

Town of Otsego Planning Board

Minutes – August 5, 2014

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 7:29 PM, and led the Pledge of Allegiance.

Clerk Bill Deane took roll call. Members present were Borgstrom, Joe Potrikus (Vice-Chairman), Steve Purcell, Rosemary Craig, Ed Hobbie, and Scottie Baker. With Tom Huntsman and first alternate member John Phillips absent, second alternate member Darryl Szarpa joined the table. Planning Board Attorney Jim Ferrari and Zoning Enforcement Officer Tavis Austin were also present; Austin arrived at 7:54.

The Board reviewed the minutes of July 1, e-mailed to the members. Baker moved to approve the minutes as written. Potrikus (commending the quality of the minutes) seconded the motion and it was approved, 7-0.

There was no correspondence received since the last meeting.

Chairman Borgstrom asked if there were any member disclosures regarding potential conflicts. Craig said that she would again be recusing herself from the Miller application.

Chairman Borgstrom asked if there were any public comments on non-agenda items. Joyce Putnam said that she has lived at 6498 State Highway 80, across the road from Addison Bissell/Cobblescote on the Lake, for more than 50 years. She commended and thanked the Planning Board for their actions when Bissell came before them in September, 2011, November-December, 2012, and March, 2013. Putnam did not understand why Attorney Michelle Kennedy grandfathered Cobblescote as a bed & breakfast predating the *Land Use Law*, as the property was not an inn until recently. The only penalty that Bissell has received was a \$250 violation fine. This sends a bad message to other property owners.

Chairman Borgstrom again said that the Planning Board is aware of Bissell's transgressions and shares Putnam's concerns, but that it has no authority to do anything about them. She encouraged Putnam to take her concerns to the Town Board.

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 23, 2014 – County Highway 28, Pierstown (#84.00-1-15.62)

Rosemary Craig recused herself and left the meeting table. According to representative Jon McManus, applicant Bill Miller is again requesting a 90-day extension to his conditional approval for the Upper West Side major subdivision approved in 2011. The current extension runs through August 25, 2014.

Joe Potrikus moved to extend the approval for another 90 days, to November 23, 2014. Scottie Baker seconded the motion and it was approved, 6-0. Miller will be due to return at the November meeting. Craig returned to the meeting table.

Jonathan & Lynn Bass/Robert & Marcia Ubner – Lot line adjustment – 182 Buck Road & 165 Tripp Hill Road (#83.00-1-28.01 & -.08)

Applicant Jonathan Bass wants to do a lot line adjustment, acquiring vacant property from his neighbors, Robert & Marcia Ubner. Attorney Ferrari examined the proposed deed language and said that he had one concern, which he would resolve privately with Attorney Dave Clinton.

Chairman Borgstrom stamped the Mylar "approved" and signed it, advising Bass to file it with the County within 30 days. Zoning Enforcement Officer Austin noted that this transaction could have been done outside the Planning Board meeting.

Roger Heroux (Jon McManus) – Site plan review, special permitted use, self-storage units & gravel mine – County Highway 26, Fly Creek (#114.00-1-74.01)

Jon McManus submitted a July 22 letter (filed), authorizing him to represent applicant Roger Heroux. Heroux wants to add up to four self-storage units and also operate a 4.8-acre gravel mine on his property in the RA2 district. Joe Potrikus, realizing that he is a neighboring property owner, recused himself and left the meeting table.

McManus said they are working with the Department of Environmental Conservation on the gravel mine, and said he expected the DEC to declare lead agency status. Chairman Borgstrom wondered about setback restrictions, as the proposed mine goes right to the property lines. She said she would prefer to see the mine and storage units as two separate applications. McManus said that he would be willing to remove the gravel mine from the current application to expedite the process on the storage units.

McManus submitted a July 2, 2014 site plan, showing four 80x120' storage buildings. Since there are no self-storage facilities in the Town, Chairman Borgstrom discussed the possibility of the Board's establishing parameters for them, including size, appearance, and buffering. McManus discussed aesthetics, and noted that New York State building code regulates what is or is not allowed. He asked if the process could be expedited if the application was reduced to only one storage building.

Ed Hobbie said he thought that the Board should know what is being stored. McManus said he didn't feel at liberty to answer that, and didn't think the Board could require that information.

The consensus of the Board was that, regardless of the number of units, they would need more information before deeming the application complete, including details on elevations and appearance of the building(s), lighting, signage, landscaping (gravel, fences), hours of operation, and entrances.

McManus asked if a public hearing could be scheduled for September. Chairman Borgstrom said that no hearing should be scheduled before the application was deemed complete. Ed Hobbie moved that no public hearing be scheduled until more information is received. There was no second to the motion.

McManus asked to be put on the September 2 agenda. Potrikus returned to the meeting table.

John Caven (Jon McManus) – Sketch plan conference, addition of deck to existing residence within 100 feet of Otsego Lake – 6458 State Highway (#84.12-1-12.01)

Jon McManus submitted an August 4 memo (filed), authorizing him to represent applicant John Caven. Caven wants to build an 11'6"x16'4" addition to his existing camp within 100 feet of Otsego Lake, and add an 8x24' pervious deck close to the Lake. McManus submitted a site plan.

McManus said they are going before the Zoning Board of Appeals on August 19 to request area variances allowing construction within 100 feet of the Lake, and within side-yard setbacks. Chairman Borgstrom pointed out that the Planning Board could not do anything until or unless the variances are approved.

McManus asked if a public hearing could be scheduled for September. The consensus of the Board was that this could not be done before the ZBA grants the variances and the Planning Board deems the application complete. It is quite possible that the ZBA will schedule a public hearing for September 16, and that the Planning Board will waive their hearing based on the results of the ZBA's.

McManus asked to be put on the September 2 agenda.

OTHER BUSINESS

Tavis Austin distributed copies of his August 5 Zoning Enforcement Officer report (filed). He and the members discussed various cases and situations within the Town.

Joe Potrikus noted that the Town Board has extra money in their account as the result of an unused library funding appropriation. He thought the Planning Board could use this fact as leverage if they need money for training.

Scottie Baker discussed a steep slope development regulation adopted in 2011 by the Town of South Bristol, NY. She feels the Town of Otsego could use it as a model for developing a similar law. She gave copies of the regulation to Chairman Borgstrom and to Town Supervisor Anne Geddes-Atwell.

Bill Deane and Zoning Enforcement Officer Austin discussed the September 2, 2014 agenda. As of now, the only applications are the two (Heroux and Caven) started by Jon McManus tonight.

With no further business, at 9:18, Scottie Baker moved to adjourn the meeting.

Respectfully submitted,

Bill Deane, Planning Board Clerk