

**Town of Oneonta Planning Board
Board Meeting
Monday, June 6, 2022 at 7pm**

Present: Tom Rowe; Dan Baker; Breck Tarbell; Jenny Koehn; Reggie McGuinness; Rob Lishansky; Joseph Camarata (Chairman)

Absent: none

Others Present: Thomas Fox; David A. Rockwell; Harry Johnson; Nathan Mann; Jaime Lopez; Robin Haddock; Gary Haddock; Harold Legg; Jeri Ann Jerminario; Robert Finnegan; Robert Birch, Atty; Christopher Carvin; Alex Lau; Arley Lau; Sean Brunswick; Claudia K. Luey; Virgilio Luey; Claudia G.Luey; Carla Andersen; Tom Andersen; Andrew Stammel; David C. Brower; Marilyn Gaglia; Darryl K. Lincoln

The meeting was called to order at 7:04 PM.

Minutes:

Minutes were reviewed by the board from May 16, 2022 board meeting.

Motion made by Reggie McGuinness and seconded by Dan Baker to approve the minutes.

ALL IN FAVOR MOTION PASSED

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

Public Hearing:

PB000598 Harold Legg TMP#300.00-3-3.00; 112 Township Rd
Special Use Permit Application for short term rental

June 20, 2022

CHAIRMAN

Motion made by Tom Rowe and seconded by Rob Lishansky to open the public hearing.

VOTING: Unanimous. **MOTION CARRIES**

Harold Legg was present and the notifications were verified. Chairman Camarata opened the public hearing and asked if anyone was in attendance to speak for or against the short term rental and no one came forward. A letter had been dropped off to the Planning Board with concerns regarding no street parking and upkeep of lawn. Chairman noted there would be no street parking and verified with the applicant that he had secured someone for maintenance and lawn care. Applicant advised he had contracted with a local vendor, whom had started mowing 2 weeks ago.

Motion made by Rob Lishansky and seconded by Breck Tarbell to close the public hearing.

VOTING: Unanimous. **MOTION CARRIES**

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

VOTING: Unanimous. **MOTION CARRIES**

Motion made by Tom Rowe and seconded by Dan Baker to approve the Special Use Permit Application for short term rental of single family residence with no street parking.

VOTING: Unanimous. **MOTION CARRIES**

PB000603 Sly Fox Properties LLC/Tom Fox TMP#299.07-2-48.00; 3 Jefferson Ave
Special Use Permit Application for short term rental

Motion made by Breck Tarbell and seconded by Tom Rowe to open the public hearing.

VOTING: Unanimous. **MOTION CARRIES**

Tom Fox, authorized representative was present and the notifications were verified. Chairman Camarata opened the public hearing and asked if anyone was in attendance to speak for or against the short term rental. Harry Johnson stated he was concerned as they have a shared driveway and should there be an issue, whom should he contact. Chairman Camarata advised that the first contact would be the homeowner and then the Town Constable, Otsego County Sheriffs Department, NYS Police and then follow-up with the Code Enforcement office for the record. Reggie McGuinness verified with Mr. Fox that tenants would be made aware of common driveway.

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Motion made by Rob Lishansky and seconded by Tom Rowe to close the public hearing.
VOTING: Unanimous. **MOTION CARRIES**

Motion made by Rob Lishansky and seconded by Jenny Koehn that the Special Use Permit Application will not have a negative impact on the environment.
VOTING: Unanimous. **MOTION CARRIES**

Motion made by Reggie McGuinness and seconded by Rob Lishansky to approve the Special Use Permit Application for short term rental of single family residence.
VOTING: Unanimous. **MOTION CARRIES**

PB000600 Clemente Bonilla TMP#287.19-4-14.00; 46 School House Ln
Special Use Permit Application for short term rental

Motion made by Rob Lishansky and seconded by Breck Tarbell to open the public hearing.
VOTING: Unanimous. **MOTION CARRIES**

Jaime Lopez authorized representative was present and the notifications were verified. Chairman Camarata opened the public hearing and asked if anyone was in attendance to speak for or against the short term rental. Andrew Stammel stood to read from a packet that he prepared in strong opposition of the short term rental. Mr. Stammel stated he would advocate to the Town Board to improve Town law and that the Town 2014 Comprehensive Plan did not cover the short term rentals, threatening the quality of life provided by the most restrictive residential zoning district R20, non-commercial. He refers to short term rentals as commercial transient rentals, not permitted per the neighborhood Covenants and Deed Restrictions. The covenants are not being followed now while vacant, with high grass and garbage can being kept outside. Property also presents matters of public safety with a retaining wall partial collapse and eroding. He stated that applicants have also misrepresented themselves by using this local address, when in fact they live in California. While there is precedence with other short term rentals on the street, that owner resides just down the street and remedies any issues as they occur. Mr. Stammel closed by requesting the board protect their investment, quality of life and thanked the board members for their service to the Town. There were several neighbors present and voiced the same concerns. Mr. Lopez stood to introduce himself as the property manager, whom is a resident of Oneonta and works at Corning as the Health/Safety Manager. He apologized he has been behind on the lawn and is currently staying there to learn about the house.

