**Town of Otsego Planning Board**

# Minutes, June 3, 2025

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

**PUBLIC HEARING**

**Jack Witaszek – Site plan review, new house within 500 feet of Canadarago Lake in RA2 district – 134 Lakeview Drive (#52.00-2-14.07)**

 Chairman Tom Huntsman opened the Witaszek public hearing at 7:30 PM, and asked if anyone from the public had questions or comments about the application. No one responded. Sharon Kroker moved to close the hearing. Ann Cannon seconded the motion and it was approved, 6-0.

**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 7:31 PM, and led the Pledge of Allegiance.

Clerk Bill Deane took roll call. Board members present were Huntsman, Jay Bosley (Vice-Chairman), Sharon Kroker, Ann Cannon, and Mike Hodgman. With Elizabeth Horvath and May Leinhart absent, alternate member Matt Glynn joined the meeting table. Zoning Enforcement Officer Wylie Phillips was also present; Planning Board Attorney Jill Poulson was absent.

The Board reviewed the minutes of May 6, e-mailed to the members. Kroker moved to accept the minutes as written. Glynn seconded the motion and it was approved, 6-0.

The only correspondence received since the last meeting concerned the Henrici application. Chairman Huntsman said he would address it during discussion of that application.

Chairman Huntsman asked if anyone had a legal or ethical conflict with any of tonight’s applicants. No one reported any conflict. Huntsman asked if anyone from the public had comments on a non-agenda item. No one responded. The Board moved on to applications.

**APPLICATIONS**

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

 Clerk Bill Deane read aloud from the minutes of June 3 relevant to the Rabten application. Applicant Tashi Rabten was present. He submitted a June 3 written statement (filed), documenting conditions and details discussed at the previous meeting: no uses of the building other than yoga, meditation, and worship; no more than ten vehicles or 15 people at a time; hours of operation, 10 AM to 5 PM on Thursdays and Saturdays, and 10 AM to 3 PM on Sundays. Rabten said the building would not be erected before 2026.

 After discussion, Jay Bosley moved to approve the special permitted use (recreational facility), with the conditions as specified in the written statement, and an expiration date of June 3, 2027. Ann Cannon seconded the motion and it was approved, 6-0. Deane prepared a special permit which Chairman Huntsman stamped and signed, along with the site plan. Zoning Enforcement Officer Phillips made a copy of the permit for the file, giving the original to the applicant. Chairman Huntsman advised Rabten he would have to return for reapproval in two years.

**Jack Witaszek – Site plan review, new house within 500 feet of Canadarago Lake in RA2 district – 134 Lakeview Drive (#52.00-2-14.07)**

 Clerk Bill Deane read aloud from the minutes of June 3 relevant to the Witaszek application. Applicant Jack Witaszek was present.

 Chairman Huntsman reviewed the Board’s options. Sharon Kroker moved to approve the site plan as submitted. Mike Hodgman seconded the motion and it was approved, 6-0. Chairman Huntsman stamped the site plan “approved” and signed it. Zoning Enforcement Officer Phillips said he would e-mail a copy of the signed site plan to the applicant and County.

**William & Paula Schaeffer/Patrick & Sondra Halpin (Ryan Marquette/Bond, Schoeneck & King) – Boundary line adjustment in RA1 district – 184 & 196 Goose Street (#98.00-1-60.01 & -.02)**

 Authorized representative Ryan Marquette said that William & Paula Schaeffer and Patrick & Sondra Halpin own adjoining properties on Goose Street. They became aware that the Schaeffers’ driveway is on the Halpins’ property. To remedy the problem, they propose to change the boundary line between the properties in a way that there is no change to the acreage of either parcel (swapping .53-acre portions of each lot). Marquette submitted a 12/18/24 survey map and proposed deed language for the reconfigured lots.

 Chairman Huntsman reviewed the boundary line adjustment policy, noting that both lots meet road frontage requirements, and that there is no change to the acreage of either (the Halpin lot is pre-existing, non-conforming).

