**Town of Otsego Planning Board**

# Minutes, July 1, 2025

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

**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. Vice-Chairman Jay Bosley 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 Tom Huntsman (Chairman), Bosley, Sharon Kroker, Ann Cannon, Elizabeth Horvath, and Mike Hodgman. (May Leinhart arrived at 7:54, during the Henrici application.) Alternate member Matt Glynn was absent. Town Supervisor Ted Feury, Zoning Enforcement Officer Wylie Phillips, and Planning Board Attorney Jill Poulson were also present.

The Board reviewed the minutes of June 3, e-mailed to the members. Kroker moved to accept the minutes as written. Horvath seconded the motion and it was approved, 6-0.

The only correspondence received since the last meeting concerned the Fitzpatrick 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**

**David & Stephanie Wright – First lot split in RA2 district – 173 Bristol Road (#112.00-1-11.00)**

 Clerk Bill Deane read aloud from the June 3 minutes relevant to the Wright application. Applicant Stephanie Wright submitted a 6/10/25 Mylar for the proposed new lots (measuring 62.05 and 11.66 acres), as requested. There was also no copy of the Mylar for the file; Zoning Enforcement Officer Phillips said he would coordinate with Wright in obtaining that. There was also no deed language; Attorney Poulson said that was not necessary. The Board examined the Mylar, noting that the proposed new lots meet acreage and frontage requirements.

 The Board discussed State Environmental Quality Review (SEQR). Sharon Kroker moved to deem this a Type II action per SEQR Section 617.5(c)(16). There was no second to or vote on the motion.

 Kroker moved to waive the public hearing. Jay Bosley seconded the motion and it was approved, 6-0.

 Kroker moved to approve the first lot split as submitted. Elizabeth Horvath seconded the motion and it was approved, 6-0. Chairman Huntsman stamped the Mylar “approved” and signed it. Deane advised Wright to file it with the County within 30 days.

**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 Planning Board’s minutes of June 3 and the Zoning Board of Appeals’s (ZBA’s) minutes of June 17 (not yet approved) relevant to the Henrici application. The Planning Board had declared this a Type II action under State Environmental Quality Review (SEQR), deemed the application complete, and waived the public hearing, before tabling the application to allow Attorney Poulson time to review the deed restriction question. At the ZBA meeting, neighbors Henry Knoop and Jessica Gorman appealed the Henrici area variance granted by that Board on May 20, under *Land Use Law* Section 9.02 (D). The ZBA also tabled the matter, for much the same reason. Chairman Huntsman said he had spoken to ZBA Chairman Greg Crowell and agreed that the Planning Board should not act before the ZBA situation is resolved. Deane noted that the Planning Board’s 62-day deadline to rule on this application expires the day before the scheduled August 5 Planning Board meeting. He said the Board should either rule on the application tonight, schedule a special meeting, or mutually agree with the applicant to waive or extend the 62-day clock.

 Chairman Huntsman cited the 1993 resolution granting a variance for a subdivision of the property. He suggested the Board approve the current subdivision with the conditions listed in the 1993 resolution, including that there is to be “no further development” on the larger lot.

Attorney Poulson suggested the Board table the application again, giving them time to consider everything. Poulson noted that the 1993 conditions are not in the deed, and that one could argue that they are moot, since the property was not subdivided at that time. She also hopes to talk to Town Attorney Will Green about the situation.

Representative Michael Henrici verbally agreed to extend the 62-day deadline by one day, allowing a decision at the August 5 Planning Board meeting. He said he may not be able to attend that meeting. Chairman Huntsman advised him he could designate an authorized representative in writing.

**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 minutes of June 3 relevant to the Fitzpatrick application. During that meeting, the Board had declared this a Type II action under State Environmental Quality Review (SEQR), deemed the application complete, and waived the public hearing, before tabling the application. Deane noted that the Planning Board’s 62-day deadline to rule on the application expires the day before the scheduled August 5 Planning Board meeting.

 Deane read aloud correspondence received related to the application: a June 19 letter from Saunders Kahler, LLC, threatening legal action if the application were denied; a June 30 e-mail from neighbor Joseph Galati, supporting the proposed project; and a June 25 letter from neighbors Gail & David DeNicola, also supporting it. Chairman Huntsman read aloud a letter from representative Barb Monroe, noting similar nearby expansions which had been approved by the Board.

 Monroe said that the Watershed Supervisory Committee and Department of Environmental Conservation had signed off on the project. Sharon Kroker said she had visited the site, and now is comfortable with the proposed expansion.

 Kroker moved to approve the site plan as submitted. Elizabeth Horvath seconded the motion and it was approved, 7-0. Chairman Huntsman stamped the site plan “approved” and signed it. Zoning Enforcement Officer Phillips said he would send a copy of the signed plan to Monroe.

**112 Lake Shore Drive LLC (John & Robin Phelan) – Site plan review, construction of deck within 100 feet of Otsego Lake in RA1 district – 112 Lake Shore Drive (#69.44-1-26.00)**

Applicant John Phelan wants to build a free-standing deck measuring 15 by 18 feet, eight feet from Otsego Lake. Clerk Bill Deane read aloud from the Zoning Board of Appeals’s (ZBA’s) minutes of May 20 and June 17 (not yet approved) relevant to the application. During the latter meeting, the ZBA had held a public hearing with no comments, and approved the variances sought: a 27-foot variance on the east (Lake) side; a 21-foot variance on the south side; a four-foot variance on the north side; plus a variance from *Land Use Law* 4.04, which prohibits new construction within 100 feet of Otsego Lake. Representative Dave Floyd was present, but had no proof of authorization.

Chairman Huntsman went through the site plan requirements in Section 8.04 of the *Land Use Law*. He said the survey could be waived, and everything else appears to be in the file or not applicable. Zoning Enforcement Officer Phillips said that the Watershed Supervisory Committee and Department of Environmental Conservation are not likely to have any input on the project.

 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)(12). Elizabeth Horvath seconded the motion and it was approved, 7-0.

 Jay Bosley moved to deem the application complete, waiving the survey. Mike Hodgman seconded the motion and it was approved, 7-0. Ann Cannon moved to waive the public hearing in view of the ZBA hearing results. Hodgman seconded the motion and it was approved, 7-0.

 Horvath moved to approve the site plan as submitted. Kroker seconded the motion and it was approved, 7-0. Chairman Huntsman stamped the site plan “approved” and signed it. Phillips said he would send a copy of the signed plan to Phelan.

**OTHER BUSINESS**

Zoning Enforcement Officer Wylie Phillips said he had nothing involving the Planning Board to report.

Matt Glynn served as Planning Board liaison at the June 11 Town Board meeting, but was not present tonight and did not send a report. Supervisor Feury said the topics of discussion during that meeting included the Watershed Supervisory Committee and Lake issues, and the Land Use Law Committee. Ann Cannon is assigned to serve as Planning Board liaison for the July 9 Town Board meeting.

The Board held informal discussion about Lakeshore properties, and the Henrici application.

William Day introduced himself. He is interested in joining either the Planning Board or ZBA.

Clerk Bill Deane discussed the August 5 agenda. Only Henrici is slated to return. Also, Robert Nixon (addition to camp within 100 feet of Canadarago Lake) will proceed to the Planning Board, if the ZBA grants his variances on July 15.

With no further business, at 8:53 PM Sharon Kroker moved to adjourn the meeting.

 Respectfully submitted,

Bill Deane, Clerk