

Town of Otsego Planning Board

Minutes (unapproved), August 7, 2018

PUBLIC HEARING

Longview Allied, LLC (Jon McManus) – Site plan review, special permitted use (recreational facility), “Serenity Hill Event Center” – 281 Christian Hill Road (#133.00-1-66.09)

Chairman Tom Huntsman opened the Longview Allie public hearing at 7:31 PM, and requested courtesy from speakers. He asked if anyone had questions or comments about the application.

- Joann Gencarelli of Christian Hill Road expressed concerns about noise, traffic, lighting, effects on neighbors’ property values, and effects on a rare bird habitat. She said this was not a suitable location for such an enterprise, and it would spoil the rural character of the neighborhood.
- Peter Gencarelli reiterated his wife’s points.
- Susan Matt of 101 Bush Road said the project would cause disruption of the quality of the neighborhood, bringing no benefit. She said there were better locations for such a project.
- Aaron Hurlbutt of 125 Bush Road expressed concern for his young children, due to the extended hours and drinking that would go on there. He said that, if the field were paved for parking, it would make an increase in impervious surface.
- Dale Davidson of 245 Goose Street said she shared concerns about quality of life expressed by the neighbors.
- Joe Calleja of Petkewec Road expressed concerns about noise and traffic.

With no further speakers, Sharon Kroker moved to close the public hearing. Walter Dusenbery seconded the motion and it was approved, 5-0.

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 7:42 PM and led the Pledge of Allegiance.

Clerk Bill Deane took roll call. Board members present were Huntsman, Elizabeth Horvath, Chip Jennings, and Walter Dusenbery. With Darryl Szarpa (vice-chairman), Scottie Baker, Ted Feury, and alternate member Toby Wilcox absent, alternate member Sharon Kroker joined the meeting table. Also present were Zoning Enforcement Officer Ed Hobbie, Planning Board Attorney Ryan Miosek, and Town Board members Carina Franck and Tom Hohensee. Deane reminded the Board that, even with only five members present, four votes were required to pass any motion.

The Board reviewed the minutes of July 3, 2018, e-mailed to the members. Attorney Miosek said that “Cathedral Park” should be “Cathedral Farms.” Horvath moved to approve the minutes as amended. Kroker seconded the motion and it was approved, 5-0.

There was no correspondence received since the last meeting.

Chairman Huntsman asked if anyone had a conflict with any of tonight’s applicants. No one reported any conflict.

Chairman Huntsman asked if anyone from the public had a comment on a non-agenda item.

- Dale Davidson of 245 Goose Street asked whom she should talk to about the shopworn speed limit sign on her road. Attorney Miosek referred her to the State Troopers in Richfield Springs.
 - John Phillips said that the Fly Creek Fire Company is holding a 50-50 fundraising raffle. They plan to sell 200 tickets at \$100 apiece.
- The Board moved on to applications.

APPLICATIONS

Longview Allied, LLC (Jon McManus) – Site plan review, special permitted use (recreational facility), “Serenity Hill Event Center” – 281 Christian Hill Road (#133.00-1-66.09)

Clerk Bill Deane read aloud from the July 3 minutes relevant to the Longview Allied application. Chairman Huntsman reviewed what the Board had completed, and read from the special permitted use requirements in Section 7.03 of the *Land Use Law*. He said that the project meets the criteria for a recreational facility. Attorney Miosek requested a third copy of the survey.

Representative Jon McManus responded to points raised during the public hearing, and questions from the Board members. He said most of the events would be indoor wedding receptions on weekends during the summer months. Fireworks would not be common, and would require a County permit. McManus said he could not speak

to law enforcement issues such as speeding, drunk driving, and excessive noise. He said there would be no tents, concerts, paving, or new lighting. McManus said the applicant would be amenable to certain conditions, such as restricting hours of operation to 11:00 and putting an end-date on the special permit, giving the Board a chance to revisit it in two or three years.

Chairman Huntsman said that the Board's options were to approve the site plan, approve it with conditions, or deny it. Deane noted that the Board had 62 days to make a decision, so could wait until September to do so.

After discussion, Elizabeth Horvath moved to approve the site plan and special permitted use (recreational facility), with the condition that any music and other entertainment be complete by 11 PM, and the permit due for review in two years. Walter Dusenbery seconded the motion and it was approved, 5-0. Deane prepared a special permit (expiring 8/7/20) and Chairman Huntsman signed it, giving the original to McManus and keeping copies for the file.

Phillips Living Trust – Site plan review, special permitted use (“Heirloom Barn”), woodworking & storage – 6761 State Highway 28 (#96.00-1-19.00)

Clerk Bill Deane read aloud from the July 3 minutes relevant to the Phillips application. Applicant John Phillips since submitted a formal application, date-stamped on July 14.

Phillips said the barn was built c. 1860, and moved to its present site c. 1910. He said it was in the RA2 District, not an ag district. Chairman Huntsman said the building meets the criteria for the “Heirloom Barn” law. He said that, under this law, the project could be excused from the square footage requirement for a service trade establishment.

