

**Town of Otsego Planning Board**  
**Minutes, May 7, 2024**

*(Will be approved with any necessary amendments at the next meeting)*

**PUBLIC HEARING**

**Peter & Cynthia Mateunas (Neal McManus) – Minor subdivision in RA2 district – 102 Mateunas Road (#128.00-1-17.01)**

Chairman Tom Huntsman opened the Mateunas public hearing at 7:31 PM, and asked if anyone from the public had comments or questions about the application. No one responded.

Sharon Kroker moved to close the public hearing. Ann Cannon seconded the motion and it was approved, 7-0.

**REGULAR MEETING**

The monthly meeting of the Town of Otsego Planning Board was held on this date at the Town Office Building in Fly Creek, New York. Chairman Tom Huntsman called the meeting to order at 7:32 PM and led the Pledge of Allegiance.

Clerk Bill Deane took roll call. All Board members were present: Huntsman, Ted Feury (Vice-Chairman), Steve Talevi, Sharon Kroker, Ann Cannon, Elizabeth Horvath, and May Leinhart. Alternate members Jay Bosley and Matt Glynn, Planning Board Attorney Jill Poulson, and Zoning Enforcement Officer Wylie Phillips were also present.

The Board reviewed the minutes of April 2, e-mailed to the members. Kroker moved to approve the minutes as written. Horvath seconded the motion and it was approved, 7-0.

Deane discussed correspondence received since the last meeting. There was a letter from Kinder Morgan, regarding pipeline digging; and an e-mail from Otsego County Planning & Solid Waste, regarding their septic system replacement program. There were two notices for the April 2 Tillapaugh public hearing (for neighbors Andrew Peterson and James Sever) which were returned to sender. Deane also cited many pieces of unsolicited correspondence regarding the Otsego Land Trust (OLT) application, which he had forwarded to the members and printed for the file. These included ones from Franzi Kuhne, Amanda Mahoney, Vera Talevi, Michelle Eastman, and Steven Talevi, expressing opposition and/or urging conditions on any approval; and from Lang Keith, Finn Jensen, and Steve Gotwald, offering support for the project.

Chairman Huntsman asked if anyone had a conflict with any of tonight's applicants. Talevi said he had a conflict with the OLT application, as he is sole trustee of Serendipity Trust, neighboring property owner. Leinhart said she also had a conflict with that application, as she is an OLT employee. Horvath said she had a conflict with the Stagliano application.

Chairman Huntsman asked if anyone from the public had comments on a non-agenda item. No one responded. The Board moved on to applications.

**APPLICATIONS**

**Peter & Cynthia Mateunas (Neal McManus) – Minor subdivision in RA2 district – 102 Mateunas Road (#128.00-1-17.01)**

Clerk Bill Deane read aloud from the Planning Board's minutes of April 2 relevant to the Mateunas application. Applicant Peter Mateunas and representative Neal McManus were present.

Chairman Huntsman reviewed the Board's options. Elizabeth Horvath moved to approve the minor subdivision as submitted. Sharon Kroker seconded the motion and it was approved, 7-0. Huntsman stamped the Mylar and file copy "approved" and signed them. Deane advised Mateunas to file the Mylar with the County within 30 days.

**Joseph Stagliano (Nick Drummond/Redpoint Builders) – Sketch plan conference, addition to camp within 500 feet of Otsego Lake in RA1 district – 6723 State Highway 80 (#69.68-1-10.00)**

Elizabeth Horvath left the meeting table, with alternate member Jay Bosley replacing her. Clerk Bill Deane read aloud from the Planning Board's minutes of April 2 relevant to the Stagliano application. May Leinhart read aloud an e-mail exchange between neighbor Joe Galati and Watershed Supervisory Committee (WSC) representative Bertine McKenna, regarding the septic system situation.

Representative Nick Drummond submitted copies of a May 7 e-mail from the Department of Transportation (DOT), accepting the drainage plan; and one from the Department of Health (DOH), deferring to County Codes. Drummond said the WSC had granted approval, then revoked it, so that is still pending. He was hoping the Planning Board could grant approval conditional on that.

Chairman Huntsman noted that the Zoning Board of Appeals (ZBA) had granted variances conditional on WSC approval of the septic plan, which has not yet occurred; therefore, the ZBA approval is still not valid. Attorney Poulson said in that case, it would be premature for the Planning Board to approve anything, even conditionally.

Chairman Huntsman said this should still be considered a sketch plan conference. Deane said Drummond should return to the June 4 meeting, or let him know if they would not be ready by that date. Horvath returned to the table and Bosley left it.

**Peter Kapsales (Tim Yerdon) – Site plan review, addition to residence within 500 feet of Otsego Lake in RA1 district – 6447 State Highway 80 (#84.00-1-17.02)**

Clerk Bill Deane read aloud from the Planning Board's minutes of April 2 relevant to the Kapsales application. Applicant Tim Yerdon was not present. Zoning Enforcement Officer Wylie Phillips said Yerdon e-mailed him, saying he is still working on the site plan requirements and on meeting the ZBA's conditions for granting their variance: (1) Watershed Supervisory Committee approval of the septic system; (2) a gutter, downspout, or similar system to be installed on the addition to mitigate water runoff; (3) a siltation system to be installed down-slope from the building to mitigate silt/debris runoff.

