

MINUTES OF THE 455th MEETING
OTSEGO COUNTY PLANNING BOARD

Meadows Office Building
Middlefield, NY

May 10, 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, Phil Durkin, Scott Fickbohm, Mark Babilonia and Doug Greene. Flo Loomis, Betty Anne Schwerd and Jeff House were excused.

Also present was Karen Sullivan and Psalm Wyckoff, staff.
3. Privilege of the Floor: No one was present to request the privilege of the floor.
- 4a. Minutes of April 12, 2010 meeting. R. Streek entertained a motion to waive the reading of the minutes and to accept as written. M. Babilonia presented a written objection to item 8b and proffered amendment to the April 12, 2010 minutes. Upon a motion by P. Durkin, seconded by T. Clarke, and unanimously approved, (6-0-0 vote), the board agreed to accept the minutes and include the written objection and proffered amendment as presented.
5. Report of Communications
K. Sullivan reported a notice of action from the Hartwick Town Planning Board for the approval of referral #10-10-01, for the meat processing plant site plan application, submitted by Lawrence Althiser .
- 6a. P. Wyckoff presented referral # 22-10-03 from the Otego Town Board for a proposed Local Law No. 3 *Junk Storage Law*. R. Streek asked to explain the relationship between this application and the referral 22-10-04 Town of Otego Local Law No. 4 *Junkyard Law*. P. Wyckoff explained the Local Law #4 requires a permit for the operation of a junkyard. Local Law No. 3 addresses private property and the accumulation of “junk”, as defined under the law. Upon a motion by M. Babilonia, seconded by T. Clarke, the board agreed the proposed law posed no significant county-wide or inter community impact and to remand back for local decision (6-0-0 vote). Motion carried.
- 6b. P. Wyckoff presented referral # 22-10-04 from the Otego Town board for a proposed Local Law No. 4 *Junkyard Law*. Permits are required for the operation of junkyards as defined under the local law and including. Upon a motion by M. Babilonia, seconded by P. Durkin, the board agreed the proposed law posed no significant county-wide or inter community impact and to remand back for local decision (6-0-0 vote). Motion carried.
- 6c. K. Sullivan presented referral # 10-10-02 from the Town of Hartwick Planning Board for an application by Greg Horth for a site plan approval to allow the construction of a 28 unit storage shed on NYS Route 205. Discussion continued in regards to anticipated traffic and proposed screening. The traffic volume is identified as four vehicles per day. An existing highway entrance will be the point of entry to the storage sheds. Upon a motion by T. Clarke, seconded by M. Babilonia, the board recommended approval of the application stating the proposal conforms with the current and proposed Hartwick comprehensive plan. (6-0-0 vote). Motion carried.
- 6d. P. Wyckoff presented referral # 10-10-03 from the Hartwick Town Board for a proposed final draft of the Town Comprehensive Plan. D. Greene asked if Hartwick has zoning. P. Wyckoff responded no, but the plan does include a map showing property uses in the Town. P. Wyckoff briefed the board on the various chapters that were included in the draft document and read the recommendations prepared in the summary statement. It was suggested the Town incorporate a timeframe for revision as stated under Town Law 272-a (10), which states “*The town board shall provide the maximum intervals at which the adopted plan shall be reviewed.*” In general, the plan is well written and inclusive. Upon a motion by M. Babilonia, seconded by T. Clarke, the board recommended

approval stating the plan does not represent a negative impact to surrounding municipalities. (6-0-0 vote) motion carried.

- 6e. P. Wyckoff presented two late referrals from the Village of Cooperstown Planning Board, referral # 05-10-02 for a special use permit to operate a parking lot located at 29 Chestnut Street. Ms. Wyckoff explained both referrals are being submitted because of a new Village parking law that requires commercial parking lots to have a special use permit. Both sites exist and there are no proposed changes with the special use permit. Upon a motion by T. Clarke, seconded by M. Babilonia, the board recommended approval stating there is a positive impact resulting from municipal control over parking. (6-0-0 vote) Motion carried.

P. Wyckoff presented referral # 05-10-03 from the Village of Cooperstown Planning Board for a special use permit to operate a parking lot located at 135 Main Street near the batting cages at Double Day field. The Village has asked the owner to move the parking spaces closer to the building to allow for a better clearance when backing up. Upon a motion by P. Durkin, seconded by D. Greene, the board recommended approval stating there is a positive impact resulting from municipal control over parking. (6-0-0 vote) Motion carried.

7. Report of Committees:

No reports were submitted.

- 8a. Update on definition of “majority” and the board’s bylaws vs. the NYS General Construction Law and Roberts Rules of Order. R. Streek stated there has been enough said about this topic **pending receipt of a statement from the DOS**. K. Sullivan asked if the board was going to consider amending the bylaws. The board agreed to discuss this at the next meeting.

8b. No additional discussion was held.

- 8c. K. Sullivan mentioned the department will be submitting a resolution request to the IGA committee Tuesday May 11, 2010 for consideration of training for the County Planning Board members.

8d. K. Sullivan briefed the members on the recent workshops sponsored by the department. Attendance was between 25-35 people with topics of discussion including *Draft Flood Insurance Maps, GIS, Housing, Hazardous Mitigation, Transportation and Heavy Industry*. Representative from Delta Engineering presented an engineered approach being developed by Sullivan County to address the potential impact of the gas industry on local road infrastructure.

- 8e. K. Sullivan presented a request from the Village of Cooperstown to amend the existing 239 waiver agreement between the County and the Village. The Village would like to include the following statements for consideration of waiver.

Site Plans, Special Permits and/or Special Extensions:

- *Site Plans for any project not requiring Special Permit.*
- *parking needs will not be increased by more than 10 spaces*

Variances:

- *area variances in Residential zoning districts*
- *area variances which do not exceed 40% of the stated minimum or 40% of the stated maximum standards in the local zoning schedules in business and Commercial Zoning Districts.*

The board voiced concern with the elimination of all site plans where a special permit was not required and asked the department to clarify and place this item on next month’s agenda.

8f. No other business was brought by members.

9. No report was submitted.

11. The meeting was adjourned at 7:45 pm. The next meeting is scheduled for June 14, 2010.

Respectfully submitted,

Karen Sullivan, Sr. Planner

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