

Town of Otsego Planning Board

Minutes, August 4, 2020

(Will be approved with any necessary amendments at the next meeting)

PUBLIC HEARINGS

Charlton Jones (Jackson DuBois) – Site plan review, replacement of residence within 100 feet of Otsego Lake in RA1 district – 6680 State Highway 80 (#69.76-1-11.00)

Chairman Tom Huntsman opened the Jones public hearing at 7:30 PM, and asked if anyone had comments or questions about the application. No one responded. Walter Dusenbery moved to close the hearing. Chip Jennings seconded the motion and it was approved, 7-0.

Cathedral Farms, Inc. (Jon McManus) – Site plan review, installation of privacy fence within 100 feet of Otsego Lake in RA1 district – 6512 State Highway 80 (#84.12-1-14.00)

Chairman Huntsman opened the Cathedral Farms public hearing at 7:31 PM, and asked if anyone had comments or questions about the application. Genevieve Bernier of 6515 State Highway 80 expressed concern about the excessive height of the proposed fence. With no further comments or questions, Walter Dusenbery moved to close the hearing. Elizabeth Horvath seconded the motion and it was approved, 7-0.

Brian Peters (Hans DeWaal) – Site plan review, replacement of porch within 100 feet of Canadarago Lake in RA2 district – 147 Marble Road (#52.11-1-6.00)

Chairman Huntsman opened the Peters public hearing at 7:33 PM, and asked if anyone had comments or questions about the application. No one responded. Elizabeth Horvath moved to close the hearing. Walter Dusenbery seconded the motion and it was approved, 7-0.

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 7:34 PM and led the Pledge of Allegiance.

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

The Board reviewed the minutes of July 7, 2020, e-mailed to the members. Feury moved to approve the minutes as written. Szarpa seconded the motion and it was approved, 7-0.

Chairman Huntsman reviewed the only correspondence received since the last meeting, an annual report from the Biological Field Station.

Chairman Huntsman asked if anyone had a conflict with any of tonight's applicants. He said he would be recusing himself from the SPCA application. Elizabeth Horvath said she would be recusing herself from the Jones and Doughty applications.

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

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

Tom Huntsman recused himself from the SPCA application and left the meeting table, with Ted Feury replacing him as acting chairman. Susquehanna SPCA Executive Director Stacie Haynes, William H. Lane Construction manager Rick Bliss, and architect Christian Hill were present. Clerk Bill Deane read aloud from the Planning Board's minutes of June 2 relevant to the application.

Zoning Enforcement Officer Hobbie said that Feury had mistakenly signed architectural prints instead of the site plan on that date. He issued a stop-work order on the thrift store until this matter was resolved. The most recent site plan was prepared by Jon McManus and dated 2/13/20. Feury noted changes to the site plan since the Board approved it in 2019. Hill said the only real change involves the thrift store, with just a 14'x16' "bump-out" added; there has been no change to the building footprint or setbacks. He said that McManus was still the "engineer of record." McManus, participating via Zoom, said he was no longer involved in the project.

Attorney Miosek said that there was no law governing site plan modification. He said the Board could either waive the site plan requirements, go through the full site plan process, or do site plan review for just the thrift store. The consensus of the Board was to do the latter. The applicant will need to complete a new site plan/special permitted use application, and return to the September 1 meeting. Hobbie said he would get a letter listing change(s) to the site plan since the 2019 approval.

Huntsman returned to the meeting table.

Charlton Jones (Jackson DuBois) – Site plan review, replacement of residence within 100 feet of Otsego Lake in RA-1 district – 6680 State Highway 80 (#69.76-1-11.00)

Elizabeth Horvath recused herself from the Jones application, and left the meeting table. Clerk Bill Deane read aloud from the Planning Board's minutes of July 7 relevant to the application. A revised site plan dated July 9 was submitted, as requested. It shows the new residence as 24'x24'6."

Chairman Huntsman noted that the new site plan was not signed. After discussion, Attorney Miosek said it did not need to be. Jon McManus, participating via Zoom, said he was doing the engineering work on the project.

