

**Town of Oneonta Zoning Board of Appeals
Board Meeting
Monday, July 27, 2026**

Present: Kelly Wilde; David MacClintock; Allen Black; Michael Stolzer(Chairman)

Absent: Tammy Christman

Others Present: Corinne Cavanaugh (Town Attorney); David Leahy; Richard L Ploutz; J Bryan Hickman; Isaac Willard; Luise & Jessica Jessup; Rodger Moran

The meeting was called to order at 7:00 PM.

Minutes:

The minutes from June 22, 2026 were reviewed by the board for approval.

Motion made by Kelly Wilde and seconded by Al Black to approve the minutes.

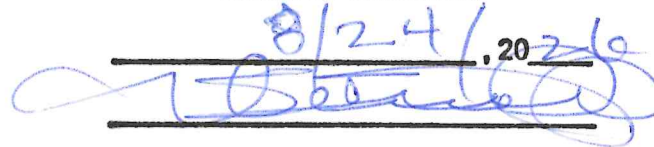
ALL IN FAVOR

MOTION PASSED

Public Hearings:

ZBA000296 David Leahy TMP#287.00-1-6.01; 169 Forest Ln
Interpretation & Continuation of Use Variance Application Hearings

APPROVED
BY THE ZONING BOARD OF APPEALS
TOWN OF ONEONTA

8/24/2026


CHAIRMAN

Michael Stolzer, Chair announced that the board would be conducting the Interpretation Hearing of Town Code 103-63 that was posted in the Daily Star on 7/14/2026. Mr. Stolzer opened the public hearing and turned the meeting over to Board Counsel, Corinne Cavanaugh to guide the board. She advised the board that the hearing was to review the Code Officers determination that the proposed farm, owner residence, and former club house, constitutes more than one principle use. Therefore, requires a use variance. The board must determine that the proposed structures and uses are properly classified under the Town Code. Specifically, whether the Christmas tree/nursery operation is the single principle farm use. Whether the owners residence constitutes a customary farm occupancy, the principle building serving for that farm and whether the former clubhouse may be classified an accessory building, subject to limitations. If the board finds that use variance is not required, the applicant will be able to move forward without a variance. Mr. Leahy was asked to give a brief overview, stating the existing building has been a residence, a restaurant, and a club house. Presently the existing structure is being used, as an accessory building to the farming operation. He stated that the Code Official advised his options were to knockdown clubhouse, subdivide, or apply for a use variance. He applied for Use Variance and at the public hearing, he was advised that due to farm use, he may not need a variance and an interpretation hearing was scheduled. Ms. Cavanaugh verified that the proposed residence would be his primary home, he personally would operate farm and direct farm activity from the property, as well as farm hands/his children. The proposed residence would serve as the farmhouse. Farm hands will not stay in proposed residence. The former clubhouse would be limited to farmhands and family guests. The former clubhouse will not be rented or leased or used as a separate tenancy, permanent independent household, independent dwelling, short-term rental, hotel, boardinghouse, or commercial lodging operation. The former golf-course, restaurant, uses have ceased and there is no intention to resume it. Applicant understands that any future rental, independent dwelling, renewal of former uses or other material change, would require coming back for further review. No one else appeared regarding the application and the board had no further questions.

Motion made by Michael Stolzer and seconded by Kelly Wilde to close the public hearing.

ALL IN FAVOR

MOTION PASSED

Ms. Cavanaugh questioned the board members, based on the application and testimony provided, does the board find that the Christmas Tree/Nursery satisfy the Town Code definition of a farm and constitute the single principle use of the property. Dave MacClintock read the definition of a farm and farming. The board was in agreement that the owners residence is a customary farm occupancy and is the single principle building serving that farm use. The board finds the former clubhouse is an accessory building subject to limitation established on the record. The board findings conclude that the proposal does not create a 2nd principle use or principle building, therefore does not require a use variance. Chair Stolzer called for a motion to reverse the Code Enforcement Officials determination that applicant needed a Use Variance to construct a single family residence for his own personal/one story retirement house on the 83.81acre parcel (old golf course) with existing Club House.

