**Town of Otsego Planning Board**

# Minutes, September 3, 2024

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

**PUBLIC HEARING**

**Len Carson – Site plan review, new construction within 500 feet of Canadarago Lake in RA2 district – 130 Lakeside Estate (#52.00-2-14.05)**

Chairman Tom Huntsman opened the Carson public hearing at 7:29 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. 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 7:30 PM, and led the Pledge of Allegiance.

Clerk Bill Deane took roll call. Board members present were Huntsman, Ted Feury (Vice-Chairman), Steve Talevi, and Sharon Kroker. Ann Cannon, Elizabeth Horvath, May Leinhart, and alternate member Matt Glynn were absent, as was Planning Board Attorney Jill Poulson. New Town Supervisor Jay Bosley and Zoning Enforcement Officer Wylie Phillips were also present. Deane introduced Matt Monahan, who had been appointed as an alternate member, but had not yet been sworn in, thus could not vote. Deane said that, with only four voting members present, a unanimous vote would be required to pass any motion.

The Board reviewed the minutes of August 6, e-mailed to the members. Feury moved to approve the minutes as written. Kroker seconded the motion and it was approved, 4-0.

Deane said there was no correspondence received since the last meeting.

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

**APPLICATIONS**

**Len Carson – Site plan review, new construction within 500 feet of Canadarago Lake in RA2 district – 130 Lakeside Estate (#52.00-2-14.05)**

Dellene Carson said she was representing her ex-husband, applicant Len Carson. Clerk Bill Deane read aloud the minutes of August 6 relevant to the Carson application. The Board had performed State Environmental Quality Review (SEQR), deemed the application complete, and scheduled a public hearing, which was held tonight with no comments.

Sharon Kroker moved to approve the site plan as submitted. Ted Feury seconded the motion and it was approved, 4-0. Chairman Huntsman stamped the site plan “approved” and signed it. Zoning Enforcement Officer Phillips said he would scan the stamped plan and e-mail it to Carson.

**Kyle O’Connor – Site plan review, addition to residence within 500 feet of Otsego Lake in RA1 district – 6687 State Highway 80 (#69.76-1-7.00)**

Contractor Jim Longmore of JML Construction said he was representing applicant Kyle O’Connor. He said O’Connor wants to add a second-floor family room to his residence within 500 feet of Otsego Lake, raising the building height from 12 to 24 feet. Longmore hopes to begin construction in October, but wasn’t aware of the site plan requirements.

Chairman Huntsman went through the site plan requirements in Section 8.04 of the *Land Use Law*. He said the survey could be waived, since there is no change to the building footprint, but the Board would need a map drawn to scale (including lot lines) and preliminary building plans (including elevations).

Clerk Bill Deane asked if this would be an expansion of a non-conformity, since the existing building is within the side-yard setback. Zoning Enforcement Officer Phillips said that would apply only if it was within 100 feet of the Lake. Deane suggested the Board consider deeming the application complete contingent on the missing items; otherwise, the project couldn’t be approved before mid-November.

The Board discussed State Environmental Quality Review (SEQR). Sharon Kroker moved to deem this a Type II action per SEQR Section 617.5(c)(11). Steve Talevi seconded the motion and it was approved, 4-0.

Kroker moved to deem the application complete, waiving the survey, and contingent on a satisfactory map drawn to scale and preliminary building plans being delivered to the Zoning Enforcement Officer by September 17. Ted Feury seconded the motion and it was approved, 4-0.

Kroker moved to schedule a public hearing for October 1 with the same contingency. Feury seconded the motion and it was approved, 4-0.

Zoning Enforcement Officer Phillips advised Longmore to contact him if he had any questions.

**Rob Bohm (Bob Birch) – Lot line adjustments in GB2 district – 6180 State Highway 28 (#98.00-1-24.01; 114.00-1-3.00, -3.00, & -4.00)**

No one appeared on behalf of this application.

**Christine DiNigro – Site plan review, special permitted use (retail store) in hamlet business district – 6208 State Highway 28 (#114.05-1-37.00)**

Applicant Christine DiNigro has been operating a women’s used clothing consignment store at the former Kim’s Kut & Style space. Zoning Enforcement Officer Phillips said the space has a special permit for a hair salon, not a retail store, so DiNigro needs to apply for a new special permitted use. Phillips said the necessary fees had been paid.

DiNigro said her “Christine’s Consignment Store” is open Tuesday, Wednesday, and Friday, 10 AM to 5 PM; Thursday, noon to 7 PM; and Saturday, 10 AM to 2 PM.

Chairman Huntsman went through the special permitted use requirements in Section 7.03 of the *Land Use Law*. Sharon Kroker moved to deem the special permit part of the application complete. Steve Talevi seconded the motion and it was approved, 4-0.

Chairman Huntsman went through the site plan requirements in Section 8.04 of the *Land Use Law*. He said the survey and map drawn to scale could be waived, since there is no change to the building footprint.

The Board discussed State Environmental Quality Review (SEQR). Kroker moved to deem this a Type II action per SEQR Section 617.5(c)(18). Ted Feury seconded the motion and it was approved, 4-0.

Kroker moved to deem the site plan application complete, waiving the survey and map drawn to scale. Feury seconded the motion and it was approved, 4-0.

Kroker moved to schedule a public hearing for October 1. Feury seconded the motion and it was approved, 4-0.

**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)**

Once again, no one appeared on behalf of this application. Zoning Enforcement Officer Phillips said he had again talked at length to representative Tim Yerdon, and expected him to come tonight with his DEC sign-off. Phillips said he would contact applicant Peter Kapsales directly.

**OTHER BUSINESS**

Zoning Enforcement Officer Phillips said things remain slow, but he received a new special permitted use application from Ken Stabler for a 48-unit storage facility, the first of a proposed phased project.

Jay Bosley said he attended the August 14 Town Board meeting as Planning Board liaison. The only item of interest to the Planning Board was Bosley’s appointment as Town Supervisor.

Steve Talevi is assigned to serve as Planning Board liaison for the September 11 Town Board meeting, but said he was not sure if he could keep that commitment. Chairman Huntsman said he could cover if Talevi advises him that he is not available.

Clerk Bill Deane reported that former Planning Board member Antoinette Kuzminski had died.

Deane discussed the October 1 agenda. O’Connor (public hearing?) and DiNigro (public hearing) are expected to return, along with possibly Bohm and Kapsales.

With no further business, at 8:25 PM Sharon Kroker moved to adjourn the meeting.

Respectfully submitted,

Bill Deane, Clerk