

**Town of Oneonta Planning Board
Board Meeting
Monday, February 18, 2019 at 7pm**

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

Absent: Jenny Koehn

Others Present: Rob Panasci (Town Attorney); Dennis Kropp; Brenda Blask-Lewis; Dave Rowley; Len Pudelka;


Virginia Pudelka

APPROVED
BY THE PLANNING BOARD
TOWN OF ONEONTA

The meeting was called to order at 7:06 PM.

New Applications:

Centerline Communications for Dish Network TMP# 288.00-2-36.03; 224 Cemetery Hill Rd
Special Use Permit Application PB000495

3/4, 20 19

CHAIRMAN

Brenda Blask-Lewis of Centerline Communications (agent for Dish Network) appeared to represent the Special Use Permit Application for a cell tower modification to install a new collocation for Dish Network on the existing tower. Modification includes 3 panel antennas at 245ft level of 250ft lattice (self support) tower, 8 RRUS (radios), 1 hybrid cable, 1 antenna on ground platform for backhaul, 1 equipment platform 5'x7' in existing ground compound (w/canopy) and 1 sector mount for antennas on existing level of tower. There will be no change to tower height or size of ground compound. Since there is no substantial change to the physical dimensions of such tower or base station, applicant would like to request a waiver be granted and released to the building department for a permit.

Motion made by Kirt Mykytyn and seconded by Breck Tarbell that the Special Use Permit Application will not have a negative impact on the environment

ABSENT: Jenny Koehn

VOTING: Unanimous. **MOTION CARRIES**

Motion made by Breck Tarbell and seconded by Reggie McGuinness to grant an administrative waiver of the Special Use Permit requirements set forth in the Town Code to allow Dish Network to complete the modifications set forth in its February 4, 2019 application.

ABSENT: Jenny Koehn

VOTING: Unanimous. **MOTION CARRIES**

Public Hearings:

PB000492 Icthus Properties/Dennis Kropp TMP#274.00-2-3.00; 119 Co Hwy 11
Special Use Permit Application for Short Term Rental

Chairman Camarata questioned if applicant, Dennis Kropp had contacted the Code Office for inspection, applied for a building permit and had revised drawings as requested. Mr. Kropp stated the plans were in the process of being done and that he didn't know the Code Office was closed today. Chairman Camarata said he understands work has commenced at West Street property. The applicant stated no work that requires a building permit, just spackling & painting, no demo. Chairman Camarata advised applicant Public Hearing was scheduled at his request and wasting everyone's time, board would open the public hearing as there were people whom came to speak, but hearing would be left open with no decisions being made this evening. Tom Rowe stated he had concerns as applicant has open violations on another parcel in the Town, therefore how could he be conceived as a good landlord. The open violation is for an uninsured, unregistered pickup on a property in the watershed area for an unknown number of years. While violation letters were sent and applicant acknowledged felt was in compliance as moved farther down driveway away from road. Unregistered/unlicensed motor vehicles are not allowed in the Town over 90 days without a permit.

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Motion made by Rob Lishansky and seconded by Reggie McGuinness to open the public hearing.

VOTING: Unanimous. **MOTION CARRIES**

Chairman Camarata opened the public hearing, advising Mr. Kropp that all the items requested are to be submitted within 30 days or he would have to start the process all over again. Applicant Dennis Kropp was in attendance and certified mail receipts were verified. The Chairman asked if anyone was in attendance to speak for or against the application for a Special Use Permit for a short term rental at 119 Co Hwy 11. Dave Rowley questioned the Special Use Permit for short term rental meaning. Applicant advised rental for baseball families and other short term rentals. Mr. Rowley advised he has no issue with the house being occupied, would like to see it occupied. He cautioned applicant that the home has had serious flooding. Home flooded in 2006 and 2011, to include NYSEG pulling the electric meter and having to have the electric panel and furnace replaced. Home is not in a flood zone, but when the old bridge on Co Hwy 11 was removed and the road was raised 2 to 3 feet with a culvert, it created persistent flooding. The culvert is not large enough to handle the water flow, flooding completely surrounds the house, up to and including the floor joists. Applicant stated he was going to put a bank up along back to keep water in the stream path. Chairman Camarata advised applicant to contact DEC before he did any work, as significant fines. Board agreed to keep the public hearing open for 30 days, to allow applicant additional time to apply for a building permit, submit drawings and have fire inspection completed.

PB000493 Dennis Kropp TMP#288.09-1-26.00; 264 West St

Special Use Permit Application for Short Term Rental

Motion made by Kirt Myktytn and seconded by Tom Rowe to open the public hearing.

VOTING: Unanimous. **MOTION CARRIES**

Chairman Camarata opened the public hearing and asked if there was anyone in attendance to speak for or against the Special Use Permit Application for a short term rental at 264 West Street. Dennis Kropp was in attendance and the Certified Mail Receipts were verified. Len and Virginia Pudelka of 248 West Street expressed concern for children, as the speed limit is 45mph, with people driving 55-60mph up and down West Street. Applicant advised rentals for baseball parents and college students in off season. Rental is 4/2 bedroom units. Applicant has not applied for a building permit, supplied board with more detailed drawings showing windows and doors for egress, or called for the required fire inspection. Board agreed to keep the public hearing open for 30 days, to allow applicant additional time to satisfy these requirements.

Continuing Business:

PB000488 Todd & Kathleen Hartman TMP#300.00-3-61.02; 354 Southside Dr

Special Use Permit Application for Short Term Rental

Todd and Kathleen Hartman appeared before the board on 2/4/19, but board agreed to table the discussion, pending the results of the public hearing 2/25/19 with the Zoning Board of Appeals for transient use above the second floor. On 2/7/19 the Hartman's dropped off a letter withdrawing their variance application and to amend the Special Use Permit application for short term rental to not include the third floor. The Hartman's are on the Planning Board agenda for 3/4/19. Board discussed briefly how they would/could enforce a conditional approval. Attorney Panasci advised he would contact Paul Neske, Code Enforcement Officer to discuss.

Discussions: none

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CHAIRMAN

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Minutes:

Minutes were reviewed by the board from February 4, 2019 board meeting.

Abstain: Rob Lishansky

Motion made by Reggie McGuinness and seconded by Breck Tarbell to approve the minutes.

ALL IN FAVOR MOTION PASSED


Adjournment:

Motion made by Rob Lishansky and seconded by Reggie McGuinness to adjourn at 7:59 PM, with the next scheduled meeting March 4, 2019 at 7:00PM.

ALL IN FAVOR MOTION PASSED

Respectfully Submitted,

Wendy Cleaveland
Planning Board Clerk

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CHAIRMAN