The board agreed to leave the public hearing open until the next meeting, in order to forward the packet provided by Mr. Stammel to the Town Attorney for review.

New Applications:

PB000605 Nathan Mann TMP#300.00-3-19.00; 230 Southside Dr
Special Use Permit Application for short term rental

Nathan Mann was present to represent his Special Use Permit Application for the short term rental of 3 bedroom single family residence rental home at 230 Southside Drive. Mr. Mann lives at 232 Southside Dr and has a shared driveway with rental. The required property maintenance/fire inspection was performed on 4/29/22 and passed. Chairman Camarata asked the applicant if there were any questions regarding the Conditions form submitted with the application and the applicant stated no.

Motion made by Rob Lishansky and seconded by Tom Rowe to set a public hearing for June 20, 2022 at or about 7:05 PM.
VOTING: Unanimous. **MOTION CARRIES**

PB000606 Claudia Luey TMP#299.06-2-80.00; 44 Oneida St
Special Use Permit Application for short term rental

APPROVED
BY THE PLANNING BOARD
TOWN OF ONEONTA

June 20, 20 22


CHAIRMAN

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Claudia Luey, authorized representative was present to represent the Special Use Permit Application for the short term rental of this 5 bedroom single family residence that her family just recently purchased for rental property. The required property maintenance/fire inspection passed on May 19, 2022. Chairman Camarata asked the applicant if there were any questions regarding the Conditions form submitted with the application and the applicant stated no.

Motion made by Reggie McGuinness and seconded by Jenny Koehn to set a public hearing for June 20, 2022 at or about 7:10 PM.
VOTING: Unanimous. **MOTION CARRIES**

PB000604 Christopher Carvin TMP#299.07-4-48.00; 23 Ceperley Ave Southside Dr
Special Use Permit Application for short term rental

Christopher Carvin was present to represent his Special Use Permit Application for the short term rental of his 2 bedroom single family residence rental home. Mr. Carvin resides next door at 21 Ceperley Avenue. The required property maintenance/fire inspection was performed and cleared on 6/2/22. Chairman Camarata asked the applicant if there were any questions regarding the Conditions form submitted with the application and the applicant stated no.

Motion made by Breck Tarbell and seconded by Rob Lishansky to set a public hearing for June 20, 2022 at or about 7:15 PM.
VOTING: Unanimous. **MOTION CARRIES**

PB000608 Olon Archer TMP#289.00-1-34.00/35.00/39.00/40.00; 5506/5514/5520 St Hwy 7
Lot Line Change Application

Authorized representative Robert Birch, Attorney from Schlather & Birch Attorneys at Law, was present to represent the Lot Line Change Application for Olon and Madeline Archer. They would like to combine back lots 289.00-1-39.00 & 289.00-1-40.00, with a 50' strip from 289.00-1-34.00 to provide direct access to St Hwy 7. They would like to reduce the Wells Fargo Advisors tenant parcel 289.00-1-34.00 from 3.11 acres to .75 acres (110 road frontage remaining). They would like to increase 289.00-1-35.00 from 5.47 acres to 7.48 acres, where building is now vacant. The lot line change would make the back lot "Parcel C" conforming with road frontage and both front lots (Parcel A & Parcel B) deeds would contain a 50" wide ingress/egress easement.

Motion made by Jenny Koehn and seconded by Rob Lishansky that the Lot Line Change Application will not have a negative impact on the environment.

VOTING: Unanimous. **MOTION CARRIES**

Motion made by Reggie McGuinness and seconded by Jenny Koehn to approve the Lot Line Change Application per Lawson Surveying Map dated Preliminary 6/2/22. Arrangements to be made for a Mylar copy of survey map to be signed by the Planning Board Chairman Joseph Camarata and to be filed with the County with deed descriptions within 60 days and a copy of receipt forwarded to the Town of Oneonta Code Enforcement.

VOTING: Unanimous. **MOTION CARRIES**

Continuing Business: none

Discussions: none

Adjournment:

Motion made by Rob Lishansky and seconded by Reggie McGuinness to adjourn at 8:18 PM, with the next scheduled meeting June 20, 2022 at 7:00 PM.

ALL IN FAVOR **MOTION PASSED**

Respectfully Submitted,

Wendy Cleaveland
Planning Board Clerk

APPROVED
BY THE PLANNING BOARD
TOWN OF ONEONTA

JUNE 20, 20 22

CHAIRMAN