

J. 11

TOWN OF OTEGO PLANNING BOARD
Public Hearing #1
June 15, 2021

The Planning Board met at 6:55 pm for a Public Hearing regarding the application for a Minor Subdivision by Troy Hurlburt for tax # 318.00-1-44.001. J.R. Hurlburt, father of the applicant, presented the Board signatures as proof of notification to appropriate landowners for this public hearing and the completed application which includes a completed EAF short form.

The application is for a Minor Subdivision dividing the above property into two lots. Each lot has the required road frontage.

No comments regarding this application were presented.

Lois declared the Public Hearing completed at 6:57 pm.

Minutes of Regular Meeting
June 15, 2021

Planning Board Members Present:	Lois Chernin, Mark Dye, Kathy Leahy, Harry Martin, Lonnie Ridgway (arrived late)
Planning Board Members Absent:	None
Planning Board Member Excused:	None
Planning Board Alternate:	None
Planning Board Recording Secretary:	Colleen Bushnell
Codes Officer - Dan Wilber:	Present
Town Board Liaison - David Sheldon:	Present
Members of the Public:	11

The regular meeting of the Town of Otego Planning Board opened at 7:00 pm.

The minutes from the May 18, 2021 meeting were reviewed by members. No corrections needed.

Motion made by Kathy Leahy, seconded by Harry Martin to accept the minutes as written.
Vote: Yes: 4 No: 0 Motion Carried.

Reports: David Sheldon reports nothing to report from the Town Board meeting .

Old Business:

Motion made by Kathy Leahy, seconded by Mark Dye to declare the Planning Board of Otego lead agency in the matter of the Troy Hurlburt Minor Subdivision.
Vote: Yes: 5 No: 0 Motion Carried.

**Minutes of Regular Meeting
June 15, 2021**

Old Business: (continued)

- Lois read the questions from the second part of the short EAF form. This Minor Subdivision results in no adverse environmental impact and can be given a negative declaration. No further SQER action is required.

Motion made by Harry Martin, seconded by Lonnie Ridgway to accept the application as complete in the affair of Troy Hurlburt Minor Subdivision.

Vote: Yes: 5 No: 0 Motion Carried.

Motion made by Mark Dye, seconded by Lonnie Ridgway, to declare this a negative declaration under SEQR needing no action.

Vote: Yes: 5 No: 0 Motion Carried.

- The Secretary will prepare a letter to Otsego County regarding the above action and give to Lois Chernin.
- Mr. Perry is not in attendance at this meeting. Lois has requested to look at the property. There is still an issue with the county regarding this property and Mr. Perry does not yet have a tax number. Mr. Perry should be here next month.

**Public Hearing #2
June 15, 2021**

The Planning Board stopped its Regular Meeting at 7:15 pm to address the Public Hearing regarding an application for a Minor Subdivision by Robert and Marcy Birch for tax # 272.00-1-20.01 on County Highway 8. Mr. Birch presented the Board with certified notices as proof of notification to appropriate landowners for this public hearing.

The application is for a Minor Subdivision dividing the above property into four lots. Lots one, two, and three have the required road frontage. Lot four will be membership in an LLC which will be owned by the owners of lots one, two, and three. The LLC will set up rules for the use of the common area. An access way of 20' will be provided between lots two and three with an appropriate turn around.

Mr. Birch presented a copy and read the proposed deed restrictions.

The following are questions by the public that were addressed by Mr. Birch and the Planning Board:

1. Question regarding impact on wetlands. The Planning Board stated they have received the necessary information regarding this issue.
2. Asked if the access point could be an issue with traffic and possibility of accidents. Mr. Birch states he feels it will not be an issue.
3. Concern regarding shared expense of common area. Mr. Birch states it becomes "forever wild" due to protected covenants in the deeds which the landowners must agree to.

**Minutes of Regular Meeting
June 15, 2021**

Public Hearing #2: (continued)

4. Dan Wilber states he does not want to limit motorized vehicles. He feels Mr. Birch may not want to prohibit this but may wish to restrict. Owners should make final decisions regarding what they will allow.
5. Discussion regarding lot one is near wetlands. Noted that this will be addressed in the SEQR form.
6. Concern regarding large parties on the property. Mr. Birch states the subdivision will have a set of by-laws that all owners must agree to. The owners will make changes accordingly.

Lois declared the Public Hearing completed at 7:44 pm.

**Minutes of Regular Meeting Resumed
June 15, 2021**

Old Business: (continued)

Discussion regarding Minor Subdivision application by Robert and Marcy Birch.

- The northern third of the creek and the pond on lot one are federal wetlands. The creek is also a class A trout stream.
- Beth Westfall reviewed the protected covenants presented to her by Mr. Birch and states they meet approval.
- Mr. Birch states he will complete turn around even though not required.
- Concerns regarding issues that may arise from three different property owners. It is dealt with in the deeds. Anyone who purchases the property will agree to the stipulations. Any issues becomes the problem of the landowners.

Motion made by Mark Dye, seconded by Kathy Leahy, to declare the Planning Board of Otego lead agency in the matter of the Robert and Marcy Birch Minor Subdivision.

Vote: Yes: 5 No: 0 Motion Carried.

- Lois read the questions from the second part of the short EAF form. This Minor Subdivision results in no adverse environmental impact and can be given a negative declaration. No further SQER action is required.

Motion made by Kathy Leahy, seconded by Harry Martin, to declare this a negative declaration under SEQR needing no action.

Vote: Yes: 5 No: 0 Motion Carried.

- There was some discussion regarding the expectations and conditions for the protected covenant.
- Mr. Birch asks that the Planning Board move to accept the present application as conditional and will present a survey map.
- Question regarding placement of septic systems and the need for this to be a professional design. This will be addressed by Mr. Birch.

**Minutes of Regular Meeting
June 15, 2021**

Old Business: (continued)

Motion made by Lonnie Ridgway, seconded by Kathy Leahy, to accept the application as complete regarding the affair of Robert and Marcy Birch Minor Subdivision with the following conditions: 1. Final survey with location of 20' access of gravel or stone with a turn around which is desirable but not mandatory. 2. The survey map must have a wetland overlay.

Vote: Yes: 5 No: 0 Motion Carried.

- The Secretary will prepare a letter to Otsego County when the above conditions are met.
- Still unable to review By-Laws. Beth Westfall has not completed the review.
- Lois checked with the Town Road Supervisor regarding the memorial tree markers. He states will do whatever is necessary to place them. Lois will send Harry the information needed to order the tree markers so he can provide her with the final cost.

New Business:

- Robert Birch presented for information only a map regarding property owned on County Highway 6/Burdick Hill Road owned by the Latham Estate. He is requesting discussion regarding a Minor Subdivision to four lots. There was much discussion regarding this possibility. It will be on hold until more information is acquired.

Communications: None

Privilege of the Floor: None

Next regular meeting: July 20, 2021 at 7:00pm.

Motion made by Mark Dye, seconded by Kathy Leahy to adjourn the meeting.

Vote: Yes: 5 No: 0 Motion carried.

Meeting adjourned at 8:44 pm.

Respectfully Submitted:

Colleen Bushnell, Secretary