

## Town of Otsego Planning Board

Minutes – November 12, 2013

### 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 (there was no meeting in October due to no agenda items). Chairman Donna Borgstrom called the meeting to order at 7:00 PM, and clerk Bill Deane took roll call. Members present were Borgstrom, Joe Potrikus (Vice-Chairman), Joe Galati, and Steve Purcell. With Rosemary Craig and Tom Huntsman absent (and Doug Greene not yet replaced), alternate member Scottie Baker joined the table. Planning Board Attorney Jim Ferrari and Zoning Enforcement Officer Tavis Austin were also present.

The Board reviewed the minutes of September 3, e-mailed to the members. Potrikus moved to approve the minutes as written. Galati seconded the motion and it was approved, 5-0.

The only correspondence received since the last meeting was the July/August and September/October issues of *Talk of the Towns & Topics*, copies of which were distributed.

Chairman Borgstrom asked if there were any member disclosures regarding potential conflicts. She said that she would be recusing herself from the Mann application, because Mann was a client of her law firm. She said she would also recuse herself from the Galati application.

Chairman Borgstrom asked if there were any public comments on non-agenda items. John Phillips discussed stipends for Planning Board members. This idea had been rejected in years past, but due to economic considerations, Phillips thinks it should be revisited. Phillips also reported that he had attended the October Town Board meeting, but there was no mention of the discussion between Donna Borgstrom and Town Supervisor Anne Geddes-Atwell. He recommended the Planning Board resurrecting the liaison position.

The Board moved on to applications.

### APPLICATIONS

#### LLIB, LLC (Bill Miller) – Request to extend conditional approval of Upper West Side major subdivision to February 26, 2014 – County Highway 28, Pierstown (#84.00-1-15.62)

Joe Galati recused himself and left the meeting table. Bill Miller is again requesting a 90-day extension to his conditional approval for the Upper West Side major subdivision approved in 2011. The current extension runs through November 28, 2013. Miller said there were no changes to the project or situation.

Joe Potrikus moved to extend the approval for another 90 days, to February 26, 2014. Steve Purcell seconded the motion and it was approved, 4-0. Miller said he would return in February. Galati returned to the meeting table.

Zoning Enforcement Officer Austin asked whether Miller really had to appear for this formality. Chairman Borgstrom advised him that this question had come up before, and it was the Board's policy to require the presence of the applicant or an authorized representative to go forward with any application.

#### Robert Sadekoski – Site plan review, replacement of residence within 100 feet of Canadarago Lake – 2173 County Highway 22 (#38.20-1-9.00)

Applicant Robert Sadekoski was accompanied by his son, Mike. Joe Potrikus read aloud from the September 3 minutes relevant to the application. Bill Deane read aloud from the minutes (not yet approved) of the October 15 Zoning Board of Appeals (ZBA) meeting, during which a public hearing was held without public comment, and Sadekoski's requested area variances were approved.

Sadekoski submitted plans, photos, and other documents requested during the September 3 meeting. Joe Galati compared it to the list Doug Greene had prepared on that date, and the consensus of the Board was that all Board requirements except for topographic contours were satisfied. Sadekoski estimated the construction would take place between April 1-July 1, 2014.

Potrikus moved to waive the requirement for topographic contours, due to this being the replacement of an existing building. Scottie Baker seconded the motion and it was approved, 5-0.

Galati moved to deem the application complete and waive the public hearing in light of the ZBA hearing result. Baker seconded the motion and it was approved, 5-0.

The Board discussed the State Environmental Quality Review Act (SEQRA). Galati moved to deem this a Type II Action per SEQRA Section 617.5(c)(9). Purcell seconded the motion and it was approved, 5-0.

Purcell moved to approve the site plan as submitted. Galati seconded the motion and it was approved, 5-0. Chairman Borgstrom stamped the site plan "approved" and signed it.

#### Frank Mann – Site plan review, addition of deck to residence within 500 feet of Otsego Lake – 6799 State Highway 80 (#69.52-1-10.00)

Chairman Borgstrom recused herself and left the meeting table, leaving Vice-Chairman Joe Potrikus in charge. Zoning Enforcement Officer Austin described the project and situation. Applicant Frank Mann had added decks to his residence within 500 feet of Otsego Lake, when Austin served him a “stop-work” order, because Mann had not gone through the Planning Board or land use permit process. Austin said that Mann did not need ZBA approval. Mann thought that he did not need any approvals, since the deck measured under 100 square feet; Austin said that there were multiple decks totaling more than 100 square feet.

Potrikus asked what would happen if the Planning Board did not approve the project. Austin said that the deck may have to be removed.

Mann submitted an application package, including site plan drawings and a short environmental assessment form (EAF). Joe Galati went through the site plan requirements in the *Land Use Law*. Galati said he didn’t think the property was in the Ag District. Mann updated his site plan to indicate parking, well, and septic system.

Galati moved to deem the application complete, waiving the requirements for showing trees greater than six inches in diameter or utilities (electric and water), and to schedule a public hearing for December 3. Steve Purcell seconded the motion and it was approved, 4-0. The Board will go through the SEQRA process after the public hearing. Potrikus recommended that Mann speak to his neighbors before the hearing.

**Susanne Adsit & Joe Galati (Jon McManus) – Site plan review, special permitted use (restaurant/hotel) – 6855 State Highway 80 (#69.44-1-5.00)**

With Chairman Borgstrom and Joe Galati set to recuse themselves, the Board lacked a quorum to take any action on the Galati application, so it will be tabled until December. Representative Jon McManus distributed application packets to the members present.

**OTHER BUSINESS**

Tavis Austin distributed copies of his November 12 Zoning Officer Report (filed). It listed three land use permits issued, and four applications pending Planning and/or Zoning Board review. Austin also discussed the Harrison Hummel application currently before the ZBA.

Chairman Borgstrom said that discussing revisions to the *Land Subdivision Regulations* should wait until a joint workshop with the Town Board can be arranged.

Chairman Borgstrom said that she had attended the training held at the Otesaga Hotel today. The main message was the importance of consistency in Board decisions.

Chairman Borgstrom said that she had had a discussion with Town Supervisor Anne Geddes-Atwell about allocating money for the Planning Board Attorney, and the Planning Board’s recommendation that John Phillips replace Doug Greene on the Board. As Phillips related earlier in the meeting, Geddes-Atwell did not bring these matters up during the Town Board meeting. In the future, Borgstrom will relay such matters to all Town Board members via e-mail. Joe Galati said that, if Geddes-Atwell doesn’t agree with someone, she simply dismisses what they say.

The Board discussed John Phillips’s suggestion about stipends for Board members. No decisions were made. Scottie Baker said that, in lieu of a stipend, she would like Planning Board correspondence sent to her by regular mail rather than e-mail.

Joe Potrikus reminded members that they had only a few weeks to fulfill their 2014 training requirements. Jon McManus said that he could present something about water runoff in December, perhaps after the regular meeting. Chairman Borgstrom said she would e-mail him to follow up on this idea.

Scottie Baker suggested that, in light of situations like tonight’s meeting, another alternate member be appointed to the Planning Board.

Bill Deane discussed the December 3 agenda. As of now, only Mann (public hearing) and Galati are on it.

With no further business, at 8:21, Scottie Baker moved to adjourn the meeting.

Respectfully submitted,  
Bill Deane, Planning Board Clerk