

# **Town of Otsego Planning Board**

Minutes, December 7, 2021

*(Will be approved with any necessary amendments at the next meeting)*

## **PUBLIC HEARING**

### **Jonathan & Lynn Bass – Minor subdivision in RA1 district – 182 Buck Road (#83.00-1-28.08)**

Acting Chairman Chip Jennings opened the Bass public hearing at 7:05 PM and asked if anyone from the public had comments or questions about the application. No one responded. Ben Bauer moved to close the hearing. Elizabeth Horvath seconded the motion and it was approved, 4-0.

## **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. Acting Chairman Chip Jennings called the meeting to order at 7:06 PM and led the Pledge of Allegiance.

Clerk Bill Deane took roll call. Board members present were Jennings, Elizabeth Horvath, and Ben Bauer. With Chairman Tom Huntsman, Walter Dusenbery, Sharon Kroker, Lynn Krogh Casale, and first alternate member Antoinette Kuzminski absent, second alternate member Rosemary Brodersen joined the meeting table, and Jennings took over as acting Chairman (Huntsman arrived at 7:25, during the Campbell application). Deane reminded the members that, with only four voting members, a unanimous vote was required to pass any motion. Planning Board Attorney Ryan Miosek, Town Supervisor Meg Kiernan, and Town Board member Carina Franck were also present.

The Board reviewed the minutes of November 9, 2021, e-mailed to the members. Horvath moved to approve them as written. Bauer seconded the motion and it was approved, 4-0.

Deane said there was no correspondence received since the last meeting.

Acting Chairman Jennings asked if anyone had a conflict with any of tonight's applicants. No one responded. Jennings asked if anyone from the public had a comment on a non-agenda item. Again, no one responded. The Board moved on to applications.

## **APPLICATIONS**

### **Frank & Carolyn Vazquez (Nancy Angerer, Donna Skinner) – Site plan review, new home & garage within 500 feet of Canadarago Lake in RA2 district – 2130 County Highway 22 (#39.00-2-2.22)**

No one appeared on behalf of this application.

### **Jonathan & Lynn Bass – Minor subdivision in RA1 district – 182 Buck Road (#83.00-1-28.08)**

Clerk Bill Deane read aloud from the minutes of November 9 relevant to the Bass application. Applicant Jonathan Bass said there had been no changes, and asked Board members if they had any questions. None did.

Ben Bauer moved to approve the minor subdivision as submitted. Elizabeth Horvath seconded the motion and it was approved, 4-0. Acting Chairman Chip Jennings stamped the Mylar and file copy “approved” and signed them. Deane advised Bass to file the Mylar with the County within 30 days.

**Rodney Campbell (Duane Sprague, Bob Birch) – Minor subdivision in RA2 district – 134 Lakeside Estates (#52.00-2-14.02 & -14.07)**

Clerk Bill Deane read aloud from the minutes of November 9 relevant to the Campbell application. Attorney Bob Birch said he was representing applicant Rodney Campbell, in lieu of surveyor Duane Campbell. Deane asked if Birch had a letter from Campbell, authorizing Birch to represent him. Birch forwarded Campbell’s e-mail to Deane, later printed for the file.

Birch submitted a revised Mylar dated December 6 (showing the proposed private road), and proposed deed descriptions. Attorney Miosek said he had reviewed these, and was satisfied that they meet what the Board asked for.

The Board discussed State Environmental Quality Review (SEQR). It was noted that there have been several additions to the examples listed in Section 617.5(c), now going through #46; thus, #38 created by this Board for “division with no substantial change to land” needs to be renumbered. Ben Bauer moved to renumber the previously-created Town of Otsego Planning Board Section 617.5(c)(38) to Town of Otsego Planning Board Section 617.5(c)(47). Elizabeth Horvath seconded the motion and it was approved, 5-0. Bauer moved to deem this project a Type II action per SEQR Section 617.5(c)(47). Horvath seconded the motion and it was approved, 5-0.

Chip Jennings moved to deem the application complete. Horvath seconded the motion and it was approved, 5-0. Horvath moved to schedule a public hearing for January 4, 2022. Jennings seconded the motion and it was approved, 5-0.

