

Town of Otsego Planning Board

Minutes – August 10, 2010

REGULAR MEETING

A special meeting of the Town of Otsego Planning Board was held on this date at the Town Office Building in Fly Creek, New York. Chairman Paul Lord called the meeting to order at 7:31 PM, and roll call was taken by Clerk Bill Deane. Members present were Lord, Donna Borgstrom (Vice-Chairman), John Phillips, Joe Galati, Wes Ciampo, Joe Potrikus, and alternate member Rosemary Craig, who joined the meeting table due to the absence of Steve Purcell. Planning Board Attorney Jim Ferrari was also present; Zoning Enforcement Officer Hank Schecher was absent.

Chairman Lord reviewed correspondence received since the last meeting: an invitation to a Springfield Planning Board presentation on September 16; and a notice (filed) from the County Clerk, advising of the filing of the Day subdivision plat on June 9.

Chairman Lord 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

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

Representative Jon McManus submitted a letter from applicant N. Jean Scarzafava, explaining her role in Inuksuk Farm, LLC, as requested at the August 3 meeting. Chairman Lord stamped the first lot split plat “approved” and signed it.

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.

Bill Deane read aloud the draft minutes of the August 3 meeting relevant to the LLIB application. Chairman Lord summarized and filed relevant correspondence received, including a letter from Attorney Beth Westfall, regarding “implicit” deed covenants (copy to Attorney Ferrari); a July 27 letter from Young, Summer LLC regarding an e-mail from Rosemary Craig to the Board members; and an August 8 letter from Rosemary and Edward Craig, in opposition to the proposed subdivision.

The Board discussed whether the property is in or adjacent to a historic district. Wes Ciampo retrieved a Town of Otsego map, showing that it is within the Glimmerglass Historic District. John Phillips moved to declare this a Type I action, per State Environmental Quality Review Act (SEQRA) regulation #617.4(b)(9). Donna Borgstrom seconded the motion and it was approved, 5-0.

With member input, Chairman Lord went through the long environmental assessment form (EAF) provided. Representative Jon McManus made and initialed some revisions. Borgstrom moved to declare lead agency status for SEQRA purposes. Joe Potrikus seconded the motion and it was approved, 5-0.

McManus said he had sent plans to the State Historic Preservation Office

(SHPO) on May 17, and to the Fish & Wildlife bureau. Chairman Lord said that coordinated review would have to be done with the Department of Environmental Conservation (DEC) and SHPO. He said he would take care of the mailings (done by Bill Deane on August 13).

Borgstrom asked reviewing engineer James Forbes whether he was satisfied with McManus's response to his concerns. Forbes said he was.

Bill Deane noted that the July 6 public hearing on this application was not valid, since not all neighbors within 500 feet were invited, as required for agricultural district properties. Borgstrom moved to schedule a public hearing for September 7. Potrikus seconded the motion and it was approved, 5-0. 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

Bill Deane read aloud the draft minutes of the August 3 meeting relevant to the Village of Cooperstown application. To a question that arose at that meeting, Chairman Lord answered that special permitted uses require site plan approval.

Joe Galati reviewed properties which need to be acquired by, or whose owners need to grant authorization to, the Village of Cooperstown. Galati went through the list with representative Peter Loyola, who said that agreements were in place with Village of Cooperstown, NYSEG, Charisma Partners, and Clark Estates, but not with Wilber National Bank, Cooperstown Central School (Cooperstown Youth Baseball), or Leatherstocking Railway. There was a question as to whether the Town of Otsego had granted a right-of-way for the project. Town Councilman Anne Geddes-Atwell said that it had been resolved by the Town Board one or two years ago, and Joe Potrikus recalled such a resolution while he was a Councilman in 2008. Later during the meeting, Potrikus said he was not sure the resolution covered the stretch of Linden Avenue in question. Lord asked John Phillips to attend the Town Board meeting on August 11 and ask the Board and Attorney Paul Elkan the status of this conveyance, license, or easement of property.

Loyola distributed copies (filed) of his August 10 response to engineer James Forbes's review. Loyola also introduced Bob Davis, resident engineer for the project. Forbes said that he was comfortable with the plumbing and grading, but that his main concern was the infiltration in landfill soils. He asked for a soil profile of the test pit, including proposed conditions and proprietary information. Loyola said he would provide this to Forbes, who would in turn report back to the Planning Board. Much discussion between Loyola, Davis, and Forbes ensued. Loyola distributed copies of his infiltration plan view.

Loyola said that the storm-water pollution prevention plan (SWPPP) was an "evolving document." Galati asked which version of it had been submitted to the DEC. Loyola said he had sent his revised SWPPP to the DEC around July 23; he said he would e-mail Lord the exact date.

Donna Borgstrom remarked that organization and comprehensiveness had been lacking in this proposed project.

The consensus of the Board was that the following issues were still unresolved:

- Provision for maintenance of the sidewalks and roads. Loyola said he expected this to be resolved at the August 23 Village Board meeting.
- RV/bus parking. Loyola said he would discuss this with the CITC Committee and the Village Board, asking what the Village wants in regard to designated RV parking.
- Proof of property acquisitions and/or letters of authorization from all affected property owners (Village of Cooperstown, NYSEG, Charisma Partners, Clark Estates, Wilber National Bank, Cooperstown Central School [Cooperstown Youth Baseball], Leatherstocking Railway, and Town of Otsego). Loyola said he hoped to have most of these by August 19.
- Satisfaction of James Forbes's concerns, specifically infiltration in landfill soils.
- Completion of SEQR by the Village of Cooperstown. Loyola said he expected this to be resolved at the August 23 Village Board meeting.

Lord asked Loyola to let him know about the property acquisitions by August 19, and the Village decisions by August 23. Lord will then decide whether a special meeting for August 24 is warranted, and notify the Board members and employees.

With no further business, at 10:06, Wes Ciampo moved to adjourn the meeting.

Respectfully submitted,
Bill Deane
Planning Board Clerk