

MINUTES OF THE 444th MEETING
OTSEGO COUNTY PLANNING BOARD

Meadows Office Building
Middlefield, NY

March 9, 2009
6:00 P.M.

1. Call to Order
The meeting was called to order by R. Streek at 6:00 pm.

2. The following members were recorded as present: Ron Streek, Phil Durkin, Tom Clarke, Jeff House, Mark Babilonia, Dave Parker, Scott Fickbohm and Flo Loomis. Betty Ann Schwerd was absent.
Also present were Terry Bliss and Psalm Wyckoff – staff.
Guests included: Cathy Rothenberger -Dist. 12 Representative, Sam Dubben – District 7 Representative, and Jim Simpson, Butternuts.
Representatives of 239 referrals included Lisa Donnelly and Jared Lusk (Verizon Wireless) and Henry Whipple (Helderberg Realty).

3. Upon a motion by J. House, seconded by T. Clarke, and unanimously approved (8-0 vote), the minutes of the February 9, 2009 meeting were accepted as presented.

4. Report of Communications – none were received.

- 5.a. Appointment of Committees. Ron Streek made the following appointments:
Nominating Committee: M. Babilonia and T. Clarke
Regional Liaison Committee: P. Durkin and F. Loomis
Legislative Liaison Committee: D. Parker and S. Fickbohm
By-Laws Committee: J. House

Upon a motion by J. House, seconded by T. Clarke and unanimously approved, the board decided to move out of the order on the agenda to address items 8a. and 8b.

8.b. Planner Psalm Wyckoff presented referral #26-09-01 from the Plainfield Planning Board for an application by Verizon Wireless for a special use permit and site plan approval to allow placement of a cell tower on Perkins Road. The site plan, including grading and erosion control details, the environmental assessment form, and visual assessment were reviewed by the board. Jared Lusk, legal counsel for Verizon Wireless, presented propagation maps in the vicinity to illustrate the need for seamless service along County Route 18. Discussion included visibility of the tower and adjacent towers, proximity to airports, stormwater controls, SPDES requirements including a stormwater pollution prevention plan and review by the State Historic Preservation Office. Upon a motion by P. Durkin, seconded by D. Parker, and unanimously approved (8-0 vote), the board found no county-wide impact and recommended approval of the project as presented.

8.a. Planner Psalm Wyckoff presented referral #10-09-01 from the Hartwick Planning Board for an application by Helderberg Realty for approval of a nine lot major subdivision of 67 acres at the intersection of NYS Route 205 and County Route 45. The subdivision plat and a soils map from the National Resource Conservation Service related to septic system suitability were reviewed by the board. Discussion included: driveway density on Rt 45, the possibility of an internal road (including a private road vs town taking ownership), the agricultural data statement, impacts on adjacent farms in the agricultural district (including the use of the property by an adjacent farmer for hay on a year by year agreement), the comments from the adjacent landowners, road frontage, the absence of percolation testing, suitability for septic systems (including lot 1 for a raised septic), potential water quality impacts, and the possibility of cluster development. Following further discussion, Mark Babilonia made a motion, seconded by J. House, to approve with the condition that the County or Town Highway Departments must approve the driveways on County Route 45 in writing and that the applicant must supply the agricultural data statement with names of the adjacent farm operations within the agricultural district and their responses (if verbal responses on the telephone, a notarized

transcription of the phone conversation to be included), with proof of mailing, or the minutes of the Town Public Hearing. The motion failed (1-7 vote; M. Babilonia voting in favor). Upon further discussion of how to gauge the comments from the public hearing and imposing a deadline on the applicant, M. Babilonia made a motion to disapprove the subdivision. The motion failed for lack of a second. P. Durkin made a motion to approve the project pending review by the County and Town Highway Departments' approval of the driveway density. The approvals may be sent directly to the Hartwick Planning Board. The motion was seconded by T. Clark. The board approved the motion (7-1 vote, M. Babilonia voting against).

6.a and b. M. Babilonia distributed the December 08 resolution he proposed shown with amendments and redactions proposed by D. Parker as "tracked changes". M. Babilonia objected to the proposed amendments and redactions. Discussion followed regarding the intentions of M. Babilonia and D. Parker in developing their respective documents and how these documents relate to natural gas drilling, climate change, and other energy issues. The board also discussed the goals of the Planning Board and the position(s) of the County Legislators. Upon a motion by J. House, seconded by P. Durkin, and unanimously approved (8-0 vote), the board approved forwarding the resolution as presented with all inclusive changes as a draft resolution to the Solid Waste and Environmental Concerns Committee for their review and comment. Discussion that followed included sending both drafts, the original proposed by M. Babilonia and the comparative document, so as not to present the D. Parker version as preferred.

6.c. T. Bliss reported that the Otsego County Housing Study is underway and focus groups will be held on March 17th and 18th.

6.d. There was no other old business brought by members.

7.a. - T. Bliss reported on the field trip to bio-digester project in Cayuga County. Comparing Otsego and Cayuga, there are similarities and dissimilarities including differences in farming activities. The project began as a nutrient management project and became an energy generation project. The Huntington bio-digester may be able to provide power for the farm or net meter to the grid, but regulation prohibits sale of excess electricity to a parcel under different ownership. Previously, the digester provided methane, rather than electricity, to heat the Meadows. The consultants who assisted Cayuga County may be able to provide us with assistance.

7.b. Some members called attention to the Delaware County grass pellet project recently featured in the newspaper.

9. T. Bliss made a report on the activities of the Planning Department. The department will host land use training workshops on March 25th, April 1st, and April 8th, on Comprehensive Plans, Zoning and SEQR, respectively. The department continues to be involved with telecommunications projects, both the Emergency Services Telecommunication System and the Open Access Model. The department has recently conducted some research on Residential Wind installations, aka small wind. The department also continues planning efforts related to the MOSA and solid waste management in the next five years. Transportation planning continues with routine state funding requirements. The department will also participate in workshops hosted by CADE regarding farm land preservation and management.

10a. Upon a motion by J. House, seconded by T. Clarke, and unanimously approved (8-0 vote) the meeting was adjourned at 8:17pm. The next meeting will be April 13th, 2009.

Respectfully submitted,
Psalm Wyckoff, Planner