

Town of Otsego Planning Board
Minutes – December 3, 2013

PUBLIC HEARING

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 Donna Borgstrom recused herself and left the meeting table. Vice-Chairman Joe Potrikus called the Mann public hearing to order at 7:02, and asked applicant Frank Mann to give a brief explanation of the project, which he did. Potrikus then asked if anyone from the public had questions or comments.

Neighbor Mike Hurilla asked why the project went to the Planning Board. Acting Chairman Potrikus explained that it was because the project was within 500 feet of Otsego Lake.

A neighbor letter addressed to Inuksuk Farm, LLC was returned to sender, “unable to forward.” The address had come from the County web-site.

With no further questions or comments, Rosemary Craig moved to close the public hearing. Steve Purcell seconded the motion and it was approved, 4-0. Borgstrom returned to the meeting table.

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 Donna Borgstrom called the meeting to order at 7:06 PM, and clerk Bill Deane took roll call. Members present were Borgstrom, Joe Potrikus (Vice-Chairman), Rosemary Craig, and Steve Purcell. With Joe Galati 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 November 12, e-mailed to the members. Potrikus moved to approve the minutes as written. Baker seconded the motion and it was approved, 5-0.

Correspondence received since the last meeting consisted of a November 26 e-mail from Wayne Bunn, expressing interest in being reappointed as Planning Board Engineer; and a copy of November 18 letter from the Canajoharie Acres Homeowners’ Association to the Zoning Enforcement Officer, listing alleged violations by Harrison Hummel. Chairman Borgstrom mentioned the e-mail she received from Town Supervisor Anne Geddes-Atwell and forwarded to Planning Board members, regarding communication between the two Boards.

Chairman Borgstrom asked if there were any member disclosures regarding potential conflicts. She said that she would again be recusing herself from the Mann and Galati applications.

Chairman Borgstrom asked if there were any public comments on non-agenda items. John Phillips again discussed stipends for Planning Board members. This idea had been rejected in years past, but due to economic considerations (e.g., gas prices), Phillips thinks it should be revisited.

The Board moved on to applications.

APPLICATIONS

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 Donna Borgstrom recused herself and left the meeting table, leaving Vice-Chairman Joe Potrikus in charge. Bill Deane read aloud from the minutes of November 12 relevant to the application. Deane reminded the Board that they would need a unanimous vote to pass any motion.

Zoning Enforcement Officer Austin said that the Mann property is not in the Ag District, and that the only issue is the deck.

The Board discussed the State Environmental Quality Review Act (SEQRA). Scottie Baker moved to deem this a Type II Action per SEQRA Section 617.5(c)(2). Steve Purcell seconded the motion and it was approved, 4-0. Acting Chairman Potrikus started through the short environmental assessment form (EAF), until Zoning Enforcement Officer Austin pointed out that that was necessary only in unlisted actions.

Purcell moved to approve the site plan as submitted. Rosemary Craig seconded the motion and it was approved, 4-0. Acting Chairman Potrikus stamped the site plan “approved” and signed it.

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

Chairman Donna Borgstrom recused herself and remained away from the meeting table, leaving Vice-Chairman Joe Potrikus in charge. Bill Deane read aloud from the minutes (not yet approved) of the Zoning Board of Appeals' (ZBA's) November 19 meeting, during which a public hearing was held without negative comment, and applicant Joe Galati's requested area variance was approved. Deane pointed out that the Board had recently discussed the importance of consistency, and in view of that, the Planning Board's public hearing may be waived due to the result of the ZBA hearing.

Representative Jon McManus distributed copies of the application package, including a site plan, a site plan review checklist, floor plans, elevations, and a long EAF, which the Board reviewed. Most members had already reviewed the package distributed in November. McManus answered questions about landscaping, screening, and lighting, among other things, and said that applicant Joe Galati is seeking a special permitted use under the "Heirloom Barn" law (*Land Use Law 3.15*). McManus cited the 2001 ZBA use variance and Planning Board approval for a 149-seat restaurant/tavern, and lodging accommodating 14 people. Deane read aloud from the June 12 and July 10, 2001 Planning Board minutes relevant to that application.

The current application seeks a 68-seat restaurant and a 22-unit "boutique hotel" accommodating 66 people, with 44 parking spaces. McManus pointed out that the total number of people accommodated has decreased from 163 to 134, and that the restaurant population, which causes the most traffic, has decreased from 149 to 68.

Acting Chairman Potrikus noted that part of the building had been removed since 2001. McManus said the removed part was a portion of the kitchen, measuring approximately 30 by 40 feet.

Zoning Enforcement Officer Austin and Attorney Ferrari gave input on the application. Ferrari said that the applicant would need site plan approval and a special permitted use regardless of the 2001 decision.

Steve Purcell moved to deem the application complete. Rosemary Craig seconded the motion and it was approved, 4-0. Purcell moved to waive the public hearing, but withdrew the motion after discussion.

McManus said he would return in January, giving the Board time to ponder the application and lead agency status. Borgstrom returned to the meeting table.

OTHER BUSINESS

Tavis Austin distributed copies of his December 3 Zoning Enforcement Officer report (filed). It listed one land use permit issued, and three pending Planning Board or other review. Austin discussed the Hummel situation, and issues at Brookwood Point.

The Board discussed 2014 Planning Board personnel. Joe Potrikus moved to recommend that the Town Board reappoint Donna Borgstrom as Chairman, and to reappoint Planning Board Engineer Wayne Bunn, Attorney Jim Ferrari, and Clerk Bill Deane. Steve Purcell seconded the motion and it was approved, 4-0, with Borgstrom abstaining.

Joe Potrikus said that he could serve as the Planning Board's liaison during the winter months, and that he would attend the December 11 Town Board meeting in that role. Chairman Borgstrom reported on her recent communication with the Town Board.

Bill Deane noted that Joe Galati's term expires at the end of the year. No one is sure if he wants to be reappointed and, if he is not, that leaves two vacancies on the Board. Joe Potrikus noted Tom Huntsman's absences. Potrikus asked Scottie Baker if she would consider becoming a full-fledged member. She said she would prefer to remain as an alternate, but would do whatever is best for the Board.

Bill Deane discussed the January 7, 2014 agenda. At this point, only Galati is on it.

With no further business, at 8:32 Scottie Baker moved to adjourn the meeting. Board members then participated in a training session conducted by Jon McManus, with Tom Huntsman joining the other five members present.

Respectfully submitted,
Bill Deane, Planning Board Clerk