

Town of Oneonta Planning Board
Board Meeting
Monday, August 19, 2019 at 7pm

Present: Kirt Mykytyn; Breck Tarbell; Jenny Koehn; Reggie McGuinness; Rob Lishansky; Joseph Camarata (Chairman)

Absent: Tom Rowe

Others Present: Rob Panasci/Town Attorney; Jason Woodyshek; Ken Prestidge; Hugh Henderson

The meeting was called to order at 7:05 PM.

Public Hearings: none

New Applications:

PB000498 DTC Cable TMP#300.00-3-38.00/300.00-3-37.01; 1040 Swart Hollow Road
Lot Line Change Application PB000515

Jason Woodyshek (Engineer) and Ken Prestidge (Project Manager) for DTC Cable, appeared before the board to represent the Lot Line Change Application to merge parcels 300.00-3-38.00 (.13 acre) and 300.00-3-37.01 (6.6 acre). DTC Cable had filed a Special Use Permit application for parcel 300.00-3-38.00 in February 2019 to install a television, telephone and internet service building. After discussion with the board March 4, 2019, they met with the property owner, and decided to proceed with a Lot Line Change. As discussed, DTC had a survey completed for all 6.73 acres with deed description. DTC Cable will be leasing the land from property owner, Janice Smith.

Motion made by Breck Tarbell and seconded by Kirt Mykytyn that the Lot Line Change Application will not have a negative impact on the environment

ABSENT: Tom Rowe

VOTING: Unanimous. **MOTION CARRIES**

Motion made by Rob Lishansky and seconded by Reggie McGuinness to approve the Lot Line Change Application.

ABSENT: Tom Rowe

VOTING: Unanimous. **MOTION CARRIES**

Continuing Business:

PB000498 DTC Cable TMP#300.00-3-38.00; 1040 Swart Hollow Road
Special Use Permit Application PB000498

Jason Woodyshek (Engineer) and Ken Prestidge (Project Manager) for DTC Cable, appeared before the board to represent the Special Use Permit Application dated January 28, 2019 amending to include parcel 300.00-3-37.01 with the approval of lot line change above to merge the two parcels. A public hearing had been set for 4/1/19, but was canceled after mailings were made and posted in The Daily Star. DTC Cable had decided to proceed with a lot line change and a parcel merge changes the listing of property owners within 200 linear feet. As discussed, DTC Cable has filed for the Lot Line Change with a completed survey done for all 6.73 acres. The orientation of the building will be decided after grading, with lighting over entry door (comparable to a 60 watt household light not a flood light).

Motion made by Reggie McGuinness and seconded by Rob Lishansky to set a public hearing for September 16, 2019 at or about 7:05 PM.

ABSENT: Tom Rowe

VOTING: Unanimous. **MOTION CARRIES**

APPROVED
BY THE PLANNING BOARD
TOWN OF ONEONTA

Aug 19, 20 19

CHAIRMAN

**Town of Oneonta Planning Board
Board Meeting
Monday, August 19, 2019 at 7pm**

PB000512 H4 Properties LLC TMP#300.00-3-8.01; 612 St Hwy 28

Special Use Permit Application for Short Term Rental

Per the Planning Board direction H4 Properties was issued a Cease and Desist Order effective August 15, 2019. Hugh Henderson, a NYS licensed professional engineer, was present to request an extension as has renters there thru Sunday and has been working toward compliance. He has canceled the reservation for October and the other reserved dates shown are family members. As requested by the board, the VRBO and Airbnb listings have now been updated to state 10 guests. The Planning Board had directed Mr. Henderson on June 3, 2019, to have the life safety violations cited corrected within the week and address the other items cited within the month. Building permit was applied for on 6/18/19 and completed on 7/12/19 for a separation wall, but no septic information had been received. Original septic was designed for a 2 bedroom home and no permits have been applied for additional bedrooms or an expansion of the septic. According to Mr. Henderson, the leech field was expanded back in May without a permit and now engineered drawings received 8/6/19 via email for proposed septic work do not meet Department of Health regulations. There has been no reply from the engineer regarding email Paul Neske/ Code Enforcement Officer sent on 8/7/19 regarding plans submitted. House has been being used since 2017 as a short term rental without a Special Use Permit. Chairman Camarata advised Mr. Henderson that the board has a problem with his sense of urgency, that the Cease and Desist Order is in place and fines will be imposed until septic is completed. No extension was granted because the property is not in compliance with the Town Code. Applicant was instructed to take down ads immediately because the property was operating in violation of the Town Code and to have the septic completed ASAP. Mr. Henderson was advised that the Planning Board would not consider the application for a Special Use Permit until the property was in compliance with the Town Code.

Discussions:

Board discussed the new proposed law to provide requirements for modification to non-conforming uses in or adjoining residential districts. The board had no issues with proposed law.

Minutes:

Minutes were reviewed by the board from August 5, 2019 board meeting.

Absent: Tom Rowe

Motion made by Reggie McGuinness and seconded by Rob Lishansky to approve the minutes.

ALL IN FAVOR MOTION PASSED

Adjournment:


Motion made by Reggie McGuinness and seconded by Rob Lishansky to adjourn at 8:07 PM, with the next scheduled meeting September 16, 2019 at 7:00PM.

ALL IN FAVOR MOTION PASSED

Respectfully Submitted,

Wendy Cleaveland
Planning Board Clerk

APPROVED
BY THE PLANNING BOARD
TOWN OF ONEONTA



CHAIRMAN