Audience member Peter Berger asked to see the site plan. He said he is the previous owner of the property, and that Jones is in default on his mortgage.

Representative Jackson DuBois had left after the public hearing, and the application was tabled until he could return.

Chairman Huntsman reviewed the Board's options: to approve the site plan, approve it with modifications, or disapprove it. Walter Dusenbery moved to approve the site plan as submitted. Darryl Szarpa seconded the motion and it was approved, 6-0. Huntsman stamped the site plan "approved" and signed it.

Horvath returned to the meeting table.

Cathedral Farms, Inc. (Jon McManus) – Site plan review, installation of privacy fence within 100 feet of Otsego Lake in RA1 district – 6512 State Highway 80 (#84.12-1-14.00)

Clerk Bill Deane read aloud from the Planning Board's minutes of July 7 relevant to the Cathedral Farms (Marty Patton) application. Representative Jon McManus participated via Zoom.

Chairman Huntsman noted that the *Land Use Law* has no definition of "fence," nor any law governing fences. There was discussion about the proposed 12' fence height. According to neighbors

present, the current fence along State Highway 80 is about eight feet in height. McManus said the proposed additional fencing would be solid PVC on the north side of the property. Chip Jennings said he had viewed the site from a boat, and that the only land-owner whose view of the Lake would be obstructed is Patton himself.

Chairman Huntsman reviewed the Board's options: to approve the site plan, approve it with modifications, or disapprove it. With input from others, Jennings moved to approve the site plan, with the condition that the fence match the height of the existing fence at the corner, and not exceed 12 feet elsewhere. Elizabeth Horvath seconded the motion and it was approved, 6-1, with Ted Feury opposed. Huntsman stamped the site plan "approved" and signed it.

Brian Peters (Hans DeWaal) – Site plan review, replacement of porch within 100 feet of Canadarago Lake in RA2 district – 147 Marble Road (#52.11-1-6.00)

Clerk Bill Deane read aloud from the Planning Board's minutes of July 7 relevant to the Peters application. Representative Hans DeWaal was present.

Chairman Huntsman reviewed the Board's options: to approve the site plan, approve it with modifications, or disapprove it. Ted Feury moved to approve the site plan as submitted. Walter Dusenbery seconded the motion and it was approved, 7-0. Huntsman stamped the site plan "approved" and signed it.

Katherine Doughty (Redpoint Builders) – Sketch plan conference, construction of two structures and demolition of house on 67 acres in RA2 district – 1043 County Highway 26 (#98.00-1-5.00)

Elizabeth Horvath recused herself from the Jones application, and left the meeting table. Representatives Nick Drummond (architect) and Brendan Becker (engineer) were present.

Katherine Doughty bought the former Dennis Tallman property, measuring 67 acres. She wants to construct two new buildings and raze and replace the current house. Zoning Enforcement Officer Hobbie said that the proposed additional principal buildings would meet acreage, frontage, and setback requirements, per *Land Use Law* 3.04. Attorney Miosek said it sounded similar to the Worthington property the Board discussed in 2017.

Chairman Huntsman said he believed this was a permitted use, not requiring site plan review. The Board agreed by consensus. Horvath returned to the meeting table.

OTHER BUSINESS

Ed Hobbie had no formal Zoning Enforcement Officer report, but discussed potential upcoming cases, including a subdivision in Pierstown, a lot line adjustment on Cook Road, and restoration of a hamlet business building.

Lynn Krogh was not present to give a liaison report on the July 8 Town Board meeting. Carina Franck said nothing of interest to the Planning Board had occurred. Rosemary Brodersen is scheduled to serve as Planning Board liaison at the August 12 Town Board meeting.

Franck gave updates and led an idea exchange on the Town Board's proposed changes, including the new intake form and possible laws governing fences.

Deane discussed the September 1, 2020 agenda. The SPCA and Scarzafava are scheduled to return, and Lisa & Tracy Roberts want a sketch plan conference to discuss a potential project.

With no further business, at 9:35 PM Walter Dusenbery moved to adjourn the meeting.

Respectfully submitted,
Bill Deane, Planning Board Clerk