

MINUTES OF THE 433rd MEETING
OTSEGO COUNTY PLANNING BOARD

Meadows Office Building
Cooperstown, NY

March 6, 2008
6:00 P.M.

1. The regular meeting of the Otsego County Planning Board (the Board) opened at 6:10 pm in the Conference Room of the Meadows Office Building near Cooperstown. Chair, Ron Streek called the meeting to order.

2. Roll Call

a. Members present were Tom Clarke, Jeff House, Joanna Ahern, Mark Babilonia, Ron Streek and Wendy Mitteager, Flo Loomis and Phil Durkin.

Also present were Terry Bliss, and Psalm Wyckoff– staff. Beth Westfall was present representing applications from the Village of Unadilla.

3. Reading of the minutes.

a. The minutes of the February 7, 2008 meeting were reviewed. Phil Durkin recommending correcting the spelling in section 6B, second sentence, which read IGA *committing* to *IGA Committee*. Joanna Ahern corrected Section 5, Tom Clark rather than Joanna Ahern suggested reelection of the current officers. Upon a motion by Jeff House, seconded by Joanna Ahern, and unanimously approved, the board agreed to approve the minutes with the amendment as noted and change the minutes of the February meeting.

4. Report of Communications

There were no communications to report.

5. Report of Committees

There were reports by committees.

Terry Bliss brought to the attention of the chairman that the bylaws direct the chairman to appoint members to the standing committees during the month of March. The standing committees include: the nominating committee, the legislative liaison committee, the regional liaison committee, and any special committees. After discussion and a request for volunteers, Chairman Streek appointed the following committee members:

Nominating: Tom Clarke Legislative Liaison: Jeff House, Flo Looms Regional Liaison: Phil Durkin

Jeff House reiterated his position that the County Board of Representatives should appoint an exofficio non-voting member to the planning board. Terry Bliss suggested that members of the legislative liaison committee attend the IGA committee meeting at 10:15 on March 13th.

6.a. Psalm Wyckoff reported on a telephone conversation with Paula Ballaron of the Susquehanna River Basin Commission regarding the recent application from the Cooperstown Dreams Park for water withdrawal of 124,000 gallons per day (gpd) from three intakes the Susquehanna River (2 intakes) and Burditt Brook (1 intake). The 124,000 gpd is the maximum total combined volume allowed from any of the intakes. The intakes do not replace wells. The intakes are already permitted by the commission at 25,000 gpd. The withdrawal is measured daily and reported to the commission quarterly. The request for the increase is not a result of expansion of the facilities, but rather from an underestimate of their need for the original permit. The commission only reviews the impact of withdrawal, not runoff. Environmental screenings for threatened and endangered species is typically conducted for new permits. Since these intakes were already permitted, the environmental screening has already been done and was not a concern. The Burditt Brook intake will be equipped with a protective pass-by. When the upstream flow drops below 20% of the average daily flow (adf), the intake on the brook is shut down. The adf on the brook is 240 gallons per minute (gpm). Ms. Ballaron noted that the request is for an increase of 99,000

gpd. An increase of 100,000 would require additional permit fee increases.

Runoff does not fall under the commission's jurisdiction. NYS DEC has jurisdiction through the SPDES program. The problem of ecoli downstream is interesting to the commission but they have no authority over runoff. The board's concern regarding discharges from the ballfields containing contaminates that would enter the river also does not fall under the jurisdiction of the commission.

During discussion, concerns raised by the board include: who makes the daily measurements? Is it done manually? Is it Dreams Park staff? Who turns off the intake on the brook if the flow drops? Since the season is only 12 weeks, and the reporting is done quarterly, violations could occur before the commission became aware. Are we on a notification list? Is DEC aware of the application? Is DEC aware of the field irrigation? Is DEC notified by the commission?

Upon a motion by Jeff House, seconded by Joanna Ahern, unanimously approved, the board directed the Planning Director to draft a letter to the commission expressing concern that other regulatory bodies, including the NYS DEC Division of Water and any agencies with authority within the Chesapeake Bay watershed, having additional or concurrent jurisdiction, including jurisdiction over runoff and discharges of contamination of the river, over activities in the Susquehanna River Basin are notified of the proposed activity. The board requests a list of agencies that have received notice of the application by the Cooperstown Dreams Park that is currently being considered by the commission.

