

## Town of Otsego Planning Board

Minutes – September 3, 2013

### 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 7:30 PM, and clerk Bill Deane took roll call. All members ultimately were present: Borgstrom, Doug Greene (Vice-Chairman), Joe Potrikus, Joe Galati, Rosemary Craig, Steve Purcell, and Tom Huntsman (who arrived at 7:35, after the first vote). Alternate member Scottie Baker, Planning Board Attorney Jim Ferrari, and Zoning Enforcement Officer Tavis Austin were also present.

The Board reviewed the minutes of August 6, e-mailed to the members. Deane relayed a correction from Town Supervisor Anne Geddes-Atwell: among the correspondence was not the proposed 2014 budget, but a request for information from the Planning Board to be considered for the 2014 budget. Potrikus moved to approve the minutes as amended. Galati seconded the motion and it was approved, 7-0.

Chairman Borgstrom reviewed correspondence received since the last meeting:

- An August 16 memo (filed) from Schlather & Birch, saying that the deed for the Woolson-Zeh lot line adjustment, approved by the Board in May, had been recorded with the County.
- Instructions for RP-470 regarding tax exemption for “green buildings.”
- The May/June issue of *Talk of the Towns & Topics*, copies of which were distributed.

Chairman Borgstrom asked if there were any member disclosures regarding potential conflicts. No one reported any conflict. Chairman Borgstrom asked if there were any public comments on non-agenda items. No one responded.

The Board moved on to applications.

### APPLICATIONS

#### **Steve & Mercedes Gotwald (Kurt Ofer) – Site plan review, addition of screened porch to Leatherstocking Farm Boathouse within 500 feet of Otsego Lake – State Highway 80 (#99.00-1-27.01)**

Doug Greene read aloud from the minutes of June 4 relevant to the Gotwald application. Bill Deane noted that the Zoning Board of Appeals (ZBA) had since approved the requested variances, and the Planning Board had waived the public hearing requirement.

Applicant Steve Gotwald said that there were no changes to the application. The State Historic Preservation Office (SHPO) has expressed “no opinion” on the project, and the Department of Environmental Conservation (DEC) and the Army Corps of Engineers have issued permits.

The Board discussed the State Environmental Quality Review Act (SEQRA). Joe Galati moved to deem this a Type II Action per SEQRA Section 617.5(c)(7). Joe Potrikus seconded the motion and it was approved, 7-0.

Galati moved to approve the March 7, 2013 site plan as submitted. Potrikus seconded the motion and it was approved, 7-0. Chairman Borgstrom stamped the site plan “approved” and signed it.

#### **Chris Chandler (NOTS Productions) – Site plan review, special permitted use, recreational facility (Halloween walking trail) – 446 County Highway 26 (#114.00-1-74.06)**

No one appeared on behalf of this application. Zoning Enforcement Officer Austin said that applicant Chris Chandler had not withdrawn his application, but that he should be removed from the agenda until further notice. The clock remains stopped on the Board’s decision deadline.

#### **Robert Sadekoski – Sketch plan conference, replacement of residence within 100 feet of Canadarago Lake – 2173 Cty. Hwy. 22 (#38.02-1-9.00)**

Applicant Robert Sadekoski presented a “plot plan,” showing his proposal to demolish an existing residence 64 feet from Canadarago Lake, and replace it with a new ranch or cape with deck from

G&I Homes. The new building footprint would measure 27 x 54 feet and be 62 feet from the lake. Sadekoski is on the September 17 ZBA agenda to pursue the necessary area variances. Chairman Borgstrom said that the Planning Board could not do anything until Sadekoski gets his variances approved.

Chairman Borgstrom went through the site plan requirements in the *Land Use Law*. Doug Greene gave Sadekoski a handwritten list of items the Planning Board would need: dimensions of the existing and proposed new buildings; location of the septic system; an elevation drawing; depiction of trees more than 6" in diameter at breast height; pictures of the site and building; landscaping plans; exterior lighting plans; parking plans; construction sequence (timeframe); roof drainage (gutters); and topographic contours. An environmental assessment form (EAF) and a list of neighbors would also be needed.

Bill Deane explained the ZBA and Planning Board timetable to Sadekoski.

### **Steven Kovatchich – Simple lot split – County Highway 28 (#69.00-1-18.00)**

Chairman Borgstrom brought up this situation, handled by her law firm. The Board had approved a first lot split on August 4, 2009, contingent on Attorney Ferrari's approval of the deed language. But Kovatchich had never submitted the deed language, so the plat had never been signed by the Planning Board chairman nor filed with the County. Borgstrom gave the proposed deed to Ferrari.

The consensus of the Board was that there was no time limit on the approval. Attorney Ferrari agreed, and said he saw no problem with the deed. Vice-Chairman Doug Greene signed the plat so Kovatchich could file it with the County.

### **OTHER BUSINESS**

Tavis Austin distributed copies of his September 3 Zoning Enforcement Officer report (filed). Besides Planning Board agenda items, it listed the issuance of four land use permits and two "stop work" orders. Austin answered questions about the report.

Doug Greene said that he was resigning from the Planning Board following this meeting, as he is moving to Maine. He said that he had e-mailed the members a 65-page document regarding proposed changes to the *Land Subdivision Regulations*. Greene explained some of them.

Bill Deane suggested that the Board appoint a new vice-chairman. Steve Purcell nominated Joe Galati. Galati declined the nomination. Purcell nominated Tom Huntsman, who also declined. Purcell nominated Joe Potrikus. Rosemary Craig seconded the nomination and it was approved, 7-0, with Potrikus abstaining and Scottie Baker voting in his place.

Joe Potrikus moved to recommend to the Town Board that John Phillips be reappointed to the Planning Board, citing Phillips's expertise in SEQR and good attendance record. Rosemary Craig seconded the motion and it was approved, 7-0. Chairman Borgstrom said she would relay this to the Town Board.

The Board reviewed Town Supervisor Anne Geddes-Atwell's draft of proposed revisions to the Town's policy on recusal and submission of applications by Board members. Joe Galati said that the policy had been aimed at him, and now that his application is complete, the Town Board is talking about revising it. The policy was ludicrous and cost him a lot of money, while the illegal activities of other Town residents are ignored because no one complains about them. As a result, the Planning Board is a "toothless dog." Other members agreed with Galati.

The Board reviewed the request for information from the Planning Board to be considered for the 2014 budget. Chairman Borgstrom filled in some suggested figures for the Planning Board Attorney and Clerk and said she would deliver the document back to Supervisor Geddes-Atwell.

Members thanked and applauded Doug Greene for his service to the Board.

Bill Deane discussed the October 1 agenda. As of now there are no applications, unless Chandler returns. Chairman Borgstrom reminded the Board of the 7:00 start time beginning in October.

With no further business, at 8:39, Doug Greene moved to adjourn the meeting.

Respectfully submitted,  
Bill Deane, Planning Board Clerk