

Town of Otsego Planning Board

Minutes – August 7, 2012

PUBLIC HEARING

John & Anne Hart – Site plan review, replacement of structure in Canadarago Lakeshore protection area – 207 Marble Road (#52.08-1-17.00)

Acting Chairman Paul Lord called the Hart public hearing to order at 7:30 PM and asked if anyone from the public had questions or comments. No one responded. Lord read aloud from two letters (filed) in support of the application, from neighbors Karin DeWaal, and Wendy Miller and Patricia Wiley. Joe Potrikus moved to close the public hearing. Steve Purcell seconded the motion and it was approved, 4-0.

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. Acting Chairman Paul Lord called the meeting to order at 7:32 PM, and clerk Bill Deane took roll call. Members present were Lord, Joe Potrikus, Rosemary Craig, Steve Purcell, and Tom Huntsman (who arrived at 7:38, at the start of the Hart application). Chairman Joe Galati, Vice-Chairman Borgstrom, and alternate member Scottie Baker were absent. Zoning Enforcement Officer Hank Schecher and Planning Board Attorney Jim Ferrari were also present.

The Board reviewed the minutes of July 3, e-mailed to the members. Potrikus moved to approve the minutes as written. Craig seconded the motion and it was approved, 4-0.

Acting Chairman distributed copies of correspondence received since the last meeting:

- The Summer 2012 issue of the New York Planning Federation's *Planning News*.
- The July/August 2012 issue of *Talk of the Towns&Topics*.
- A flier from Lorman Educational Services about a presentation, "What You Need to Know about Public Records and Open Meetings," to be held in Latham on October 11

Zoning Enforcement Officer Schecher said that he had no formal report, but had an issue he would discuss during "other business."

Acting Chairman Lord asked if there were any public comments on non-agenda items. John Phillips again discussed the home occupation laws, saying that it is unfair that people who want to operate home occupations seem to have fewer rights than those who don't. He said there needs to be more clarity regarding signs, e.g., informational and educational signs. Phillips said he had documented 14 non-conforming signs in the Town.

The Board moved on to applications.

APPLICATIONS

John & Anne Hart – Site plan review, replacement of structure in Canadarago Lakeshore protection area – 207 Marble Road (#52.08-1-17.00)

Rosemary Craig read aloud from the July 3 minutes relevant to the Hart application. The Board went through the revised site plan and documents submitted by applicant John Hart, asking questions, and agreeing that they had received everything requested at the July 3 meeting.

Steve Purcell moved to approve the site plan as submitted. Joe Potrikus seconded the motion and it was approved, 5-0. Acting Chairman Lord stamped the site plan "approved" and signed it. Potrikus commended Hart's site plan presentation, and other members expressed agreement.

Glen Miller & Diane Wicks-Miller – Sketch plan conference, major subdivision – 1988 County Highway 22 (#52.00-2-10.06)

Bill Deane read aloud from the March 1, 2011 minutes, during which applicants Glen Miller and Diane Wicks-Miller had a sketch plan conference for a major subdivision. The Millers explained that they now want to divide the 30.25-acre lot into just two parcels, of approximately 27.25 and 3 acres, respectively, with the larger parcel including a conservation easement. They submitted a subdivision map showing the proposed split. Because of a previous (2004) subdivision of the property, this would constitute a major subdivision.

Acting Chairman Lord commented that this would be about as straightforward as a major subdivision can get. He went through the subdivision requirements with the other members, and the consensus was that the applicants would need the following items:

- A copy of the conservation easement.
- Denotation of the septic system, well, and utilities on the subdivision map (the Millers said there were no trees greater than 8” in diameter on the smaller parcel).
- The original Mylar and four copies of the revised subdivision map.
- \$175 in payment of the subdivision fee for creating one new lot.

Lord gave the applicants a list of these items. Deane asked them to give two weeks’ notice when they were ready to return before the Board. The Millers said they were in no hurry.

