

Otsego County Planning Commission

08-17-09 Meeting Minutes

7:00 Call to Order

Pledge of Allegiance

Roll Call:

Members present: Chairman Stults, Vice Chairman Arndt, Ms. Backenstose, Mr. Hilgendorf, Mrs. Jarecki, Mr. Colosimo, Ms. Nowak, Mr. Klee, Mr. Mang and Mr. Borton

Members Excused: Mr. Ernst

Joe Ferrigan and Sharon Bolinger were also present.

Public present: Olen Harris, Colleen Jozwiak, Elliot Blumburg, Jeff Ratcliff, Dave Drews, Nora Battista, Holly Matelski, Tom Matelski and Dee Smith.

Approval of minutes:

Motion made by Mr. Klee to approve the minutes from the regular meeting on 07-20-09.

Support by Mr. Borton.

Motion approved unanimously. Motion carries.

Public comment:

Nora Batissista addressed the Commission. She had questions as how to rezone a property. Chairman Stults referred her to the zoning administrator during regular business hours.

Dee Smith, Treasurer for Lake Louise Property Owners Assoc. addressed the Commission. She commented on the Zoning efforts being made by the County inspectors, however, she recommended that the administrator needed to contact the association contact person before issuing Zoning letters and citations. She also would like to know how & if the County can enforce the 2007 County Zoning Ordinance. How do we follow up on complaints that have been made? How does this Commission have the power to and does this Commission have the legal right to enforce the Ordinance.

New Business:

Item A:

Jeff Ratcliff addressed the Commission. He discussed the Tiger Discretionary Grant Program. This is incorporating a number of projects including a second I-75 crossing to the north of M-32. These projects meet the criteria that are needed for the submission for this grant. Mr. Ratcliff read the Resolution of Support that he brought to the Commission for approval.

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There were multiple discussions among Commission members, the public and Mr. Ratcliff.

Motion made by Mr. Borton to adopt the Resolution of Support for the application for TIGER Discretionary Grant funding.

Support by Mr. Hilgendorf.

Roll call vote: Chairman Stults-yes, Vice Chairman Arndt-yes, Ms. Backenstose-yes, Mr. Hilgendorf – yes, Mrs. Jarecki – yes, Mr. Colosimo-yes, Ms. Nowak – no, Mr. Klee-yes, Mr. Mang-yes, Mr. Borton-yes.

9-Yes to 1-No

Motion carries.

Mr. Ratcliff asked the Planning Commission for an opinion on the possibility of the use of a certain property for light manufacturing. There were multiple discussions on this possible project and the probability of the use.

Item B:

Elliot Blumberg, Attorney addressed the Commission on behalf of Colleen Jozwiak and Olen Harris.

Mr. Blumberg gave a handout to the Commission members (attached). He pointed out that the impact statement from Northern Processing LLC. states that the restoration plan will be filed with the Zoning administrator.

Mr. Blumberg is here tonight to formally ask the Commission to require Northern Processing to produce the reclamation plan as set forth in the original special use permit. He is also asking for a more appropriate bond to be submitted in the event that he does not do what he is supposed to do for the reclamation.

There were multiple discussions among Commission members.

Mr. Ferrigan stated that the reclamation process to be taken was agreed upon in accordance with the zoning ordinance and the recommendations of the soil erosion department at the time the original application was submitted and the Special Use permit was granted by the Otsego County Planning Commission.

There were multiple discussions among the Commission members and the public.

Chairman Stults stated that he is reluctant to have this Commission take an action before receiving guidance from the County's Legal Council. Therefore he requested that Joe Ferrigan seek the advice of the county attorney.

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Item C:

Mr. Ferrigan addressed the Commission concerning the storage of trailers in the rear yard, in particular Section 18.33. Where there is no residence, what do we consider the rear yard? He recommended adding this to the list of ordinance items that may need to be revised.

There were multiple discussions among Commission members and the public.

Reports

- a. Wind turbine update – added to next meeting agenda.
- b. Changes to Article 23 - added to next meeting agenda.
- c. M.U.Z. update – may add to next meeting agenda for presentation.
- d. Definition for assisted living facilities – Mr. Arndt requested addition help from 2 more Commission members to help write the language needed. Mr. Colosimo and Mrs. Jarecki volunteered.
- e. Article 15 – Need to address this at a future meeting.

Meeting adjourned 8:29pm.