**Beth-El the House of Yah, Inc. (Jonathan Mickens) – Site plan review, special permitted use, place of worship & campground in RA2 district – 201 Roses Hill Road (#52.00-2-3.01)**

No one appeared on behalf of this application. Zoning Enforcement Jess Lanza had reported that the representative asked that the application be tabled until January.

**Mark Schruntek – Site plan review, electric pedestal within 100 feet of Canadarago Lake in RA2 district – 2263 County Highway 22 (#38.16-2-4.00)**

Clerk Bill Deane read aloud from the Zoning Board of Appeals’s minutes of October 19 and November 16 (not yet approved) relevant to the Schruntek application. Applicant Mark Schruntek was present, along with his electrician, Fred Bauer. Schruntek wants to erect an electric pedestal to service his pontoon boat on Canadarago Lake. In November, a public hearing was held with no negative comments, and the ZBA approved the variances sought: a 23-foot variance on the south side; a 25-foot variance on the west (Lake, or rear) side; and a variance from *Land Use Law* Section 4.04, which prohibits new construction in the Lakeshore protection area.

Chairman Huntsman reviewed the site plan requirements in Section 8.04 of the *Land Use Law*. Schruntek said that he would not plan construction until spring, 2022, and that he would need approval from the Department of Environmental Conservation after the Planning Board approval.

The Board discussed State Environmental Quality Review (SEQR). Chip Jennings moved to deem this a Type II action per SEQR Section 617.5(c)(13). Rosemary Brodersen seconded the motion and it was approved, 5-0.

Jennings moved to deem the application complete. Elizabeth Horvath seconded the motion and it was approved, 5-0.

Horvath moved to waive the public hearing due to the ZBA hearing result. Ben Bauer seconded the motion and it was approved, 5-0.

Horvath moved to approve the site plan as submitted. Jennings seconded the motion and it was approved, 5-0. Chairman Huntsman stamped the application “approved” and signed it, with a copy for the applicant.

### **OTHER BUSINESS**

Zoning Enforcement Officer Jess Lanza was absent, but had e-mailed a report. He said he received two land use permit applications in November, and he thanked the Board for working with him over the past year. Carina Franck introduced Wylie Phillips, who is expected to be appointed tomorrow as new ZEO starting in January.

Franck reported that the Town Board’s discussion about solar legislation has been tabled to 2022. She said that the Town map is in the process of being digitized, so it can be added to the Town’s web-site. Franck thanked the Board for their cooperation during her soon-to-end term as Town Board member.

The Planning Board discussed appointments of 2022 personnel. Chip Jennings moved to reappoint both Attorney Ryan Miosek and Clerk Bill Deane for 2022. Ben Bauer seconded the motion and it was approved, 5-0.

The Board discussed recommendations for 2022 Planning Board members. Jennings moved to recommend that the Town Board reappoint Tom Huntsman as Chairman. Bauer seconded the motion and it was approved, 4-0, with Huntsman abstaining. Jennings moved to recommend that the Town Board reappoint Elizabeth Horvath as member for 2022-28. Bauer seconded the motion and it was approved, 4-0, with Horvath abstaining.

There also will be other openings on the Board. Chairman Huntsman reported that Walter Dusenbery has resigned, so someone will be needed to complete his term through 2024. Ben Bauer becomes Town Supervisor in January, so someone will be needed to complete his Planning Board term through 2022. It was noted that Lynn Krogh Casale has not attended a meeting since June; her term goes through 2027. No recommendations were made regarding these positions.

Chip Jennings said he had attended the November 10 Town Board meeting as Planning Board liaison. He reviewed some happenings, but said there was nothing of particular interest to the Planning Board. Since Dusenbery was scheduled to serve as Planning Board liaison for December 8, the Board agreed that the current assignments should be moved up one month, as follow:

December 8, 2021 – Tom Huntsman

January 12, 2022 – Lynn Krogh Casale

February 9, 2022 – Rosemary Brodersen

March 9, 2022 – Sharon Kroker

Deane discussed the January 4, 2022 Planning Board agenda. Campbell will return with a public hearing, and Vazquez and Beth-El are still pending.

With no further business, at 8:24 PM Jennings moved to adjourn the meeting.

Respectfully submitted,

Bill Deane, Planning Board Clerk