Motion made by David MacClintock and seconded by Kelly Wilde to adopt the resolution reversing the Code Enforcement Official's determination that the proposed arrangement creates more than one principal use or principle building under TC103-63; and interpreting the proposed Christmas Tree and nursery farm as the single principle use, the owner's farmhouse as the single principle building, and the former clubhouse as an accessory building, subject to the limitations stated in the resolution.

VOTING: Unanimous. **MOTION CARRIES**

Counsel Cavanaugh asked Mr. Leahy since he no longer needed a variance to proceed with the proposed project, was it his intention to withdraw the Use Variance application and he replied yes, consider it withdrawn.

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ZBA000295 J Bryan Hickman TMP#289.14-1-37.00; 5702 St Hwy 7
Use Variance Application

J Bryan Hickman was present and the notifications were verified. Chair Stolzer announced the continuation of the public hearing for the Use Variance Application for the Emmons Methodist Church renovation into a multi-dwelling rental unit, due to an error in notifications made for the scheduled hearing on May 18, 2026. Mr. Stolzer confirmed there had been no changes in the application. He asked if the board had any additional questions and if anyone else had a question for the board. Luise Jessup advised that a survey had been performed, markers had been moved, and boundary lines changed. Jessie Jessup asked if a 6' fence would be placed down the NE side of property line, due to lack of setbacks and would like the buffer. Mr. Hickman stated that he was not aware of a survey being performed. Board advised there were guidelines for water and septic, but the board can't require owner to put up a fence.

Motion made by Dave MacClintock and seconded by Kelly Wilde to close the public hearing.
ALL IN FAVOR MOTION PASSED

The application had been classified as an unlisted action under SEQRA. Corinne Cavanaugh, Board Counsel went over Part 2 of SEQRA and board members agreed small or no environmental impact.

Motion made by Dave MacClintock and seconded by Al Black to issue a negative declaration for SEQRA.
ALL IN FAVOR MOTION PASSED

Board Council went thru the 4 questions used in determination of a Use Variance and the board agreed met the criteria.

Motion made by Dave MacClintock and seconded by Al Black to approve the Use Variance for church to be converted into a multi-family (2 to 3 family) dwelling unit.

VOTING: Unanimous. MOTION CARRIES

Continuing Business:

ZBA000297 Matthew Signs LLC/Goldleaf Cannabis TMP#287.19-1-2.02; 107 Winney Hill Rd, Ste 7
Special Sign Permit Application

No one appeared to represent the Special Sign Permit Application to add an addition façade sign to identify their suite in the strip mall. Contact will be made with applicant, regarding possibility of being placed on the next meeting agenda.

ZBA000298 Richard L Ploutz TMP#289.00-1-88.01/95.02; 313 Co Hwy 58
Area Variance Application

Richard Ploutz was in attendance to represent the Area Variance Application to reduce the code requirement for 150 feet of road frontage to 34.13 feet. The applicant provided a survey map with an easement, but understands in order to apply for subdivision that the easement section needs to be added to the proposed 2 acre lot. The easement section shown on the map shows an existing driveway, that applicant advised has been there over 25 years. His personal driveway is in front of his garage on parcel. Action was declared to be a Type II under SEQRA, therefore no further environmental review is required. The lot is situated on County Highway 58, therefore per GML239 it will need to be referred to Otsego County for review and comment.

Motion made by Dave MacClintock and seconded by Kelly Wilde to set a public hearing for August 24, 2026 at or about 7:00 PM.
VOTING: Unanimous. MOTION CARRIES

Discussions: none

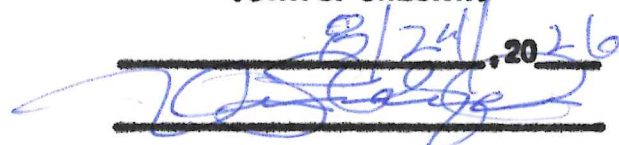
Adjournment:

Motion made by Kelly Wilde and seconded by Al Black to adjourn at 7:52 PM, with the next scheduled meeting August 24, 2026 at 7:00 PM.
ALL IN FAVOR MOTION PASSED

Respectfully Submitted,

Wendy Cleaveland
Zoning Board of Appeals Clerk

APPROVED
BY THE ZONING BOARD OF APPEALS
TOWN OF ONEONTA

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CHAIRMAN