

MINUTES OF THE 430th MEETING
OTSEGO COUNTY PLANNING BOARD

Meadows Office Building
Cooperstown, NY

December 6, 2007
6:00 P.M.

1. The regular meeting of the Otsego County Planning Board (the Board) opened at 6:05 pm in the Conference Room of the Meadows Office Building near Cooperstown. Chairman Ron Streek called the meeting to order.

2. Roll Call

a. Members present were Ron Streek, Tom Clarke, Philip Durkin, Wendy Mitteager, Jeff House, and Mark Babilonia. Doug Ghode, Joanna Ahern, and Flo Loomis was excused. Phil Durkin was excused at 7:15.

Also present were Terry Bliss, Karen Sullivan, and Psalm Wyckoff– staff.

3. Reading of the minutes.

a. The minutes of the November 1, 2007 meeting were reviewed. No edits were suggested. Upon a motion by Jeff House, seconded by Tom Clarke and unanimously approved, the Board agreed to waive the reading of the minutes and to accept them as is.

4. Report of Communications

No communications were received since the November meeting.

5. Report of Committees

There were no standing committees to report.

6. Old Business

a. Report of field trip to Energy Symposium in Ithaca on 11/17

Attending the Symposium on 11/17 were Flo Loomis, Mark Babilonia, Phil Durkin, Karen Sullivan, and Psalm Wyckoff. Karen Sullivan mentioned a standout presenter, Mr. Dominic Frongilo, Town of Caroline Council Member. The Town of Caroline is making efforts to be a green community by encouraging conservation, purchasing green power, and pursuing the possibility of municipally generated green energy. Mark Babilonia has contacted Mr. Frongilo subsequent to the symposium. Mark reported on Energy Independent Caroline, Inc. (EIC) Mr. Frongilo also serves as liaison between the Town Board and EIC. EIC presented a roadmap to the Town with a two pronged approach to being a green community: efficiency and pursuing a municipal energy facility (likely wind and solar). Mark also discussed a report by Cornell that examines municipalities moving toward energy independence - Cayuga County, Lewis County, and the Town of Caroline to name a few. Discussion of green communities ensued.

Questions were raised by board members: What is the link between EIC and the local government to implement EIC's goals? In our county, how will the board's recommendation to the county government be implemented? Discussion ensued.

Discussion included: The structure is in place to link the board to county government through the planning department and the Intergovernmental Affairs (IGA) committee. Phil Durkin pointed out that someone on the IGA should be on the board. Mark Babilonia felt that the board, being impartial and professional, can supersede political influences.

Further questions raised by board members: How do we approach establishing an alternative energy policy? Should the County Board resolve a broad policy then the County Planning Board flesh it out, or should the County Planning Board draft a policy for the County Board's approval?

Discussion included: One approach suggested was a two step approach: 1) to inventory what we have and 2) how can we improve what we have. A "green" building code could provide assurance that new construction meet energy conservation goals.

Questions were raised regarding the NYSERDA energy audit of the county buildings. Was the audit complete? What were the recommendations? What recommendations will be acted on? What is the county's energy usage? If the audit was not completed satisfactorily, can we have another done? What are the patterns of use, beside usage alone? What happened to the methane heat for the Meadow's office building (functioning in the 1980s)?

Discussion included: Ron Streek suggested that the board obtain a copy of the report. Perhaps the approach should be to make sure that a satisfactory audit is done, based on the those findings present a board two page policy statement to the County Board, and use the audit and policy statement to pursue grants to implement the policy. Transportation efficiency should be examined along with building energy efficiency. Perhaps the board should recommend to the county that a staff position should be made to deal with energy efficiency.

Upon a motion by Jeff House, seconded by Wendy Mitteager and unanimously approved, the board makes the request to the County Board to give them access to and copies of all studies and recommendations on energy usage by NYSERDA or any other agency.

Upon a motion by Wendy Mitteager, seconded by Mark Babilonia and unanimously approved, the board directed staff to put the subject of the NYSERDA audit on the January agenda.

Marc Babilonia also requested that the Ithaca Energy Symposium remain on the January agenda. Terry Bliss will investigate the Meadow's office building methane heat history.

6.b. No old business was brought by members.

7.a. No new business was brought by members.

8.b.i. Referral #10-70-03 from the Hartwick Planning Board was withdrawn by the applicant.

8.b.i.i. Planner Psalm Wyckoff presented referral #28-07-01 from the Richfield Springs Village Planning Board for an application by Jennifer and Seungman Lee for site plan approval of a proposed addition to an existing spa containing guest rooms and restaurant facilities located at 241 Main Street (U.S. Route 20).

