

Town of Otsego Planning Board

Minutes – November 1, 2011

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 7:31 PM, and roll call was taken by clerk Bill Deane. Members present were Galati, Donna Borgstrom (Vice-Chairman), Paul Lord, Steve Purcell, Joe Potrikus, and Rosemary Craig. John Phillips and alternate member Dan Croft were absent. Zoning Enforcement Officer Hank Schecher and Planning Board Attorney Jim Ferrari were also present.

The Board reviewed the minutes of October 4, 2011, e-mailed to the members. Deane noted that two dates were incorrectly listed on the first version e-mailed to members, but they were corrected in a subsequent e-mail and on the web-site. Potrikus asked questions about the minutes, answered to his satisfaction. Borgstrom moved to approve the minutes as written. Craig seconded the motion and it was approved, 6-0.

Chairman Galati passed around a flier about a seminar, “Is Your Board Room a Boxing Ring?,” to be held in Utica on November 10.

Schecher distributed copies of his Zoning Enforcement Officer report (filed). It listed two land use permits issued, two others requested, and three applications pending Planning Board review.

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 again reported that applicant Addison Bissell had said that he would not be ready to proceed tonight, but would return at a future meeting. He will be removed from the agenda until further notice.

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

Donna Borgstrom read aloud from the October 4 minutes relevant to the Rowley application. Applicant Dan Rowley submitted a Mylar of the plat dated June 21, 2011. Brief discussion followed.

Joe Potrikus moved to approve the 6/21/11 preliminary plat as presented. Borgstrom seconded the motion and it was approved, 6-0. Borgstrom moved to approve the 6/21/11 final plat as presented. Potrikus seconded the motion and it was approved, 6-0. Chairman Galati stamped the plat “approved” and signed it. Bill Deane advised Rowley to file it with the County within 30 days.

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

Donna Borgstrom read aloud from the September 6 minutes relevant to the Village of Cooperstown application. Chairman Galati asked the members to review a summary (filed) of motions passed by the Village of Cooperstown regarding the CITC Project on September 23. They included decisions to authorize a two-acre “green space” under purview of the Parks Board; not to expend further funds on engineering review by Forbes; to place pedestrian signage; and to equip the site with portable toilet facilities. Village Attorney Martin

Tillapaugh elaborated on the decisions.

Chairman Galati asked Rosemary Craig to read aloud the site plan requirements in Section 8.04 of the *Land Use Law*. Tillapaugh reiterated that the Village is not considering this a new application, but a modification. He said there were “no significant changes” to the site plan approved in 2010. Galati asked what special permitted use was being requested. Tillapaugh said “recreational facility,” and submitted the Parks Committee minutes, describing the dawn-to-dusk proposed usage of the green space. A more exact usage will be decided after a poll of Cooperstown residents. Galati said the Board could not approve a special permit until the exact usage was specified.

Chairman Galati objected to the Village’s motion not to expend further funds on engineering review, saying that there had been at least two changes to the storm-water pollution prevention plan (SWPPP) since the June 22, 2010 plan was reviewed by Forbes: plans dated July 20, 2010 and June 29, 2011. Galati wants the current SWPPP to be reviewed by Forbes. Paul Lord explained that Forbes reviewed only the earliest plan at Lord’s instruction. Chairman Galati asked the members to review an October 25 letter (filed) from engineer James Forbes, clarifying what he reviewed in 2010. After discussion, Tillapaugh said he would go back to the Village Board and request approval for Forbes to review the current plan. Galati said the Board could not act on the site plan until this was resolved.

Tillapaugh asked for a list of things the Board requires, and indicated they would return in December. He said construction would be starting in a week or so.

Galati asked representative Peter Loyola why he had not returned before the Board for site plan modification back in October, 2010. Loyola said he had, but was dismissed, and read aloud from the October 5, 2010 minutes to verify it. Bill Deane pointed out that Loyola had omitted the part of the minutes which explained why he was dismissed (no application was submitted), and read those aloud.

Cooperstown Youth Baseball (David Borgstrom) – Sketch plan conference, baseball field

Cooperstown Youth Baseball (CYB) representative David Borgstrom explained that CYB is looking for a new home, and they need to know more about the Planning Board process. They do not want to invest money into a property without direction as to what is and is not permitted. He said that CYB has operated for some 20 years at the Linden Avenue site as a not-for-profit business, off-setting expenses with concession sales and sponsorship of signs on the outfield fence.

Paul Lord said the signs would not conform to the Town’s sign laws. Borgstrom asked whether the previous signs could be used as precedent, but Lord said not, because those would have been pre-existing, non-conforming signs. He suggested CYB approach the Town Board about changing the sign laws. Attorney Ferrari pointed out the definition of “sign” in the *Land Use Law*, saying that as long as the signs are shielded from the road, they would be permissible. Nothing governing “concessions” could be found in the *Land Use Law*.

Borgstrom asked about up-lighting an American Flag, so it would not have to come down every day. He said he did not anticipate a lit field or night games.

Lord discussed “recreational facilities” permitted in the RA1 and RA2 districts, recalling the controversial Hortubise application of a decade earlier. He suggested that CYB plan to “work the neighbors” and mask the parking as well as the signage.

LLIB, LLC (Bill Miller/Jon McManus) – Upper West Side major subdivision – County Highway 28, Pierstown (#84.00-1-15.62)

Joe Galati and Rosemary Craig recused themselves and left the meeting table. Donna Borgstrom read aloud from the May 3 minutes relevant to the LLIB application. During that meeting, the Board ordered that “The applicant shall return before the Board upon completion of

construction to the satisfaction of Town-appointed engineer James Forbes, or submission of a \$54,843.23 performance bond, or to request an extension of the 180-day period, before October 30, 2011.” Borgstrom then read aloud from an October 4 letter (filed) from applicant Bill Miller, requesting extension of that 180-day period.

After discussion, Joe Potrikus moved to extend the period another 90 days (to January 28, 2012). Paul Lord seconded the motion and it was approved, 4-0. Lord said that, if Miller plans to request another extension, he should do so before the January 3 meeting. Galati and Craig returned to the meeting table.

OTHER BUSINESS

Paul Lord moved that the Board start its meetings at 7 PM instead of 7:30 from December through April. Joe Potrikus seconded the motion and it was approved, 6-0. Bill Deane will advertise the schedule change (done November 11).

The Board engaged in informal discussion about the Village of Cooperstown application.

Chairman Galati shared a letter (copy filed) from the Village of Cooperstown, expressing intent to declare lead agency status for the Cooperstown Trunk Sewer Replacement Project. Discussion followed, with the Board noting that only a small part of the project is in the Town of Otsego. Paul Lord moved to consent to lead agency status for the Village. Steve Purcell seconded the motion and it was approved, 6-0. Galati signed the consent form and asked Bill Deane to mail it to the Village (done November 12).

Paul Lord reported that the Town recently lost the historic Timmerman barn in Pierstown.

Bill Deane discussed the December 6 agenda. The only returning applicant is the Village of Cooperstown.

Chairman Galati discussed scheduling a training workshop with engineer Jon McManus. The consensus of the Board was to schedule this for Tuesday, December 13 at 7 PM. Bill Deane will advertise the workshop.

With no further business, at 8:57, Joe Potrikus moved to adjourn the meeting.

Respectfully submitted,
Bill Deane
Planning Board Clerk