferrari were also present.

The Board reviewed the minutes of July 6, 2010, e-mailed to the members. Potrikus moved to approve the minutes as written. Galati seconded the motion and it was approved, 5-0.

Acting Chairman Borgstrom reviewed correspondence received since the last meeting:

- Letters (distributed) from Lorman Education Services, advertising a seminar, “Current Issues in Stormwater Regulations,” to be held in Latham on September 24.
- An e-mail (passed around) from the New York Planning Federation, regarding its annual conference to be held at Lake Placid on September 26-28.
- An e-mail (filed in “general correspondence”) from Doug Greene, regarding gas drilling.
- The July/August 2010 issue of *Talk of the Towns&Topics*, copies of which were distributed to members.

Copies of Zoning Enforcement Officer Schecher’s August 3 report (filed) were distributed. It itemized four applications pending Planning or Zoning Board review.

Acting Chairman Borgstrom asked whether anyone from the public had comment on a non-agenda item. No one offered any comments.

The Board moved on to applications.

APPLICATIONS

LLIB, LLC (Jon McManus) – Upper West Side (Reiss) major subdivision – County Highway 28, Pierstown (#84.00-1-15.62)

Joe Galati recused himself from this application and left the meeting table, per his February 2 memo. Rosemary Craig also recused herself and left the meeting table. This left only three members.

Acting Chairman Borgstrom summarized and filed correspondence received related to the application. She explained that it was not necessary to read aloud unsolicited correspondence, but encouraged members to read it at their leisure. Most had already been distributed to the members via e-mail. One was an e-mail from Zoning Enforcement Officer Schecher, saying that he had checked with the County Planning Board, and learned that referral to them was not necessary in this case.

Wes Ciampo read aloud the minutes of July 6 relevant to this application. Representative Jon McManus submitted a letter regarding the deed covenants, a revised

Environmental Assessment Form (EAF), a list of neighbors within 500 feet and their addresses, and information on road and storm-water pollution prevention plan (SWPPP) maintenance.

Borgstrom said that she had gone through the files, and Joe Potrikus said he had gone through the Planning Board minutes, checking on previous activity on this property. They found that Howard Reiss's 11-lot subdivision was approved in August, 1989, stipulating that further subdivision would not be permitted except for lot #6, part of which is the parcel now owned by William Miller. Reiss conveyed that 11.18-acre lot in November, 2004, with no restrictions on further subdivision. Borgstrom concluded that there are no indications of deed restrictions on lot #6.

Borgstrom read aloud James O. Forbes's July 27 engineering review comments. McManus submitted a response to these, including a table of contents and a "Road and SWPPP Maintenance Agreement." Borgstrom said that should be forwarded to Forbes for follow-up. McManus said he would e-mail him a PDF of the response.

Later during the meeting, Zoning Enforcement Officer Schecher asked for guidance in answering hypothetical questions from the public, particularly regarding the LLIB project. Schecher said that he had found that there is no restriction in advertising lots for sale, once a subdivision application has been submitted.

Since the Board lacked a voting quorum, McManus will return for the Board's special meeting on August 10. Galati and Craig returned to the meeting table.

Village of Cooperstown (Peter Loyola) – Site plan review, special permitted uses, Cooperstown Intermodal Transit Center Project – Linden Avenue

Wes Ciampo read aloud the minutes of July 6 relevant to this application. Representative Peter Loyola submitted full-sized site plan drawings and a revised EAF.

Borgstrom read aloud and filed July 26 and 27 e-mails from Attorney Doug Zamelis, regarding the State Environmental Quality Review Act (SEQRA) process. She also read aloud and filed an August 2 letter from Cooperstown Central School, expressing concerns about the infiltration system.

Loyola submitted a letter saying that the Village of Cooperstown would maintain the sidewalks. Joe Galati dismissed this as a "blurb," and Board members said they would need a formal, binding resolution from the Village Board addressing this subject. Loyola said he would take this up with the Village Trustees.

Loyola said he had submitted a 75%-complete set of plans in late July, including a revised site plan and SWPPP. Reviewing Engineer James O. Forbes has not yet seen this documentation. Acting Chairman Donna Borgstrom said that Forbes should be given this material and invited to the August 10 special meeting. Loyola said he would send Forbes the material, asking to get Forbes's comments before that meeting, if possible. Borgstrom said she would contact Forbes the next day.

Borgstrom and Galati asked Loyola for a status report on the property acquisitions. Loyola said that agreements were in place with NYSEG, the Clark Estates, and the Village of Cooperstown, but not with Wilber National Bank, Charisma Partners, Cooperstown Central School, Leatherstocking Railway, or Town of Otsego. Appraisals will start next week.

Joe Potrikus asked whether the Department of Transportation had completed its review. Loyola said that he was awaiting their response. Potrikus also asked about RV

and bus parking. Loyola said he was leaning against designated spaces for RVs or buses, as it would be restrictive. Borgstrom asked Loyola to bring the issue up to the Cooperstown Intermodal Transit Center (CITC) committee. Loyola said that the next CITC meeting would be held Friday, August 6 at 10:30 at the Village Hall.

Galati asked that Loyola notify clerk Bill Deane when the next Village consulting engineer review meeting was scheduled.

Loyola asked that the special permitted uses be voted on before the site plan. The Board debated whether this could be done. Loyola will return on August 10.

N. Jean Scarzafava (Jon McManus) – First lot split – State Highway 80 (#69.00-1-9.01)

Joe Galati recused himself from this application and left the meeting table, per his February 2 memo. Engineer Jon McManus submitted an application package, including a letter of representation from N. Jean Scrazafava and a site plan, listed under Inuksuk Farm, LLC. McManus said that Scarzafava, is a principal of this LLC, and wants to split off three acres from a 40.81-acre lot.

Zoning Enforcement Officer Schecher explained the tax map discrepancies, and said there had been no other splits on the property since 1987. Members noted that the two lots would meet minimum acreage and frontage requirements. Joe Potrikus expressed concern about the non-rectangular shape of the larger lot, after the smaller one is “carved” out of it. Acting Chairman Borgstrom said that the Board would need a letter from Scarzafava, clarifying her role in Inuksuk Farm, LLC.

Potrikus moved to deem this a first lot split, contingent on receipt of the aforementioned letter. Rosemary Craig seconded the motion and it was approved, 5-0.

OTHER BUSINESS

The consensus of the Board was that discussion of potential changes to the *Land Subdivision Regulations* again be tabled.

John Phillips said that he and Zoning Enforcement Officer Schecher had attended the most recent Town Board meeting, but had nothing relevant to the Planning Board to report.

Bill Deane discussed the September 7 agenda. The only returning applicants are the LLIB subdivision and the Cooperstown Intermodal Transit Center Project, depending on what happens in the special meeting(s) held between now and then.

With no further business, at 9:41, Wes Ciampo moved to adjourn the meeting.

Respectfully submitted,
Bill Deane
Planning Board Clerk