**Town of Otsego Planning Board**

# Minutes, November 12, 2024

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

**PUBLIC HEARING**

**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)**

Chairman Huntsman opened the Kapsales public hearing at 7:30 PM and asked if anyone from the public had comments or questions about the application.

Kevin Murray, neighbor to the north, looked at the plans and asked questions. He expressed satisfaction with the answers provided by representative Tim Yerdon, and said he had no problems with the proposed project.

With no other speakers, Sharon Kroker moved to close the public hearing. Steve Talevi seconded the motion and it was approved, 4-0.

**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 7:34 PM, and led the Pledge of Allegiance.

Clerk Bill Deane took roll call. Board members present were Huntsman, Sharon Kroker, and Steve Talevi. With Ann Cannon, May Leinhart, Elizabeth Horvath, and alternate member Matt Monahan absent, alternate member Matt Glynn joined the meeting table. New Town Supervisor Ted Feury, Planning Board Attorney Jill Poulson, and Zoning Enforcement Officer Wylie Phillips were also present. Huntsman and Deane reminded the Board that, with only four members present, a unanimous vote would be required to pass any motion.

The Board reviewed the minutes of October 1, e-mailed to the members. Kroker moved to approve the minutes as written. Glynn seconded the motion and it was approved, 4-0.

Deane said the only correspondence received since the last meeting was a notice (filed) from the County Clerk’s office regarding filing of the Schallert first lot split, which the Board approved in August.

Chairman Huntsman asked if anyone had a conflict with any of tonight’s applicants. No one reported any conflict. 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 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 minutes of October 1 relative to the application. During that meeting, State Environmental Quality Review (SEQR) was performed, and the Board deemed the application complete with a contingency that was since met. Representative Tim Yerdon said he had nothing new to add or report.

Chairman Huntsman reviewed the Board’s options from Section 8.05 of the *Land Use Law*. Sharon Kroker moved to approve the site plan as submitted. Matt Glynn seconded the motion and it was approved, 4-0. Huntsman stamped the site plan “approved” and signed it. Zoning Enforcement Officer Phillips said he would scan and e-mail it to the applicant.

**Jeffrey Banner – Boundary line adjustment in RA1 district – 385 Tripp Hill Road (#83.00-1-12.05 & -12.42)**

Zoning Enforcement Officer Phillips reported that Jeffrey Banner had withdrawn his application, as he had changed his building plan.

**Tashi Rabten (Bruce Phillips) – Site plan review, special permitted use (recreational facility/place of worship) in RA2 district – 195 Stoller Hill Road (#112.00-1-20.01)**

Applicant Tashi Rabten was accompanied by authorized representative Bruce Phillips. Rabten said he wants to open a yoga studio/meditation center next year on his 11-acre vacant property in the RA2 district. He has a similar facility in Nyack, N.Y. Rabten plans to erect a one-story, 45’x65’ (2,925 square feet) building for those purposes. It would be approximately 150-200 feet from the road and 90-100 feet from the nearest property line. He envisions 5-10 people at a time using the facility, with a maximum of 30.

Chairman Huntsman said this should be considered a sketch plan conference. He went through the special permitted use requirements in Section 7.03 of the *Land Use Law*. Huntsman said that the project meets special permitted use criteria, but he was not sure if it would be considered a recreational facility or place of worship. Clerk Bill Deane said the Board could consider granting two separate special permits.

Rabten and Phillips answered questions from the Board members. They said there are no easements or wetlands on the property, which was surveyed in 1990. They plan to improve the existing driveway, and install electric, well, and septic system, but no exterior lighting.

Chairman Huntsman went through the site plan requirements in Section 8.04 of the *Land Use Law*. He said the Board would need a detailed site map drawn to scale, including setback measurements, landscaping plans, signage, building, well, and septic locations. He asked Rabten to return to the December 3 meeting with such a map. Rabten said he understood what the Board wanted.

The Board discussed State Environmental Quality Review (SEQR). Sharon Kroker moved to deem this a Type II action per SEQR Section 6.17.5(c)(9). Steve Talevi seconded the motion and it was approved, 4-0.

After the applicant left, neighbors asked general questions of the Board members. Deane advised them that they would have an opportunity to ask specific questions and make comments during a public hearing, to be scheduled after the application is deemed complete.

**OTHER BUSINESS**

Zoning Enforcement Officer Phillips reported on some situations not involving the Planning Board.

The Board discussed recommendations to the Town Board for 2025 Planning Board personnel: Chairman (currently Tom Huntsman), 2025-31 member (Steve Talevi), and third alternate member (vacant). Talevi said he was not seeking reappointment. After discussion, Sharon Kroker moved to recommend that Huntsman be reappointed as chairman. Matt Glynn seconded the motion and it was approved, 4-0.

Clerk Bill Deane addressed Town Supervisor Feury, saying that the Planning Board risks not having a quorum at future meetings due to vacancies and absenteeism. The Board has lost Feury, and will soon lose Talevi. In addition, one member has missed nine of eleven meetings this year, another has missed five and been late for three others, and a third has not attended since being appointed as an alternate member. Deane said two former reliable Planning Board members have expressed interest in returning, and he thinks they should be appointed as soon as possible. Talevi said he would be willing to remain until a replacement is appointed.

Matt Glynn said he had attended the October 9 Town Board meeting as Planning Board liaison. He said he told the Town Board about Planning Board activities, receiving praise for his report. Nothing of particular interest to the Planning Board happened during the meeting. Ann Cannon is scheduled to serve as Planning Board liaison for tomorrow’s November 13 Town Board meeting. Deane said he would remind her.

Deane discussed the December 3 meeting, noting that he would be absent for the first time since 2008, but had asked Town Clerk Pam Deane to cover for him. Among applicants, only Rabten is scheduled to return, with just one week before the agenda cutoff deadline. Ken Stabler (storage facilities) may also return, depending on the Zoning Board of Appeals decision on November 19. Glynn said he would miss the December meeting.

With no further business, at 8:26 PM Sharon Kroker moved to adjourn the meeting.

Respectfully submitted,

Bill Deane, Clerk