

Town of Otsego Planning Board

Minutes (unapproved), September 4, 2018

PUBLIC HEARING

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

Chairman Tom Huntsman opened the Coleman public hearing at 7:30 PM, and asked if anyone had comments or questions about the application. No one responded. Huntsman closed the hearing.

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 7:31 PM and led the Pledge of Allegiance.

Clerk Bill Deane took roll call. Board members present were Huntsman, Darryl Szarpa (vice-chairman), Scottie Baker, Ted Feury, Chip Jennings, and Walter Dusenbery. With Elizabeth Horvath and alternate member Toby Wilcox absent, alternate member Sharon Kroker joined the meeting table. Also present were Zoning Enforcement Officer Ed Hobbie and Town Board member Carina Franck.

The Board reviewed the minutes of August 7, 2018, e-mailed to the members. Jennings moved to approve the minutes as written. Kroker seconded the motion and it was approved, 7-0.

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. John Phillips mentioned that the son of long-time Planning Board member Steve Purcell had died tragically.

The Board moved on to applications.

APPLICATIONS

Phillips Living Trust – Site plan review, special permitted use (“Heirloom Barn”), woodworking & storage in RA2 district – 6761 State Highway 28 (#96.00-1-19.00)

Scottie Baker read aloud from the August 7 minutes relevant to the Phillips application. Applicant John Phillips submitted three copies of a site map, a list of neighbors, and a \$25 check.

Chairman Huntsman reviewed the special permitted use requirements in Section 7.03 of the *Land Use Law*. The consensus of the Board was that Phillips would need two special permits, one for service trade (construction/woodworking), and the other for storage, which is a special permitted use in the GB1 district, thus usable under the “Heirloom Barn Law.”

The Board discussed State Environmental Quality Review (SEQR). Walter Dusenbery moved to declare lead agency status for the Planning Board. Baker seconded the motion and it was approved, 7-0. Baker moved to declare this project a Type II action per SEQR Section 617.5(c)(1). Sharon Kroker seconded the motion and it was approved, 7-0.

Chip Jennings moved to deem the application complete, waiving the survey requirement as unnecessary in this case. Baker seconded the motion and it was approved, 7-0.

Phillips asked that the public hearing be waived, noting that he cannot be at either of the next two scheduled meetings. Chairman Huntsman said he felt that the public hearing could not be waived, but that Phillips did not need to be present for it. Ted Feury moved to schedule a public hearing for October 2. Jennings seconded the motion and it was approved, 7-0.

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

Scottie Baker read aloud from the August 7 minutes relevant to the Coleman application. Applicant Bill Coleman said there were no changes. The Board again discussed how many lots were being created, with no change to the previous month's determination.

After brief discussion, Walter Dusenbery moved to approve the minor subdivision as submitted. Darryl Szarpa seconded the motion and it was approved, 7-0. Chairman Huntsman stamped and signed the plat, advising Coleman to file it with the County within 60 days.

Cathedral Farms, Inc. (Marty Patton, Jon McManus) – Site plan review, construction within 100 feet of Otsego Lake in RA1 district – 6512 State Highway 80 (#84.12-1-14.00)

Cathedral Farms representative Jon McManus said he would soon be acquiring a survey, but had nothing new to present tonight. He asked that they be put on the October agenda.

Joseph Stagliano (Jon McManus) – Site plan review, replacement of deck with structure within 100 feet of Otsego Lake in RA1 district – 6723 State Highway 80 (#69.68-1-10.00)

Applicant Joseph Stagliano wants to remove a deck within 100 feet of Otsego Lake, replacing it with a 1½- to two-story structure for recreational use and storage (no bathrooms or bedrooms). Scottie Baker read aloud from the Zoning Board of Appeals (ZBA) minutes of July 17 and August 21 (not yet approved) relevant to the application. During the latter meeting, a public hearing was held with no negative comment, and the ZBA granted Stagliano a variance to build in the Lakeshore protection area, with the conditions that the new building be within the existing deck footprint and no taller than 18½ feet, and that the existing pump-house be removed.

Representative Jon McManus submitted photos of the existing property and drawings of the proposed new building. He requested Planning Board input before he revises the plans, which still show a 22½' height. McManus said that he is trying to find out if a survey is available, and that he did not think Department of Environmental Conservation (DEC) intervention will be needed.

Chairman Huntsman reviewed the site plan requirements in Section 8.04 of the *Land Use Law*. He said that McManus would need to provide a survey, and revised drawings with elevation, erosion control, and lighting plans. McManus said he would return in October with those items.

Melissa Worthington – Sketch plan conference, RV hookup in 108.53-acre lot in RA2 district – 638 County Highway 26 (#114.00-1-78.00)

This sketch plan conference was added to the agenda per Chairman Huntsman and Zoning Enforcement Officer Hobbie. Applicant Melissa Worthington explained her plan to install a recreational vehicle hookup on her property. It would include a pedestal, electric hookup, and 500-gallon below-ground septic tank.

The consensus of the Board was that there is no law governing mobile homes on wheels, and that the septic system would be Town codes issue. Chairman Huntsman advised Worthington that her proposed project does not require Planning Board intervention.

Susquehanna Animal Shelter – Sketch plan conference, relocation of animal shelter to RA2 district – 5082 State Highway 28 (#146-2-5.00 & -6.00)

This sketch plan conference was added to the agenda per Chairman Huntsman and Zoning Enforcement Officer Hobbie. Three Susquehanna Animal Shelter (SAS) representatives were present, including Stacie Haynes, Executive Director. Hobbie explained that the SAS was given a \$500,000 grant to upgrade its facilities, currently located in a flood plain in the Town of Hartwick. They hope to acquire two properties farther up State Highway 28 in the Town of Otsego, and relocate their animal shelter/hospital and thrift shop there. They expect to meet acreage, frontage, and setback requirements.

Chairman Huntsman reviewed the site plan and special permitted use requirements in Sections 7.03 and 8.04 of the *Land Use Law*. Huntsman noted that special permitted uses in the RA2 district include animal hospitals (maximum 4,500 square feet) and kennels. He said that, being a revenue-generating portion of a non-profit, the thrift shop might be considered “accessory use” to the shelter. Ted Feury disagreed, saying that he felt that the shop falls under retail trade, and designating it otherwise would set a bad precedent. Discussion ensued. Huntsman said that, if one of the houses were more than 110 years old, and adapted to the thrift shop, they could use the “Heirloom Barn Law” in Section 3.15. One of the representatives said that the southernmost house was built in 1900, so it would qualify.

The consensus of the Board was that they could not guarantee approval of the project, but that it is feasible under the existing laws.

OTHER BUSINESS

Ed Hobbie distributed copies of his updated Zoning Enforcement Officer report (filed), and discussed some situations of interest.

Chairman Huntsman asked for a volunteer to serve as Planning Board liaison for the September 12 Town Board meeting. Chip Jennings volunteered.

Scottie Baker discussed the members’ training requirements, suggesting that Danny Lapin could provide a more worthwhile program than some of the State-offered courses.

Carina Franck reported on the Town Board’s efforts to rewrite the “Heirloom Barn Law.”

Bill Deane discussed the October 2, 2018 agenda. Phillips (public hearing), Cathedral Farms, and Stagliano are expected to return. There are other possible applications in the works. Chairman Huntsman reminded members of the resumption of the 7 PM start time.

With no further business, at 9:30 PM Baker moved to adjourn the meeting.

Respectfully submitted,
Bill Deane, Planning Board Clerk