

**Town of Oneonta Planning Board  
Board Meeting  
Monday, August 3, 2020 at 7pm**

**Present:** Tom Rowe; Kirt Mykytyn; Jenny Koehn; Reggie McGuinness; Rob Lishansky; Joseph Camarata(Chairman)

**Absent:** Breck Tarbell

**Others Present:** Mitchell Spring; Rose Spring; Kristina Magne (O/B/O Town Attorney); David Ranieri; Sean Dwight; Precious Dwight; Larry Shultis

The meeting was called to order at 7:03 PM.

**Public Hearing:**

**PB000544 Spirit & Truth Christian Assembly TMP#286.12-1-45.00; 12 School St**

Special Use Permit Application

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

**VOTING:** Unanimous. **MOTION CARRIES**

Chairman Camarata opened the public hearing and asked if anyone was present for/or against the Special Use Permit Application for a pavilion. Mitchell Spring, Pastor was present and the notifications were verified. No one came forward to speak for/or against application. Rob Lishansky questioned the site drawing showing location of pavilion being just off driveway of the single family residence toward the playground and the applicant verified that the additional markings on the drawing had nothing to do with the proposed project.

**Motion** made by Kirt Mykytyn and seconded by Jenny Koehn to close the public hearing.

**VOTING:** Unanimous. **MOTION CARRIES**

**Motion** made by Reggie McGuinness and seconded by Tom Rowe that the Special Use Permit Application will not have a negative impact on the environment

**VOTING:** Unanimous. **MOTION CARRIES**

**Motion** made by Kirt Mykytyn and seconded by Rob Lishansky to approve the Special Use Permit Application for a pavilion.

**VOTING:** Unanimous. **MOTION CARRIES**

**Minutes:**

Minutes were reviewed by the board from July 20, 2020 board meeting.

**Motion** made by Reggie McGuinness and seconded by Tom Rowe to approve the minutes.

**Abstain:** Rob Lishansky

**ALL IN FAVOR**      **MOTION PASSED**

**Public Hearings Continued:**

**PB000543 Michael Ranieri TMP#275.00-1-36.00; 24 Birchwood Dr**

Minor Subdivision Application

**Motion** made by Rob Lishansky and seconded by Jenny Koehn to open the public hearing.

**VOTING:** Unanimous. **MOTION CARRIES**

**APPROVED**  
**BY THE PLANNING BOARD**  
**TOWN OF ONEONTA**

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Aug 17, 20 20  
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CHAIRMAN

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David Ranieri was in attendance as the authorized representative for Michael Ranieri and the notifications were verified. Chairman Camarata opened the public hearing and asked if anyone was present for/or against the Minor Subdivision application. Larry Shultis stood to address the board stating he would like a little more information about the intended use of the proposed subdivided property. He advised there have been 4 accidents right at that corner in the last year, to a year and a half. He was not concerned about the water table, as believed there is plenty of water. Chairman Camarata advised that the Planning Board was looking at adding a provision of 1 to 2 family on the proposed subdivided lots. Only a small portion of land is actually in the Water Shed and the proposed 17+ acre lots are well above 5 acre requirement. The proposed lots meet the Town of Oneonta lot requirements. The water and sewer would be per Department of Health standards and the Town of Oneonta Highway Superintendent, James Hurtubise would determine where the culverts would go in for driveways. Letters were received addressed to the Planning Board from neighbors Lena K Hunt and Isabelle Niles expressing concern with water supply and future development. Chairman Camarata advised being that lots are in a PDD-R the board has more control with site plan review required, but Town Houses would be allowable per zoning. Board was in agreement of adding the stipulation of 1-2 family dwelling on lots 1 & 2 along East Street. Town Attorney had advised to place condition on survey map to be filed with the County.

**Motion** made by Kirt Mykytyn and seconded by Rob Lishansky to close the public hearing.

**VOTING:** Unanimous. **MOTION CARRIES**

**Motion** made by Tom Rowe and seconded by Kirt Mykytyn that the Minor Subdivision Application will not have a negative impact on the environment

**Abstain:** Reggie McGuinness

**VOTING:** Unanimous. **MOTION CARRIES**

**Motion** made by Tom Rowe and seconded by Kirt Mykytyn to approve the Minor Subdivision of TMP#275.00-1-36.00 in a PDD-R Zoning District, shown on survey map prepared by Kaatskill Mountain Surveyors dated 9/10/18 with the added condition by Planning Board that both lots 1 and 2 will only allow 1-2 family residence to be built. Map with deed descriptions to be filed within 60 days with the Otsego County Town Clerk and receipt of filing forwarded to the Town Code Enforcement office.

**Abstain:** Reggie McGuinness

**VOTING:** Unanimous. **MOTION CARRIES**

**New Applications:** none

**Continuing Business:**

**PB000382 Sean Dwight TMP#289.14-1-14.00; 5665 St Hwy 7**  
Special Use Permit Renewal of Short Term Rental

**APPROVED**  
**BY THE PLANNING BOARD**  
**TOWN OF ONEONTA**

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*John W. A.* <sup>Aug 17, 2020</sup>  
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CHAIRMAN

Sean Dwight appeared before the board as requested by the Town Board, as there was a complaint filed on 7/6/2020 to the Supervisors Office. The complaint stated noise issues, rude people, multiple families, and pool parties until 1 or 2 in the morning. While operating permit would have normally already been renewed in May, due to the COVID delay of inspections, the operating permit had not been issued. The annual property maintenance/fire inspection was done on 6/4/2020 and re-inspection was done 7/9/2020 to verify violations were corrected and a Fire Inspection Certificate has been issued. The Special Use Permit was approved on 11/2/15 and there have been no other complaints filed to date. Sean Dwight believed he was asked to appear as one of his neighbors had a noise issue and filed a complaint for the 4<sup>th</sup> of July weekend. He had received a phone call on July 4 at 12:47PM from a neighbor that there were too many kids and the noise was disturbing their garage sale. He said he'd be right over and complainant hung up on him. When he arrived at residence there was music playing and kids in the pool. The kids admitted they had kicked a ball over the 6ft fence and

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had walked around to get it. He advised tenants it was a residential neighborhood and there was a noise ordinance. Then he and tenants went over to the garage sale to apologize for noise. Board felt hard to substantiate a noise complaint on an afternoon. He also supplied the Board with a letter from an adjoining property owner that stated at about 9PM they noticed children were put to bed and the adults were cleaning up and guests had left. Board questioned the number of guests and it was verified family of 10. Mr. Dwight verified there were 4 bedrooms and a pullout sofa. Board clarified complaint received stated on going issues, however this is the only complaint Town has received and only complaint Sean was aware of was on July 4th. He asked board what the actual noise ordinance was and board advised 10PM. Board advised that going forward he should add to listing one family, no team parties.

**Motion** made by Tom Rowe and seconded by Reggie McGuinness to renew the Special Use Permit Application for Short Term Rental conditioned on no additional complaints.

**VOTING:** Unanimous. **MOTION CARRIES**

**Discussions:** none

**Adjournment:**

**Motion** made by Reggie McGuinness and seconded by Rob Lishansky to adjourn at 7:46 PM, with the next scheduled meeting August 17, 2020 at 7:00 PM.

**ALL IN FAVOR                      MOTION PASSED**

Respectfully Submitted,

Wendy Cleaveland  
Planning Board Clerk

**APPROVED**  
BY THE PLANNING BOARD  
TOWN OF ONEONTA

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*Aug 17, 20 20*  
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CHAIRMAN