

Town of Otsego Planning Board

Minutes – September 4, 2012

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 Donna Borgstrom called the meeting to order at 7:30 PM, and clerk Bill Deane took roll call. Members present were Borgstrom (Vice-Chairman), Paul Lord, Joe Potrikus, Rosemary Craig, Steve Purcell, and Tom Huntsman. With Chairman Joe Galati absent, alternate member Scottie Baker joined the meeting table (Baker arrived after the first vote was taken). Planning Board Attorney Jim Ferrari and Town Supervisor Anne Geddes-Atwell were also present.

The Board reviewed the minutes of August 7, e-mailed to the members. Potrikus noted that the address of the Day property is County Route 26, not Day Road. Lord moved to approve the minutes as amended. Potrikus seconded the motion and it was approved, 6-0.

Acting Chairman Borgstrom said that the only correspondence received since the last meeting was a copy of part of the Town budget.

Acting Chairman Borgstrom announced that Tavis Austin had been hired as the new Zoning Enforcement Officer, replacing Hank Schecher; however, Austin may not be available for Planning Board meetings due to his schedule with other Boards he works for. Copies of Schecher's September 4 Zoning Enforcement Officer report (filed) were distributed. It showed three land use permit requests, and one request pending Planning Board review.

Acting Chairman Borgstrom asked if there were any public comments on non-agenda items. No one responded. The Board moved on to applications.

LLIB, LLC (Bill Miller) – Request to extend conditional approval of Upper West Side major subdivision – County Highway 28, Pierstown (#84.00-1-15.62)

Rosemary Craig recused herself from this application and left the meeting table. Paul Lord read aloud from the August 7 minutes relevant to the application. Bill Miller of LLIB, LLC is requesting another extension to his conditional approval of the Upper West Side major subdivision, which expires tonight.

Joe Potrikus asked if there was any change to the situation, and Miller said there was not. Miller asked why his presence was required for these extension requests; acting Chairman Borgstrom explained that the Board always requires an applicant or authorized representative to be present before they will take any action. Miller asked if he could have more than one extension done at the same meeting, but acting Chairman Borgstrom said that would be unprecedented and she did not think it was a good idea.

Bill Deane noted that a 90-day extension would expire the day before the December meeting, and Potrikus asked if a 91-day extension could be granted. Attorney Ferrari said that he believed the limit was 90 days.

After discussion, Potrikus moved to extend the conditional approval of the Upper West Side major subdivision by 90 days, to December 3. Steve Purcell seconded the motion and it was approved, 6-0. Miller or an authorized representative will have to appear in November if he wishes to request another extension. Craig returned to the

meeting table.

Glen Miller & Diane Wicks-Miller – Major subdivision – 1988 County Highway 22 (#52.00-2-10.06)

Paul Lord read aloud from the August 7 minutes relevant to the application. Applicants Glen Miller and Diane Wicks-Miller submitted the documents requested at that meeting: a Mylar dated August 23, locating the septic system, well and utilities; a copy of the conservation easement; and a check for \$175 (delivered to the Town Clerk).

After brief discussion, Lord asked for an engineering report on the septic system. After making and withdrawing a motion, Lord moved to deem the application complete, contingent on the aforementioned report being submitted by September 18, and to schedule a public hearing for October 2. Steve Purcell seconded the motion and it was approved, 7-0.

Gene Ellis – Sketch plan conference, addition of pole barn within 500 feet of Canadarago Lake – 109 Log Cabin Road (#52.11-1-21.00)

Applicant Gene Ellis wants to add a 30'x50' pole barn on his property within 500 feet of Canadarago Lake. Bill Deane read aloud from the minutes of the Zoning Board of Appeals's (ZBA's) January 17 and February 21, 2012 meetings, during which Ellis's application for two area variances was denied. Ellis plans to reapply to the ZBA this month, seeking only one variance.

Acting Chairman Borgstrom asked Ellis if he had considered the ZBA's suggestion to build a one-story barn instead of a two-story one. Ellis said he still plans a two-story barn, noting that it would be within the 40-foot height limit. Deane explained that, because he was seeking a variance, the ZBA must consider whether the building would be in conformity with neighboring buildings, even if it is within the height limit.

Ellis submitted photos of the property, drawings of the proposed building, and a long environmental assessment form (EAF), which the Board examined. Their consensus was that they would want one map which includes existing buildings and features, along with the proposed pole barn.

Borgstrom discussed runoff concerns. Ellis said he had received approval from the Department of Environmental Conservation (DEC) and Army Corps of Engineers, but he submitted only one page of a multi-page letter from the DEC. The board will have to see the full documents from both organizations.

The Board advised Ellis that they could not do anything with his potential application until he gets his variance granted. Deane explained the ZBA/Planning Board application timeline to Ellis.

Joseph Corbett – Site plan review, addition of pole barn within 500 feet of Canadarago Lake – 113 Marble Road (#52.00-2-10.14)

This application was added to the agenda by agreement between former Zoning Enforcement Officer Schecher and acting Chairman Borgstrom. Applicant Joseph Corbett wants to build a 30'x40' pole barn on his property, approximately 360 feet from Canadarago Lake. Corbett submitted a large property map, photos, building plans, and a

short EAF, which the Board examined. He estimated the construction would take 6-8 weeks.

Paul Lord asked what Corbett planned to do to mitigate the increase of impervious surface close to the Lake. Lord suggested various drainage control measures, such as shrubs or a ditch. Tom Huntsman wondered whether Marble Road would mitigate it, since it runs between the proposed barn and the Lake.

Borgstrom went through the site plan requirements in the *Land Use Law*. The consensus of the Board was that Corbett would have to submit a map showing contours, lighting, erosion control, and foundation description; and a list of neighbors (with addresses) within 200 feet of the property lines. Corbett asked to be put on the October agenda.

OTHER BUSINESS

Paul Lord expressed concern about Zoning Enforcement Officer Austin's inability to attend Planning Board meetings. Lord said it is important for the Zoning Enforcement Officer to learn what the Board requires of applicants, and prepare applicants accordingly. Other members agreed.

The Board discussed the proposed agreement with the Otsego County Planning Agency, similar to the previous memorandum of understanding with the defunct Otsego County Planning Board. The consensus was to defer action on this to the Town Planning Board. Paul Lord said he would explain their rationale to Supervisor Geddes-Atwell after the meeting, so that she can relay it to the County.

Paul Lord distributed copies of the first six pages of his proposed revised *Land Subdivision Regulations*, and went through them. He said he would continue with the process next month.

Joe Potrikus said that he would not be at the October 2 meeting. Donna Borgstrom said that she may not be.

Joe Potrikus asked the status of Chairman Joe Galati's leave-of-absence, but no one present could answer. After discussion, Lord moved to request that the Town Board replace Galati as Planning Board member. Rosemary Craig seconded the motion, but it was defeated, 5-2, with only Lord and Craig in favor. Donna Borgstrom said that she would ask Galati his intentions and report back to the Board.

Acting Chairman Borgstrom signed the Planning Board By-Laws revision (change of meeting start time to 7:00 from October through April) approved by the Board in July. It was filed in "general correspondence."

Acting Chairman Borgstrom discussed the October 2 agenda. The Millers (public hearing) and Joseph Corbett are expected to return. Bill Deane reminded the Board of the 7:00 start time.

With no further business, at 9:05, Scottie Baker moved to adjourn the meeting.

Respectfully submitted,
Bill Deane, Planning Board Clerk