Visual aides included a photo of the existing building, the aerial photograph, the site plan map, and the Office of Parks, Recreation and Historic Preservation website showing the East Main Street Historic District. The project summary was reviewed, including the size of the addition, area to be disturbed, number of parking lots, the change in site access, and the historic district.

Discussion included: Concerns over traffic accidents on Route 20, grade of Route 20 at the entrance/exit, lack of a lighting plan, lack of a stormwater plan and the impact on the stream near the road, lack of a copy of the DEC application for a SPDES permit.

Terry Bliss reminded the board that the referring board is only required to send to the county those materials that are required by the local site plan law. The presumption is that the referral package is complete with respect to the local law. The board has the option to return the referral with a statement that there is a lack of information to

make a decision.

Discussion followed: An environmental decision must be made by the agency taking action. The referral package did include a short EAF form with the first page completed. The second page, to be filled out by the lead agency, was not filled out.

Discussion to construct a motion ensued. A motion by Mark Babilonia, seconded by Jeff House, to approve the application with a condition that the full statement of the action and a declaration of environmental impact must be included and that the village board must confirm that the application is complete, was withdrawn. A second similar motion by Mark Babilonia, died for lack of a second.

The question was raised: Is there a county-wide impact? Many members believed there is potential for county-wide impact, particularly traffic and drainage.

Discussion regarding the completeness of the application continued. Psalm Wyckoff listed the documents included in the referral package. Members wanted to see engineering studies, particularly regarding drainage.

Terry Bliss reiterated that the referring agency is only required to send the materials required by local law. All local laws are different. This package may be complete. The Richfield Springs Planning Board may not be strong. The county planning department has very little contact with them. General Municipal Law gives the board the options to approve, approve with modification, or deny. If there is not enough information in the referral package to take any of those three actions, then the board can send the referral back as incomplete. Mark Babilonia stated the board could deny receipt since the EAF is not complete. Discussion regarding the impact on review time periods proceeded.

Upon a motion by Jeff House, seconded by Ron Streek and unanimously approved, the board decided to table consideration of the application until next month. In the interim, the county planning board will return the application to the Village of Richfield Springs Planning Board with the consideration that the application is considered by the board as incomplete because it is missing information regarding the following:

1. lighting plan
2. stormwater/engineering plan that includes discussion of the parking lot surface
3. traffic impact assessment
4. information regarding the agreement with the neighbor with whom a driveway will be shared
5. landscaping plan including vegetative screening
6. historic and cultural impacts considering that the existing building is in a historic district

The county planning board will request that the referring agency inform the board if the application was complete with respect to the local site plan law. The county planning board invites a representative of the applicant to attend the January meeting to answer questions about the project.

8.a.iii Senior Planner Karen Sullivan presented referral #32-07-01 from the Unadilla Village Board of Trustees for a proposal to amend the village zoning law to change the minimum acreage required for a Planned Development District (PDD) from ten to three acres.

The zoning law currently stipulates a ten acre minimum lot size within the PDD overlay district. A developer that was invited by the Village of Unadilla is proposing a senior housing development. The village is interested in providing housing for local seniors and others in the vicinity. The development is not necessarily for low to moderate income households. The site plan review for that project will come to the board at a later date.

The questions were raised: Is there a county-wide impact? Is this consistent with the comprehensive plan? What is the status of the comprehensive plan?

Discussion included: There may be a positive impact by allowing the development of much needed senior housing. The status of the comprehensive plan is not known. PDD is an overlay district and development will only happen where PDDs are approved. This does not change the minimum lot size on an established district with known areal extent.

Upon a motion by Wendy Mitteager, seconded by Jeff House, and unanimously approved, the board approved the proposal to amend the village zoning law to change the minimum acreage required for a Planned Development District (PDD) from ten to three acres.

9. Report from the County Planning Director

Terry Bliss reported on department activities with respect to two grant applications due next week. The department will submit an application to fund improvements to the county emergency services telecommunications system and an application to fund a comprehensive county-wide housing study. Terry also reported on the activities of Sustainable Otsego. This group is interested in energy and resource conservation, public transportation, solid waste management, and other subjects that impact sustainability. The group wishes to offer a plan for a Sustainable Otsego to the County Board. Terry also pointed out that six members of the 14 member County Board will be new and suggested that the planning board invite them, as well as the IGA committee members, to the February or March meeting.

10. Meeting Adjourned at 7:57pm.

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

Respectfully submitted,

Psalm Wyckoff
December 7, 2007