

Town of Otsego Planning Board
Minutes – October 6, 2015

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 Potrikus called the meeting to order at 7:04 and Rosemary Craig led the Pledge of Allegiance.

Clerk Bill Deane took roll call. All regular members were present: Potrikus, Tom Huntsman (Vice-Chairman, who arrived after the first vote), Craig, Steve Purcell, Scottie Baker and Ed Hobbie. With the Board still short by one member, first alternate member John Phillips joined the meeting table. Also present were Planning Board Attorney Jim Ferrari, Zoning Enforcement Officer Tavis Austin (who arrived at 7:40), and Town Board member Tom Hohensee (for the first part of the meeting). Second alternate member Darryl Szarpa was absent.

The Board reviewed the minutes of September 1, 2015, e-mailed to the members. Craig moved to approve them as written. Phillips seconded the motion and it was approved, 6-0.

There was no correspondence received since the last meeting.

Chairman Potrikus asked if anyone on the Board had a conflict with tonight's applicants. No one reported any conflict. Potrikus asked if anyone from the public had a comment on a non-agenda item. No one responded.

The Board moved on to applications.

APPLICATIONS

Barbara Polgar – Site plan review, expansion of deck within 100 feet of Otsego Lake – 6584 State Highway 80 (#84.08-1-30.00)

Applicant Barbara Polgar was present along with her son, Rich. They want to expand their existing residence in the RA1 district, within 100 feet of Otsego Lake, adding a deck underneath the existing deck. Clerk Bill Deane read aloud from the minutes of June 2, when the Polgars had a sketch plan conference. Deane had also e-mailed the minutes of the August 18 and September 15 Zoning Board of Appeals (ZBA) meetings to the Planning Board members. During the former meeting, a public hearing was held with no comment. At the latter meeting, the ZBA approved a lesser variance than sought: a 27-foot variance on the east side, with the deck not to go beyond the edge of the house, and a variance from *Land Use Law* 4.04, allowing construction within 100 feet of Otsego Lake.

The Polgars submitted an application package. The Planning Board examined the package and asked questions. Their consensus was that no Department of Environmental Conservation approval would be necessary for this project.

Tom Huntsman went through the site plan requirements in Section 8.04 of the *Land Use Law*. The consensus was that all relevant items had been submitted, and several of the requirements could be waived as not applicable. Scottie Baker moved to deem the application complete, waiving item numbers 5, 6, and 9 of Section 8.04 as not applicable, and waiving the public hearing due to the result of the ZBA hearing. Rosemary Craig seconded the motion and it was approved, 7-0.

The Board discussed State Environmental Quality Review (SEQR). John Phillips moved to declare this a Type I action due to the Historic District status and the proximity to Otsego Lake. Ed Hobbie seconded the motion and it was approved, 7-0. With member input, Craig went through the long environmental assessment form (EAF) submitted by the applicants, making one correction. Phillips moved to declare a negative declaration and authorize the chairman to sign the form. Hobbie seconded the motion, it was approved, 7-0, and Chairman Potrikus signed the EAF. Later during the meeting, Zoning Enforcement Officer Austin said this could have been deemed a Type II action per SEQR Section 617.5(c)(9).

Phillips moved to approve the site plan as submitted. Hobbie seconded the motion and it was approved, 7-0. Chairman Potrikus stamped the site plan “approved” and signed it, giving a copy to the applicants.

Patricia C. Donnelly Irrevocable Trust – Site plan review, expansion of existing residence within 100 feet of Otsego Lake – 6434 State Highway 80 (#84.00-1-41.00)

Applicants Paul & Patricia Donnelly were present, along with their architect, Roberta O’Neill. They want to add residential space above a deck at their existing residence within 100 feet of Otsego Lake. Clerk Bill Deane had e-mailed the minutes of the August 18 and September 15 Zoning Board of Appeals (ZBA) meetings to the Planning Board members. During the latter meeting, a public hearing was held with only one attendee, William Lockman, who asked about the location of dry wells (Zoning Enforcement Officer Austin said that he had since spoken to Lockman, allaying his concerns). The ZBA then approved the variances sought: a 35-foot variance on the east side, and a variance from *Land Use Law* 4.04, allowing construction within 100 feet of Otsego Lake.

The Donnellys submitted an application package. The Planning Board examined the package and asked questions.

The Board discussed State Environmental Quality Review (SEQR). John Phillips moved to declare this a Type II action per SEQR Section 617.5(c)(9). Tom Huntsman seconded the motion and it was approved, 7-0.

Huntsman went through the site plan requirements in Section 8.04 of the *Land Use Law*. The consensus was that all relevant items had been submitted, and several of the requirements could be waived as not applicable. Phillips moved to deem the application complete, waiving item numbers 6, 7, 9, 10, and 11 of Section 8.04 as not applicable. Steve Purcell seconded the motion and it was approved, 7-0. Huntsman moved to waive the public hearing due to the result of the ZBA hearing. Scottie Baker seconded the motion and it was approved, 7-0.

Huntsman moved to approve the site plan as submitted. Purcell seconded the motion and it was approved, 7-0. Chairman Potrikus stamped the site plan “approved” and signed it, giving a copy to the applicants.

Hawkeye Indoor Tennis, Inc. – Site plan review, special permitted use, indoor tennis facility – 172 Linden Avenue (#131.00-1-16.02)

Zoning Enforcement Officer Austin explained that this application was on “hold” until further notice. The applicants had no permission from the property owner, nor had

they paid the application fee. There are parking issues with the Linden Avenue property, and the applicants are seeking a different location for their proposed project.

OTHER BUSINESS

Tavis Austin distributed copies of his October 6 Zoning Enforcement Officer report (filed), and discussed various cases and situations.

John Phillips brainstormed ideas to streamline the SEQR process. Zoning Enforcement Officer Austin and Attorney Ferrari weighed in on the ideas.

Phillips said that he had attended the last Town Board meeting as Planning Board liaison. Phillips said that the Town Board chastised the Planning Board for their lack of specificity in the 2016 budget request. Ed Hobbie said he had already explained this to Town Supervisor Anne Geddes-Atwell. Chairman Potrikus said he would e-mail Geddes-Atwell about this. Potrikus asked for someone to act as Planning Board liaison at the next Town Board meeting, and Phillips volunteered. Potrikus said he would notify Geddes-Atwell about this. The Board discussed the liaison role and Town Board meeting practices.

Clerk Bill Deane and Zoning Enforcement Officer Austin discussed the November, 2015 agenda, noting that there are no new or pending applications at this time. Deane suggested that, if a meeting were necessary, it be rescheduled from November 3 to November 10 due to Election Day. The consensus of the Board was to keep the November 3 date and meet in the smaller room of the Town Building. Phillips suggested that, if there are no agenda items, perhaps they can use the time for required member training.

With no further business, at 8:53, Scottie Baker moved to adjourn the meeting.

Respectfully submitted,
Bill Deane, Planning Board Clerk