 Sharon Kroker moved to accept the boundary line adjustment as presented. Mike Hodgman seconded the motion and it was approved, 6-0. Chairman Huntsman stamped the application “approved” and signed it, with Zoning Enforcement Officer Phillips making a copy for the file. Clerk Bill Deane advised him to file it with the County within 30 days.

**David & Stephanie Wright – Sketch plan conference, first lot split in RA2 district – 173 Bristol Road (#112.00-1-11.00)**

 Applicant Stephanie Wright said she owns a 72.18-acre lot, and submitted an undated survey map from approximately 2006. She wants to split the lot in two, keeping about 20 acres, and selling the remainder. Zoning Enforcement Officer Phillips said it would qualify as a first lot split.

 Chairman Huntsman said the Board would need to see a site map and deed language for the proposed new lots. He said each lot would need a minimum of 150 feet of road frontage. Huntsman gave the applicant a list of the first lot split requirements, and asked her to return to the July 1 meeting.

**Danielle Henrici (Michael Henrici) – Minor subdivision in H-R/RA1 district – 871 County Highway 26 (#114.05-1-28.00)**

 Clerk Bill Deane read aloud from the Zoning Board of Appeals’s (ZBA’s) minutes of March 18, April 15, and May 20 (not yet approved) relevant to the Henrici application. Applicant Danielle Henrici owns a 2.82-acre parcel which straddles County Highway 26, and is mostly in the hamlet-residential district and partly in RA1. They want to subdivide the lot at the road, keeping the .97-acre parcel with a house, and selling the remaining 1.85-acre parcel. Because the smaller lot would be below the one acre minimum for the H-R district, they needed a variance before going to the Planning Board. In April, the ZBA held a 30-minute public hearing with documented concerns by neighbors. In May, the ZBA granted a .03-acre area variance from *Land Use Law* Section 2.04, with a resolution stating that, “there is no more feasible way to achieve the benefit sought; that the proposed subdivision is in keeping with the neighborhood, producing no undesirable change in its character, nor detriment to nearby properties, many of which are pre-existing, non-conforming in acreage themselves; that the requested variance is not substantial; that the project will have no foreseeable adverse effect or impact on the physical or environmental conditions of the neighborhood; and that, though the alleged difficulty is self-created, it is reasonable when weighing the significant benefit to the applicant against any possible detriment to adjacent properties.”

 Chairman Huntsman read aloud a June 3 e-mail from neighbors Jessica Gorman and Henry Knoop, reiterating concerns they brought up during the ZBA public hearing. It included a copy of a 1993 letter from previous owner Mercedes Gotwald, specifying that there was to be no further subdivision of the property following a variance/subdivision approved that year; however, this restriction was not put into the deed. Neighbor Wayne Mellor offered input on the 1993 agreements. Chairman Huntsman said he wanted Attorney Jill Poulson to review the deed and letter regarding the possible restriction, even though it is beyond the Board’s purview.

 Representative Michael Henrici submitted a 3/5/07 survey map. He said his wife bought the property in 2023.

 Chairman Huntsman reviewed Sections 8.04 and 8.05 of the *Land Use Law*, and said he saw nothing in this application that contradicted them.

The Board discussed State Environmental Quality Review (SEQR). Sharon Kroker moved to declare lead agency status, and deem this a Type II action per SEQR Section 617.5(c)(47). Matt Glynn seconded the motion and it was approved, 6-0.

 Glynn moved to deem the application complete. Mike Hodgman seconded the motion and it was approved, 6-0. Glynn moved to waive the public hearing, in lieu of the well-documented ZBA hearing. Jay Bosley seconded the motion and it was approved, 6-0.

 Chairman Huntsman noted that the Board had 62 days to decide on the application, and he wanted Attorney Poulson’s input before doing so. He said he would contact her before the next meeting. Huntsman asked Henrici to return to the July 1 meeting, and said the Board would discuss the *Land Subdivision Regulations* at that time.