6.b. The board currently has a vacancy left by Doug Ghode, whose term ends in June 2008. Terry Bliss reported that we have the names of two individuals who expressed interest in appointment to the board in the past, Marsha Membrino and Jacquie Gibson. Upon a motion by Flo Loomis, seconded by Wendy Mitteager, unanimously approved, the board directed planning staff to invite both individuals to the next planning board meeting, to inquire with IGA if they have any suggestions for membership, including a representative from the county board, and to post a notice in the paper.

6.c. Terry Bliss reported that he has met with the county attorney and the IGA committee regarding the requirement for training of planning board members. The IGA's position is that although the planning board supports the requirement of training, the IGA is hesitant to mandate that volunteers commit to additional time. The discussion of training was tabled by the IGA committee. Mark Babilonia pointed out that the planning board members are required to get the training, but without board approval of the program, the members do not get credit. Upon a motion by Mark Babilonia, seconded by Jeff House, unanimously approved, the board requested that M. Babilonia draft a resolution exempting the planning board from training for the IGA's consideration.

Upon a motion by Joanna Ahern, seconded by Wendy Mitteager, and unanimously approved, the board decided to move on to agenda items from the Village of Unadilla (8a, ii, iii, and iv) and table discussion of items 6 and 7 until the end of the meeting.

8. Referrals

8.a. No identified county impacts

8a, ii. Psalm Wyckoff presented referral # 32-08-02 from the Unadilla Village Planning Board for an application by the Third Development Group, LLC for approval of a site plan to develop a 24 unit housing project on property at Clifton Street. The summary of the referral, site plan approval conditions imposed by the village board, and the community impact statement were reviewed. Engineering designs of stormwater, septic, etc, are typically required for site plan approval, but an exception is being made by the village as the developer typically does not invest in engineering designs until funding for the project is received. Beth Westfall provided additional information at the board's request. Funding notification is expected in June or July. The project will provide housing for persons over 62 years of age and disabled persons of any age. The developer indicates that in a project this size, there is typically one to two disabled individuals. A Phase I archeological study has been

completed and submitted to the Office of Parks, Recreation and Historic preservation and there does not appear to be a problem. The site was previously disturbed so archeological sensitivity is reduced. The only other issue raised in the village was the question of low to moderate income requirements raised during the application to rezone the parcel. The application to rezone was approved. Upon a motion by Phil Durkin, seconded by Joanna Ahern, unanimously approved, the board found no county-wide impact and remanded the application back to the town for action.

8aiii. Psalm Wyckoff presented referral #32-08-03 from the Unadilla Village Board of Trustees for an application by Stephen and Paulette Judd to rezone two parcels at the corner of Main and Mill Streets from B-1 to R-2. The referral summary and photos were reviewed and discussed. Upon a motion by Wendy Mitteager, seconded by Flo Loomis, unanimously approved, the board found no county-wide impact and remanded the application back to the town for action.

8aiv. Psalm Wyckoff presented referral #32-08-04 from the Unadilla Village Planning Board for an application by Vicki Piano and Barclay Houle for a special use permit to convert a detached garage into an arts and crafts and craft supply shop at 68 Clifton Street. The referral summary and photos were reviewed and discussed. Upon a motion by Joanna Ahern, seconded by Wendy Mitteager, unanimously approved, the board found no county-wide impact and remanded the application back to the town for action.

8ai. Psalm Wyckoff presented referral #23-08-01 from the Otego Village Board of Trustees for a proposed Comprehensive Plan. The referral summary and plan were reviewed and discussed. The board felt that the staff review and suggestions were thorough and well thought out. Upon a motion by Jeff House, seconded by Wendy Mitteager, unanimously approved, the board directed planning staff to refer the staff comments to the Village for consideration and to request a response. The board tabled voting on the plan until the April meeting.

6.d. Energy Planning

Wendy Mitteager presented a summary of sustainability, including a definition, issues, suggestion for forming a working group, and a list of resources. Terry Bliss discussed the proposed new county committee to be entitled Environment, Recreation and Agriculture; the county board tabled the vote to create this committee until next month. Mark Babilonia discussed his proposed climate protection plan, presented last month. After discussion, the board agreed to read the presented documents before the next month's meeting and to put this topic on next month's agenda.

9. Report from the County Planning Director

T. Bliss reminded the members of upcoming workshops scheduled for March 19 and 26. He also reported on the turn out for the workshop in February. Planning Department staff will also be attending a regional planning meeting at the Catskill Center in Arkville on March 7th.

10. Adjournment

Motion to adjourn 8:40

10. a. The Board will meet on April 3, 2008 at 6:00 pm at the Meadows Office Building.

Respectfully submitted,

Psalm Wyckoff