

## **Town of Otsego Planning Board**

Minutes – October 4, 2011

### **PUBLIC HEARING**

#### **Dan Rowley – Major subdivision – State Highway 80 & Raymond Fish Road (#96.00-1-14.01)**

Chairman Joe Galati opened the Rowley public hearing at 7:31, and noted that neither the applicant nor anyone from the public were present. Galati also noted that a neighbor letter, addressed to John and Linda Kosmer, had been returned to sender. Paul Lord moved to adjourn the hearing in absence of the applicant. Steve Purcell seconded the motion and it was approved, 7-0.

After the applicant appeared, Joe Potrikus moved to reopen the public hearing at 7:59. Phillips seconded the motion and it was approved, 7-0. There was still no one from the public present. At 8:00, Donna Borgstrom moved to close the hearing. Rosemary Craig seconded the motion and it was approved, 7-0.

### **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 Joe Galati called the meeting to order at 7:32 PM, and roll call was taken by clerk Bill Deane. All members were present: Galati, Donna Borgstrom (Vice-Chairman), Paul Lord, John Phillips, Steve Purcell, Joe Potrikus, and Rosemary Craig. Planning Board Attorney Jim Ferrari was also present. Alternate member Dan Croft and Zoning Enforcement Officer Hank Schecher were absent.

The Board reviewed the minutes of September 6, 2011, e-mailed to the members (Deane noted that the date was incorrectly listed on the agenda). Borgstrom asked that the minutes be amended to include the fact that the Planning Board members and attorney discussed whether the Village of Cooperstown's application should be considered "new," and agreed that it should, because the *Land Use Law* does not address procedure for site plan modification. Lord moved to approve the minutes as amended. Potrikus seconded the motion and it was approved, 7-0. Later during the meeting, Craig asked whether the Town should clarify its law, regarding a mechanism for site plan modification. Lord and Galati said that the Town's law is not the problem in this case.

Chairman Galati reviewed and passed around a newsletter offer from Phillips Lytle, LLP, the only general correspondence received since the last meeting.

Chairman Galati noted that Schecher was at a seminar in Syracuse, thus there was no Zoning Enforcement Officer report.

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

The Board moved on to applications.

### **APPLICATIONS**

#### **Addison Bissell (B. J. O'Neill) – Site plan review, garage within 500 feet of Otsego Lake – 6515 State Highway 80 (#84.12-1-6.00)**

Chairman Galati reported that applicant Addison Bissell had said that he would not be ready to proceed tonight, but would return at a future meeting.

**Village of Cooperstown (Peter Loyola) – Site plan review, special permitted uses, Cooperstown Intermodal Transit Center Project – Linden Avenue**

Village of Cooperstown Attorney Martin Tillapaugh said that the Village was not ready to proceed with their application tonight, but he wanted to update the Board on some developments during Village Board meetings:

- The Village has agreed to designate the field, previously allocated to Cooperstown Youth Baseball, as a recreational area.
- The Village is addressing the Planning Board's request about signage and handicap-accessible crossings between the Cooperstown Intermodal Transit Center and Main Street.
- The Village has issues with agreeing to another independent engineering review. The New York State Department of Environmental Conservation (DEC) had recommended changes in July, 2010, which the Village made, and the DEC later approved the revised plans.
- The Village is considering the installation of lavatory facilities, as additional financing was discovered.
- On Tillapaugh's advice, the Village will be starting demolition and construction in mid-October, adhering to the site plan approved by the Planning Board in 2010.

Tillapaugh said he expected the Village to be ready for the November agenda.

Chairman Galati said that the Board had received a copy of the Village's September 23 State Environmental Quality Review Act (SEQRA) resolution. It concluded that no further review was necessary. Galati asked Attorney Ferrari to look it over.

**Dan Rowley – Major subdivision – State Highway 80 & Raymond Fish Road (#96.00-1-14.01)**

Donna Borgstrom read aloud from the September 6 minutes relevant to the Rowley application. Upon request, applicant Dan Rowley wrote a check for \$175 to cover his subdivision fee. Bill Deane said he would deliver it to the Town Clerk.

The Board discussed the SEQRA process, started at the last meeting. Steve Purcell moved to declare a negative declaration due to no significant impact to the environment. John Phillips seconded the motion and it was approved, 7-0. Phillips moved to authorize the chairman to sign the Environmental Assessment Form (EAF). Purcell seconded the motion, it was approved, 7-0, and Chairman Galati signed the EAF.

Phillips moved to waive a second public hearing due to no comments at the first one. Joe Potrikus seconded the motion and it was approved, 7-0.

Rowley said he did not get a Mylar from his surveyor. Attorney Ferrari said that he would also need a tax search, which he could get at the County building. The Board agreed that they could not approve the subdivision without these items. Paul Lord said that the Board should not have deemed the application complete without these items, but Chairman Galati pointed out that they were still at the preliminary stage. However, the Board did not take action on the preliminary plat.

Chairman Galati urged Rowley to work with Zoning Enforcement Officer Schecher in completing the subdivision requirements before the November meeting.

## **OTHER BUSINESS**

Chairman Galati said that he had tried to get a DVD of the September 23 Lorman seminar, but it was not available. Galati said that Jon McManus had offered to do a free presentation on storm-water issues to the Board to help meet their training requirements. Paul Lord objected, saying that this would lend a sense of endorsement to McManus, and would smack of cronyism due to Galati's business relationship with McManus. Lord said it would be better to utilize the Board engineer or one who doesn't often come before the Board. Donna Borgstrom disagreed, saying that this was educational only. Galati said that storm-water is a science, not an opinion, and that McManus had done a presentation to the Board in the past. Joe Potrikus suggested that other Boards (e.g., Springfield, Hartwick, Middlefield) could be invited. John Phillips moved to accept McManus's offer. Potrikus seconded the motion and it was approved, 6-1, with Lord opposed.

The Board engaged in informal discussion about Tropical Storm Lee's impact on Otsego Lake.

Bill Deane discussed the November 1, 2011 agenda. As of now, it is the same as the October agenda, with Bissell, Rowley, and the Village of Cooperstown expected to return.

John Phillips said that he would be unable to attend the October 12 Town Board meeting, and wondered if someone else could attend as Planning Board liaison. Rosemary Craig said that she might be able to do so.

With no further business, at 8:33, Joe Potrikus moved to adjourn the meeting.

Respectfully submitted,

Bill Deane  
Planning Board Clerk