Chairman Huntsman reviewed the site plan requirements in Section 8.04 of the *Land Use Law*. The consensus of the Board was that the only items missing were a survey (which could be waived), a list of neighbors (and addresses) within 200 feet of the property lines, and a site map showing building dimensions, lighting, and trees within 100 feet of the building. Phillips said he would return on September 4 with these items.

Chip Jennings questioned having multiple special permitted uses. Attorney Miosek and Chairman Huntsman said there are no restrictions on the number of special permitted uses, but there would have to be separate permits for each requested use.

Bill Coleman – Minor subdivision (division of one lot into three parcels) in RA2 district – 500 Huff Road (#69.00-1-26.00)

Applicant Bill Coleman submitted an 8/3/18 survey prepared by Duane Sprague. Coleman owns two contiguous lots, one of about 11 acres including his residence, the other of 24.80 acres. From the vacant lot, he wants to add 5.51 acres to his house lot (creating a “flag lot”), and divide the remaining 19.29 acres into three rectangular lots of 6.87, 6.21, and 6.21 acres, respectively (with road frontage of 311, 290, and 290 feet, respectively). Coleman said there were no covenants on the properties.

Zoning Enforcement Officer Hobbie said there had been no previous splits on the property since 1987. Elizabeth Horvath moved to deem this a minor subdivision. Chip Jennings seconded the motion and it was approved, 5-0.

Chairman Huntsman reviewed the minor subdivision requirements in Sections 3.2 and 5.2 of the *Land Subdivision Regulations*. The consensus of the Board was that the only items missing were a list of neighbors (and addresses) within 200 feet of the property lines, and the \$175/lot subdivision fee. Hobbie said there were three lots in the subdivision. Clerk Bill Deane said that the Planning Board's practice is to charge \$175 for each new lot created. The applicant is increasing from two lots to four, thus creating two new lots, or \$350.

The Board discussed State Environmental Quality Review (SEQR). Jennings moved to declare lead agency status for the Planning Board. Walter Dusenbery seconded the motion and it was approved, 5-0. Dusenbery moved to declare it a Type II action per SEQR Section 617.5(c)(38). Horvath seconded the motion and it was approved, 5-0.

Dusenbery moved to deem the application complete, contingent on a list of neighbors to be provided by August 21. Sharon Kroker seconded the motion and it was approved, 5-0. Jennings moved to schedule a public hearing for September 4, with the same contingency. Kroker seconded the motion and it was approved, 5-0.

Cathedral Farms, Inc. (Marty Patton, Jon McManus) – Site plan review, construction within 100 feet of Otsego Lake – 6512 State Highway 80 (#84.12-1-14.00)

Walter Dusenbery read aloud from the July 3 minutes relevant to the Cathedral Farms application. Jon McManus submitted a letter of authorization and a new application for the patio. Attorney Miosek said that it superseded any previous application. McManus said he was new to the project, and was working on getting a survey and topographical contours.

Zoning Enforcement Officer Hobbie said that the hole was for a fountain, not a fireplace. He added that interior work is not under the Town's jurisdiction. McManus said the pizza oven, fireplace, and statues are portable.

Attorney Hyde Clarke said he was representing the Roy family (Violin Mohican LLC). He submitted an August 7 letter (filed), claiming that applicant Marty Patton was building a fence which is on the Roy property. Clarke said that the Planning Board cannot entertain an application if the applicant is in violation of Town laws. Attorney Miosek said that the Planning Board should not rule on boundary issues, suggesting that the Roys file a quiet title action.

Referring to the longstanding stop-work order and court orders, attorney Miosek said that all exterior work must cease, or he will take legal action by the end of the week. McManus said he would pass on this information to the applicant, and return in September.

OTHER BUSINESS

Ed Hobbie distributed copies of his August 7 Zoning Enforcement Officer report (filed). He discussed some situations of interest:

- Hobbie is meeting tomorrow with Joann Crum, attorney for Peter Bissell (Cobblescote). They want to return before the Planning Board regarding their "art studio." Attorney Miosek said they need to go to the Zoning Board of Appeals first.
- Daniel Molini erected a two-story, 24x34' pool house without a permit. Hobbie stipulated that it was not to include a kitchen or bedrooms. Chairman Huntsman said that Molini should stop work and come before the Planning Board.
- Hobbie is meeting with the Susquehanna Animal Shelter about a possible relocation of their complex to the Town of Otsego.

Chairman Huntsman said he would serve as Planning Board liaison for the August 8 Town Board meeting. He reminded members about their annual training requirements.

Bill Deane discussed the September 4, 2018 agenda. Phillips, Coleman (public hearing), and Cathedral Farms are expected to return. There are other possible applications in the works.

With no further business, at 9:39 PM Elizabeth Horvath moved to adjourn the meeting.

Respectfully submitted,
Bill Deane, Planning Board Clerk