

MINUTES OF THE 454th MEETING
OTSEGO COUNTY PLANNING BOARD

Meadows Office Building
Middlefield, NY

April 12, 2010
6:00 P.M.

1. Call to Order

The meeting was called to order by Chairman Ron Streek at 6:00 pm.

2. Introductions and roll call were taken.

The following members were recorded as present: Ron Streek, Tom Clarke, Flo Loomis, Betty Anne Schwerd and Mark Babilonia. Scott Fickbohm arrived at 6:15 pm.
Phil Durkin and Jeff House were excused.

Also present was Karen Sullivan, staff; K. Sullivan mentioned Terry Bliss will be arriving later.

3. Privilege of the Floor: No one was present to request the privilege of the floor. R. Streek asked the guests to introduce themselves. Guests included: Walter McLaughlin from Milford, Joan Terry from Edmeston, Larry Althiser from Hartwick and Douglas Beachel from JGB Properties.

4a. Minutes of March 8, 2010 meeting. R. Streek entertained a motion to waive the reading of the minutes and to accept as written. Upon a motion by F. Loomis, seconded by T. Clarke and approved (5-0 vote) the board agreed to waive the reading of the minutes and approve as presented.

5. Report of Communications

R. Streek asked to delay this agenda item until T. Bliss arrives.

6a. K. Sullivan presented referral # 05-10-01 from the Cooperstown Village Planning Board for an application by JGB Properties, LLC for a six lot subdivision at 10 Chestnut Street and 17 Pine Boulevard. JGB representative, Douglas Beachel, presented the proposal to the board. Mr. Beachel described the project as a residential, six lot subdivision with lot #1 accessible from Pine Blvd. and lots 2 thru 6 entering from Chestnut Street. The project was submitted as a cluster subdivision in order to minimize the setback requirements. Two existing structures will be removed; demolition permits will be applied for once the asbestos inventory is completed. A public hearing is schedule for April 27th. Mr. Beachel explained this is a preliminary application and a final application will be submitted once the public hearing is completed. The project does not require a SPEDES permit since there is less than 1 acre disturbed. JGB is working with the Village engineer to design the storm drainage system. Public water and sewer exist on the site and a new sewer line is proposed along the north side of the property. The project will be phased as each lot is sold and residential structures are proposed. Road improvements will be made by the developer and the Village will ultimately maintain. The owners of the Inn at Cooperstown are challenging the proposal, stating the existing "lane" is not a public access, claiming they have maintained and improved the road and not the Village. The adjoining owners are concerned with the potential increase in traffic and the safety of their customers at the Inn. This decision will be left to the courts. Upon a motion by M. Babilonia, seconded by B. Schwerd, following further discussion in regards to concerns with snow removal, the board agreed the project posed no significant county-wide or inter community impact and to remand back for local decision (6-0-0 vote). Motion carried.

6b. K. Sullivan presented referral # 10-10-01 from the Hartwick Town Planning Board for an application by Lawrence Althiser for a site plan approval to allow the construction of a USDA meat processing plant on NYS Route 205 directly across from the applicant's existing facility. The structure will be 120' x 50'. Mr. Althiser presented his proposal to the board. Larry anticipates 10-15 trucks daily with trailers on average. The by-products are picked up twice a week. Mr. Althiser anticipates employing approximately ten individuals. The board agreed the proposal paralleled the Town's comprehensive goals of promoting local business development. Upon a motion by F. Loomis, seconded by S. Fickbohm, and no further discussion, the board recommended approval (6-0-0 vote). Motion carried.

- 6c. K. Sullivan presented referral # 21-10-02 from the Town of Oneonta Zoning Board of Appeals for an application by Edward Dickman for a use variance to allow retail sales of sheds, gazebos and antiques at 241 NYS Route 28 in a RA-40 residential district. Edward “Jake” Dickman presented his proposal to the board. The applicant presently owns and operates a similar venue on NYS Rt. 7 in Colliersville. The proposed location would be an extension of the same operation. Mr. Dickman described the business as seasonal with minimal on-site construction. The items come from Lancaster PA. The board voiced concern with the location of the proposed business and the high volume of traffic ascending and descending up Franklin Mountain. The board asked Mr. Dickman if he had discussed his proposal with the NYS DOT. Mr. Dickman responded no. M. Babilonia reminded the board that Mr. Dickman will have to satisfy to the Town ZBA and the requirements for a use variance. Upon a motion by Mark Babilonia, seconded by Flo Loomis, the board moved to recommend disapproval of the proposal given the concerns with excessive traffic and the incompatibility of the use in the proposed location. (4 ayes-2 nays vote). Motion did not carry under General Municipal Law 239(c)-5.
5. Report of Communications:
No communications were received.
7. Report of Committees:
No reports were submitted.
- 8a. Vacancy on the County Planning Board.
T. Bliss introduced two candidates for the vacancy position on the County Planning Board, Walter McLaughlin of the Town of Milford and Joan Terry from Edmeston. Mr. McLaughlin and Mrs. Terry spoke to the board and gave a brief description of their backgrounds and interest in participating as a member. T. Bliss thanked both for coming and stated the next step is for the board to make a recommendation to the County Chairman, who will then make an appointment.
- 8b. Status of Board bylaws with respect to NYS General Construction Law and Roberts Rules of Order.
T. Bliss contacted the State on April 6th, for guidance in regards to the conflicting definition of majority as presented in the board’s by-laws verses the NYS General Construction Law and Roberts Rules of Order. M. Babilonia has also been in contact with the state. No response from the State has been received.
- 8c. No other business was brought before the board.
- 9a. M. Babilonia mentioned that an Energy Symposium is being held in Cazenovia on April 16th. M. Babilonia prepared a resolution addressing acceptable training for County Planning Board members to be presented to Intergovernmental Governmental Affairs (IGA) for consideration. T. Bliss mentioned that in 2008 the request never came out of committee because the committee did not want to encumber volunteers with additional requirements. No action was ever taken by the committee. B. Schwerd stated that the Board of Representative would want to know who would pay for the training and questioned whether waivers would be considered for someone with experience and works in the field, like Scott Fickbohm. Following further discussion, all agreed they were in favor to take four hours of training per year; with the understanding there were no reimbursements available. Upon a motion by F. Loomis, seconded by S. Fickbohm, the board agreed to submit the resolution for training to the IGA for consideration. Motion carried (6-0-0 vote).
- 9b. The board continued discussion of filling the vacancy to the County Planning Board. Following limited discussion, the board agreed to recommend to the County Chairman the appointment of Douglas Greene to fill the vacancy on the County Planning Board.
10. T. Bliss reminded the board of the department’s upcoming workshops that will begin April 21st with a discussion on “*Addressing Housing Concerns through Land Use Regulations*”. The other two sessions are scheduled for April 28th on “*Hazard Mitigation Plan*” and “*The Affects of FEMA Flood Map Changes to your*

Community” and on May 5th, “The State of GIS Services in Otsego County” and “Transportation Topics Related to Heavy Industry.”

11. The meeting was adjourned at 8:29 pm. The next meeting is scheduled for May 10th, 2010.

Respectfully submitted,

Karen Sullivan, Sr. Planner

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