

Town of Otsego Planning Board

Minutes – October 26, 2010

Chairman Paul Lord called a special meeting of the Town of Otsego Planning Board to order at 7:31 PM. Members present were Lord, Donna Borgstrom (Vice-Chairman), Joe Galati, John Phillips, Steve Purcell, Joe Potrikus, and alternate member Rosemary Craig. Wes Ciampo was absent. Planning Board Attorney Jim Ferrari, Zoning Enforcement Officer Hank Schecher, and Clerk Bill Deane were also present.

Chairman Lord said the Board would first discuss a potential deed restriction involving tree-cutting on the pending LLIB, LLC subdivision application. Joe Galati and Rosemary Craig recused themselves and left the meeting table. Applicant Bill Miller introduced Nathan Waterfield, who listed his credentials in forestry management. Waterfield said he was there at the Board's invitation to educate them on forestry issues and answer questions. He said that he would like to see all property owners consult with someone with an education in this topic.

Waterfield discussed single-stem management and basal area factor (BAF). He recommended considering the health, size, and spacing of individual trees, removing most dead and dying trees, and thinning out certain areas. Miller summarized it as "best management practices."

John Phillips discussed the problems with setting percentage restrictions on tree-cutting, and noted that Miller could have cut down all trees if he wanted to, since there is no law restricting it.

Galati interjected several times with comments, including an objection to the "circular conversation." Afterward, Craig asked what "recusing" means, and asked if she could have contributed comments or questions. Lord said she could have.

Chairman Lord said that he would like to see a deed restriction addressing the forester's input, considering both runoff and aesthetics. He asked Miller to propose language incorporating these various ideas and bring it for the Board's consideration on November 9.

Miller submitted a revised plat with covenants added. He also read aloud from an October 25 letter (filed) from attorney Sonya del Peral, addressing arguments brought up in public hearing comments and correspondence, and other issues to consider, including roadway length and maintenance, restrictive deed covenants, land development, a revised road and SWPPP maintenance agreement, and requests for waivers. Lord said that *Land Subdivision Regulations* Section 4.2(b) should be added to the list of waivers requested. Galati and Craig returned to the meeting table.

Chairman Lord said that the next topic for discussion was the *Land Subdivision Regulations*, which he noted had not been modified since August 12, 1986. He said that, contrary to his previous statement, there is an electronic version of the Regulations, although it has many typos and does not include anything about fees.

The Board has discussed removing the requirements for perc tests. Lord said he went through the document looking for references to "sewer," "sewage," and "sewerage," which he said were the terms used for perc tests. Among the Sections of the Regulations affected are 5.1(a)(6), 5.2(a)(3), 5.3(a)(6, 9 and 11), and 5.4(b).

John Phillips suggested removing the “buildable lot” requirement. Lord said he was intrigued with the idea of differentiating between buildable and non-buildable. Joe Galati asked how the Board could determine if a lot is buildable without knowing if there is water available.

Steve Purcell asked about a Town driveway ordinance referenced in Section 4.5(d). Lord said the Town did not have such an ordinance, but should.

Chairman Lord asked the Board to continue looking at these and other issues with the *Land Subdivision Regulations*, and be prepared to discuss them further at the November 9 meeting.

Attorney Ferrari asked about the pending Village of Cooperstown/CLA project, which he thinks will “blow up.” He asked why they are being required to submit a new application. Bill Deane explained that it has been the Board’s practice to require a new application for site plan modification; it involves only completing a two-page document and paying a \$25 fee. Ferrari said he had asked the Village Attorney to come to the next meeting. Although the deadline for the November 9 agenda is today, Chairman Lord said he could extend it a day to give the Village a chance to submit a site plan modification application.

Bill Deane distributed copies of a tentative agenda for November 9, including Oberriter Development (public hearing), LLIB, Robert & Karen Faller, Stephen & Susan Barron, Jeff Haggerty, and Village of Cooperstown. Deane and Zoning Enforcement Officer Schecher discussed the new Faller, Barron, and Haggerty applications, making them available to the attendees. Schecher also asked about a potential subdivision by Randy Dean. Potrikus said he would not be at the November 9 meeting.

Chairman Lord distributed copies of correspondence received since the last meeting, including the September/October 2010 issue of *Talk of the Towns&Topics*, and a flier from Lorman Education about a seminar on “Wetland Regulation” to be held in Latham on November 12.

With no further business, at 9:36, Joe Galati moved to adjourn the meeting.

Respectfully submitted,
Bill Deane
Planning Board Clerk