**Arlene Nygren (Barb Monroe) – Site plan review, replacement of existing camp within 500' of Otsego Lake in RA1 district – 6769 State Highway 80 (#69.60-1-12.00)**

Applicant Arlene Nygren and representative Barb Monroe were present. Nygren wants to replace an existing camp located 116 feet of Otsego Lake. She had come to the Planning Board in March, but was subsequently directed to the ZBA. Clerk Bill Deane read aloud from the ZBA's minutes of March 19 and April 16 (not yet approved) relevant to the Nygren application. During the latter meeting, the ZBA had held a public hearing with no comments, and granted the requested variances, specific to the proposed project: an 18-foot variance on the north side, and a 16-foot variance on the south side.

Chairman Huntsman went through the site plan requirements in Section 8.04 of the *Land Use Law*. He noted there was no survey, but that that could be waived.

The Board discussed State Environmental Quality Review (SEQR). Sharon Kroker moved to declare lead agency status, and to deem this a Type II action per SEQR Section 617.5(c)(2). Ann Cannon seconded the motion and it was approved, 7-0.

Kroker moved to deem the application complete, waiving the survey. Ted Feury noted that there were no drawings showing the side or rear views, or exterior elevations. After discussion, Kroker withdrew her motion.

Chairman Huntsman asked Monroe to return to the June 4 meeting with the aforementioned drawings.

**Otsego Land Trust (Gregory Farmer, Executive Director) – Sketch plan conference (concurrent with ZBA application), addition of boardwalk within 100 feet of Otsego Lake in RA1 district – 6000 State Highway 80 (#99.00-1-32.01)**

Steve Talevi and May Leinhart left the meeting table, replaced by alternate members Jay Bosley and Matt Glynn. Clerk Bill Deane read aloud from the ZBA's minutes of March 19 and April 16 (not yet approved) relevant to the OLT application. The ZBA held a public hearing at the latter meeting, but has not yet ruled on the requested variances: a 35-foot variance on the east (rear or Lake side), and variance from *Land Use Law* 4.04, which prohibits new construction within 100 feet of Otsego Lake. Deane said the OLT understands that the Planning Board cannot decide on the application until or unless the ZBA grants the variances, but they want the Planning Board to conduct SEQR as part of their DEC application requirements.

Executive Director Gregory Farmer represented the Otsego Land Trust, accompanied by Property Manager Justin Williams and Daniel O'Neill of Delta Engineers. Farmer said the Trust owns a 22-acre parcel along Otsego Lake. They want to install a trail and 86'8" boardwalk connecting an existing bridge to the Lake, also relocating existing boat storage racks. O'Neill displayed a detailed site plan on an easel, and Farmer distributed smaller copies of the site plan. He said the plan would make the existing layout safer, more convenient, and handicap-accessible, essentially moving it from the south side of the creek to the north side. Farmer said the DEC has given them a \$100,000 grant toward the project, which suggests that they will approve it.

The Board discussed State Environmental Quality Review (SEQR). Zoning Enforcement Officer Phillips said the Planning Board had deemed this a Type I action when they granted a special permit (recreational facility) in 2015; however, he believes that was done in error, and this should be a Type II action. Sharon Kroker moved to declare lead agency status. Ann Cannon seconded the motion and it was approved, 7-0. Kroker moved to deem this a Type II action per SEQR Section 617.5(c)(12). Matt Glynn seconded the motion and it was approved, 7-0.

This application will return to the Planning Board agenda upon receiving the necessary ZBA variances. Talevi and Leinhart returned to the meeting table, and Bosley and Glynn left it.

**OTHER BUSINESS**

Zoning Enforcement Officer Phillips reported that he had issued two Land Use permits in the past month.

Ted Feury (pinch-hitting for Elizabeth Horvath) said he had attended the April 10 Town Board meeting as Planning Board liaison. Among the items discussed were a six-month moratorium on the Town's proposed solar energy legislation; the annexation of certain Linden Avenue properties by the Village of Cooperstown; missing Town of Otsego road signs; the Town's acquisition of \$25,000 worth of audio-visual equipment; and the impending departure of Town Supervisor Ben Bauer. Sharon Kroker is scheduled to serve as Planning Board liaison for the May 8 Town Board meeting.

Chairman Huntsman said he had been working on a committee to update the *Land Use Law*, particularly the Lake District section.

Clerk Bill Deane noted that his audio recorder had malfunctioned early in the meeting, thus that there would be no complete recording of it. Deane also noted that former Planning Board member Antoinette Kuzminski was seriously ill. Deane said that he had e-mailed the Town's updated *Code of Ethics* to the members, and could print copies for anyone wanting them.

Sharon Kroker said that she objected to Steve Talevi's sharing her private contact information with members of the public. Other members agreed. Talevi had distributed the members' private e-mail addresses to many members of the public, urging them to persuade the Planning Board to deny the OLT application, or add a long list of conditions to any approval. Talevi said he thought the addresses were public information, and he was not aware of any rule he had broken. Attorney Poulson said it was a breach of etiquette at the least.

Deane discussed the June 4 agenda. Kapsales, Stagliano, Nygren, and OLT are all expected to return. In addition, Ken Marx has a pending ZBA application (erecting a set of wooden stairs, a six-foot-high wooden privacy fence, and a four-foot-high, 40-foot-long retaining wall on his property within 100 feet of Otsego Lake), which is likely to be on the next Planning Board agenda. With no further business, at 9:35 PM Kroker moved to adjourn the meeting.

Respectfully submitted,  
Bill Deane, Clerk