**Geary Fitzpatrick (Barb Monroe) – Site plan review, renovation/expansion of existing residence within 100 feet of Otsego Lake in RA1 district – 6722 State Highway 80 (#69.63-1-12.00)**

 Clerk Bill Deane read aloud from the Zoning Board of Appeals’s (ZBA’s) minutes of February 18, March 18, April 15, and May 20 (not yet approved) relevant to the Fitzpatrick application. Applicant Geary Fitzpatrick wants to renovate and expand his residence on a .05-acre parcel within 100 feet of Otsego Lake. The proposed expansion would include a new 10x12’ covered porch and another new 8x14’ area, plus an addition of cubic footage by building upward on the existing deck space. The ZBA application was resubmitted after a motion to approve failed. Public hearings were held in March and May, with no public comments. In May, the ZBA granted the variances requested: a 28-foot variance on the front or west side; a 20-foot variance on the north side; a 12-foot variance on the south side; plus a variance from *Land Use Law* 4.04, which prohibits new construction within 100 feet of Otsego Lake; with the conditions that the height be at least four feet lower than depicted on the 3/30/25 plans, and that there be no dormers in the attic. Their resolution said that “there is no more feasible way to achieve the benefit sought; that the proposed project will produce no undesirable change in the neighborhood; that the requested variance is substantial, but increases the non-conformity only on the north side; that the project will have no adverse effect or impact on the physical or environmental conditions of the neighborhood; and that, though the alleged difficulty is self-created, it represents an improvement in the property, and is reasonable when weighing the benefit to the applicant against any possible detriment to adjacent properties.” Deane noted that the variances allowed the applicant to proceed to the Planning Board.

 Representative Barb Monroe submitted revised (6/3/25) plans based on the ZBA conditions. The Board reviewed these.

 Chairman Huntsman reviewed the site plan requirements in Section 8.04 of the *Land Use Law*. He said the Board ultimately would need sign-offs from the Watershed Supervisory Committee and Department of Environmental Conservation.

 The Board discussed State Environmental Quality Review (SEQR). Sharon Kroker moved to declare lead agency status, and deem this a Type II action per SEQR Section 617.5(c)(11). Ann Cannon seconded the motion and it was approved, 6-0.

 Kroker moved to deem the application complete. Matt Glynn seconded the motion and it was approved, 6-0. Kroker moved to waive the public hearing in view of the ZBA hearing results. Cannon seconded the motion and it was approved, 6-0.

 Chairman Huntsman said that any approval should include the agency sign-offs and ZBA conditions. Kroker said she was concerned that allowing expansion on such a small lot would set a bad precedent. She moved to disapprove the site plan application, and Jay Bosley seconded the motion. Chairman Huntsman suggested tabling the application instead, and Kroker withdrew the motion. Huntsman asked Monroe permission for members to visit the property, and she granted it.

 Bosley moved to table the application until July 1. Ann Cannon seconded the motion and it was approved, 6-0.

**OTHER BUSINESS**

Zoning Enforcement Officer Wylie Phillips said he had nothing new to report

Jay Bosley said he had served as Planning Board liaison at the May 14 Town Board meeting. He read aloud and submitted a report of the meeting. Items of interest to the Planning Board included ZEO follow-ups to Planning Board approvals, and progress by the Solar Law and Comprehensive Plan Committees. Matt Glynn is assigned to serve as Planning Board liaison for the June 11 Town Board meeting.

Clerk Bill Deane discussed the July 1 agenda. Wright, Henrici, and Fitzpatrick are expected to return; and John Phelan (free-standing deck within 100 feet of Otsego Lake) will proceed to the Planning Board, if the ZBA grants his variances on June 17.

With no further business, at 9:28 PM Sharon Kroker moved to adjourn the meeting.

 Respectfully submitted,

Bill Deane, Clerk