Tim Day (Mike Trosset) – Lot line adjustment – Day Road (#114.00-1-54.21)

Attorney Mike Trosset, representing applicant Tim Day, described a proposed lot line adjustment between Day and neighbors Gladys and George Hunt. The Hunts are willing to shift their property line over, carving out a 30’x160’ section of road frontage, allowing Day to put in a driveway. Trosset submitted a June 18 drawing and proposed deeds for the transaction. Attorney Ferrari said he had looked over the deeds and determined that, “Everything looks fine.”

Acting Chairman Lord noted that no lot line adjustment form had been submitted. The Board gave Trosset time to complete one.

Joe Potrikus asked whether a public hearing would be needed for this transaction. Acting Chairman Lord said it was not required, but the Board could schedule one if they thought it necessary.

After discussion, Potrikus moved to approve the lot line adjustment as presented and authorize the acting chairman to sign it. Rosemary Craig seconded the motion and it was approved, 5-0. Lord stamped the drawing “approved” and signed it, advising Trosset to file it with the County within 30 days. Bill Deane advised Trosset that there was a \$20 fee for the lot line adjustment; Trosset said he would drop it off at the Town building the next day.

OTHER BUSINESS

Acting Chairman Lord referred to his proposed, revised table of contents for the *Land Subdivision Regulations*, which he had e-mailed to the members. He noted that the regulations haven’t been updated since 1986. One change he proposes is to include first lot splits with minor subdivisions, specifying that the first lot created is free. Once the members agree on the table of contents, Lord will e-mail them his proposed, revised regulations later this month. He suggests that a workshop be scheduled during the September 4 meeting.

Lord also asked John Phillips to submit his proposed *Land Use Law* revisions at the next meeting.

Zoning Enforcement Officer Schecher announced that he was resigning as soon as a replacement was found, and that this was probably his last meeting. Acting Chairman Lord and Bill Deane commended Schecher's work in his three years in the Zoning Enforcement Officer role. The members applauded Schecher.

Joe Potrikus said he had attended the Lorman presentation, "Public Contract Law and Competitive Bidding," held in Latham on June 8. He had done so due to the coverage of Article 78 lawsuits, with the approval of Planning Board Chairman Joe Galati. Potrikus had paid the \$349 tuition fee out of his own pocket, expecting to be reimbursed by the Town, but Supervisor Anne Geddes-Atwell has indicated he will not be reimbursed. Town Board member Lang Keith, who was in attendance, said that the Board was only questioning the expense, not refusing to pay it. They didn't understand what the presentation had to do with Potrikus's Planning Board role. Acting Chairman Lord noted that the Town Board had appointed Galati and Galati approved the training, so the Board should have questioned Galati about it.

After discussion, Steve Purcell moved to respectfully ask the Town Board to reimburse Potrikus for his \$349 expense. Rosemary Craig seconded the motion and it was approved, 4-0, with Potrikus abstaining. Purcell moved to respectfully ask the Town Board for clarification of its policy on reimbursing training expenses. Craig seconded the motion and it was approved, 4-0, with Potrikus abstaining. Potrikus said he would be attending the August 8 Town Board meeting to pursue this, and Purcell said he would attend in support.

Acting Chairman Lord discussed the Town of Otsego's July 27, 2012 General Fund Report, which shows \$200 budgeted for Planning Board equipment. Lord said he wants to look in getting a scanner for Bill Deane so he can distribute paperwork to the Board electronically. Deane said that he didn't think it would be practical with his seven-year-old computer and dial-up Internet access.

Acting Chairman Lord discussed the proposed agreement with the Otsego County Planning Agency, similar to the previous memorandum of understanding with the defunct Otsego County Planning Board. Lord felt the Town Planning Board should wait until the Town Board acted on this first. No one expressed interest in taking action on the agreement at this time.

Bill Deane discussed the September 4 agenda. Currently, the only applicant is LLIB, requesting extension of its conditional approval.

With no further business, at 9:04, Rosemary Craig moved to adjourn the meeting.

Respectfully submitted,
Bill Deane
Planning Board Clerk