

# Town of Otsego Planning Board

Minutes – August 16, 2011

## **PUBLIC HEARING**

### **Mary Turi – Site plan review, special permitted use, pre-school in home – 25 Linden Avenue (#131.00-1-27.00)**

The Turi public hearing was held in the main room of the Town building, while the scheduled meeting of the Zoning board of Appeals concluded in the regular meeting room. Chairman Joe Galati opened the hearing at 7:33 PM, and noted that no one from the public was present. Donna Borgstrom moved to close the hearing. Steve Purcell seconded the motion and it was approved, 5-0. The Board moved to the regular meeting room.

## **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 Joe Galati called the meeting to order at 7:39 PM, and roll call was taken by clerk Bill Deane. Members present were Galati, Donna Borgstrom (Vice-Chairman), Paul Lord, Steve Purcell, and John Phillips. Zoning Enforcement Officer Hank Schecher and Planning Board Attorney Jim Ferrari were also present. Joe Potrikus, Rosemary Craig, and alternate member Dan Croft were absent.

Chairman Galati reviewed and passed around correspondence received since the last meeting:

- Applications for a land use training conference to be held in Mohawk on October 1.
- The July/August 2011 issue of *Talk of the Towns & Topics*.

Chairman Galati asked if there were any public comments on non-agenda items. No one responded.

The Board moved on to the application.

## **APPLICATION**

### **Mary Turi – Site plan review, special permitted use, pre-school in home – 25 Linden Avenue (#131.00-1-27.00)**

Donna Borgstrom read aloud from the minutes (not yet approved) of August 2 relevant to this application. Paul Lord moved to approve that portion of the minutes. Steve Purcell seconded the motion and it was approved, 5-0.

Members examined the tax map submitted by applicant Mary Turi at the request of the Board. Turi said that she would not be putting in any permanent structures, only movable objects. She said that she may be changing the fence in the future.

Borgstrom moved to approve the site plan and the special permitted use for a pre-school in an existing home. John Phillips seconded the motion and it was approved, 5-0. Chairman Galati stamped the site plan “approved” and signed it. Turi was advised to come in for site plan modification if she decides to change the fence. Bill Deane said that he would prepare a special permit for Galati’s signature and mail it to Turi by the end of the month.

## **OTHER BUSINESS**

The Board discussed the Village of Cooperstown/Cooperstown Intermodal Transit Center (CITC) application, which is on the September 6 agenda. Chairman Galati submitted an August 11 memo (filed) outlining key issues concerning the application. Bill Deane read aloud from the minutes of the September 7, 2010 meeting, during which the Village’s previous site plan was approved contingent on Cooperstown Youth Baseball (CYB) approval.

Paul Lord noted that that contingency technically hadn’t been met, although CYB has abandoned their ballfield. Attorney Ferrari said that there was no mechanism for site plan

modification, and this should be treated as a new application. Lord questioned this based on the word “preliminary” to describe engineering plans in the *Land Use Law*. Galati noted the huge differences (e.g., page L52) between the plans approved in 2010 and the current plans, making this essentially a whole new application. The Board agreed by consensus.

John Phillips noted that there were 55 parking spaces allocated to the CYB field (in a different land use district than the rest of the project). Now that the field is no longer part of the application, an ancillary use for those spaces must be determined in order to justify them. The Board agreed that the big issue with the application is the storm-water plan. Other issues cited include contaminated soils, safety and signage at the intersection of Linden Avenue and Walnut Street, and parallel parking.

Chairman Galati discussed the State Environmental Quality Review Act (SEQRA). The consensus of the Board was that they do not want to take over as lead agency, but they do want the applicant to pay for a new engineering review. After considerable discussion, Lord drafted the following motion:

The Planning Board requests the Village of Cooperstown to:

- 1) Reopen SEQR to review new soil contamination information (from the revised storm-water plan dated 7/20/10 and the Aztec letter dated 11/2/10) and the modified storm-water central plan.
- 2) Volunteer to pay for an independent review of the modified storm-water plan.
- 3) Provide an ADA-compliant walkway with signage giving direction from the CITC project to Main Street in the Village of Cooperstown.
- 4) Remove the request for special permitted use for a ballfield, inasmuch as no plan exists for its construction.
- 5) Replace the ballfield with a small landscaped pavilion/rest area (including bathrooms), with picnic tables, which will provide a “recreational facility” primary use for the accessory use of 55 parking spaces, which will be open during daylight hours in the tourist season, and will be operated and maintained by the Village of Cooperstown.

Provision of the above will facilitate the Planning Board’s review of the Village’s July 7/19, 2011 application.

Phillips seconded the motion and it was approved, 5-0. Bill Deane said he would mail a copy of the minutes to the Village.

Zoning Enforcement Officer Schecher passed around copies of Dan Rowley’s site plan and boundary survey. Rowley is also scheduled on the September 6 agenda.

With no further business, at 9:24, Donna Borgstrom moved to adjourn the meeting.

Respectfully submitted,  
Bill Deane  
Planning Board Clerk