

MINUTES OF THE 458th MEETING  
OTSEGO COUNTY PLANNING BOARD

Meadows Office Building  
Town of Middlefield, NY

November 15, 2010  
6:00 P.M.

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1. The regular meeting of the Otsego County Planning Board was called to order by Chairman Ron Streek at 6:00 pm in Classroom B of The Meadows Office Building near Cooperstown.
2. The roll was called and the following members were recorded as present: M. Babilonia, T. Clarke, S. Fickbohm, F. Loomis, B. Schwerd and R. Streek. Also present were P. Wyckoff and T. Bliss – staff. P. Durkin, D. Greene were excused from the meeting.
3. No one was present to request the privilege of the floor.
4. Upon review of the minutes, M. Babilonia introduced discussion of the wording of item 6.a. of the minutes from September 13<sup>th</sup>, 2010, including the statutory allowed actions from General Municipal Law. Upon a motion by M. Babilonia, seconded by T. Clark and unanimously approved (6-0 vote), the minutes of September 13<sup>th</sup> meeting were accepted as presented.
5. There were no communications reported.
- 6a. P. Wyckoff presented referral #10-10-04 from the Hartwick Town Board for a proposed local law to amend the Town Site Plan Review Local Law to establish a moratorium on new land uses requiring site plan review and approval (Date of Delivery 10/14/2010). Upon a motion by M. Babilonia, seconded by B. Schwerd, and unanimously approved (6-0 vote), the board determined that the proposed action had no significant no county-wide or inter-community impact and remanded it back for local decision.
- 6.b. P. Wyckoff presented referral #19-10-02 from the New Lisbon Town Board for proposed Local Law #1 of 2010, entitled Amendment of the Town of New Lisbon Site Plan Review an Subdivision Regulations (Date of Delivery 10/19/2010). Upon a motion by M. Babilonia, seconded by B. Schwerd, and unanimously approved (6-0 vote), the board decided to consider the Site Plan Review and Subdivision Regulations separately.

Discussion of the site plan review regulations included the wording of Section 100-3.9, regarding the roll of the local planning board, and the details of Section 100-3.11, which specifies that no certificate of occupancy (CO) shall be issued until all site improvements are installed. Planning staff reported on discussion with County Code Enforcement Staff regarding coordination of local regulations with the duties of the code enforcement inspectors. County Code Enforcement would not withhold a final inspection for a CO unless the site plan approval regulation ensure appropriate notification to the code enforcement office at the time that the building permit was issued. Also, the notification to the County Code Enforcement office should specify that a final local inspection and certification documentation should be included in the regulation. The applicant should required to convey the certification of final inspection by the local enforcement officer to county code enforcement prior to final inspection for the CO. Also the County Code Enforcement office will no withhold a CO for an unreasonable length of time. It was recommended that the Town Board confer with the County Code Enforcement office to ensure that the proposed local law is adequate to ensure coordination between the local enforcement officer and the County Code Enforcement office.

Upon a Motion by M. Babilonia, seconded by B. Schwerd, and unanimously approved (6-0 vote), the board recommended modification including: 1) removal of the sentence "planning board process involves the approval of its recommended action by the Town Board" from Section 100-3.9 and 2) rewrite Section 100-3.11 to include a process that required a final inspection and certification by the local enforcement officer. Section 100-3.11 should be rewritten with input from County Code Enforcement staff.

Discussion of the Subdivision Regulations included agricultural districts, SEQR definitions and Health Department requirements. Upon a Motion by M. Babilonia, seconded by B. Schwerd, and unanimously approved (6-0 vote), the board recommended modification including: 1) include in the Sketch Plan checklist information regarding parcels participating in the agricultural district to comply with the County Agriculture and Farmland Protection Plan under Chapter 7 thereof, 2) include SEQR definitions of Type I, II and Unlisted Actions as written in 6 NYCRR Part 617 State Environmental Quality Review (SEQR), and 3) the change the reference from Otsego County Code Health Dept to the NYS Health Dept for review of adequacy of lot sizes and facilities for water supply and sewage disposal (pg 20012). The board also recommended that the Town Board give consideration to other comments provided by Planning Dept staff.

7. There were no committee reports. M. Babilonia distributed copies of his report for the by-laws committee. The report will be considered at the next board meeting.

8a. There is a vacancy on the board as a result of Jeff House's resignation. Two letters of interest have been received from Deb Wengert and Edmond Overby. Ms. Wengert addressed the board and discussed her background and interest in planning. T. Bliss read Mr. Overby's letter of interest.

8b. No other old business was brought by members.

9. T. Bliss reported on gas drilling activities. On Nov 22, a meeting will be held for town officials to inform them of the Delta Engineering program for road preservation. STERPDB will also attend to discuss technical assistance they can provide with the aid of grant funding. Tomorrow, the Natural Gas Advisory Committee will meet to discuss water quality, communications, and seismic testing. T. Bliss also reported on the potential wind energy project proposed in Richfield and on solid waste management in the County. P. Wyckoff gave an update on GIS in the County including the assistance from New England Geosystems.

10. The meeting adjourned at 7:20 pm. The next meeting is scheduled for December 13, 2010.

Respectfully submitted,

Psalm Wyckoff  
Planner