

Town of Oneonta Planning Board
Board Meeting
Monday, October 19, 2020 at 7pm

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

Absent: none

Others Present: David Leahy, Martha Snyder; Maria G. McMullen; Joanne Mykytyn; Deborah Chicorelli; Maria Oprea

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

Minutes:

Minutes were reviewed by the board from October 5, 2020 board meeting.

Motion made by Rob Lishansky and seconded by Breck Tarbell to approve the minutes.

Abstain: Joseph Camarata

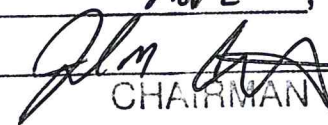
ALL IN FAVOR

MOTION PASSED

APPROVED
BY THE PLANNING BOARD
TOWN OF ONEONTA

New Applications:

PB000552 David Leahy TMP#298.00-2-18.01; 213 Co Hwy 9
Minor Subdivision Application

Nov 2, 2020

CHAIRMAN

David Leahy appeared before the board to represent the Minor Subdivision application to subdivide a 1.431 acre lot off the western corner of existing 57.90 acre parcel to build a single family residence. A survey and soil analysis have been performed. Parcel meets all the setback requirements. Mr. Leahy clarified that during the construction phase they would be using existing driveway. The single family residence will have a driveway of its own, situated right next to the existing driveway along County Highway 9. Applicant is to forward a copy of the completed survey electronically.

Motion made by Reggie McGuinness and seconded by Jenny Koehn to set a public hearing for November 16, 2020 at or about 7:05 PM.

VOTING: Unanimous. **MOTION CARRIES**

Continued Public Hearing:

PB000549 Maria Oprea TMP#287.09-1-74.01; 1 Center St
Special Use Permit Application for Short Term Rental

The public hearing was held as scheduled on October 5, 2020, but the board had tabled the decision until the violation cited was cleared. Maria Oprea appeared before the board to advise violation cited on the initial property maintenance/fire inspection had been corrected and the re-inspection was performed, as advised. The Fire Inspection Certificate has been issued by the Code Enforcement Office.

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

VOTING: Unanimous. **MOTION CARRIES**

Town of Oneonta Planning Board
Board Meeting
Monday, October 19, 2020 at 7pm

Motion made by Jenny Koehn and seconded by Breck Tarbell to approve the Special Use Permit Application for a short term rental of one room unit with bath and separate entrance.

VOTING: Unanimous. **MOTION CARRIES**

Public Hearing:

PB000551 Kirt Mykytyn TMP#287.19-1-26.01; 38 Jefferson Ave
Special Use Permit Application for Short Term Rental

APPROVED
BY THE PLANNING BOARD
TOWN OF ONEONTA

Oct 22, 2020
[Signature]
CHAIRMAN

Motion made by Tom Rowe and seconded by Reggie McGuinness to open the public hearing.

Abstain: Kirt Mykytyn

VOTING: Unanimous. **MOTION CARRIES**

Chairman Camarata opened the public hearing and asked if anyone was in attendance to speak for/or against the Special Use Permit Application for short term rental. Kirt Mykytyn was in attendance and the notifications were verified. Maria McMullen came forward and handed out a copy of the public hearing notice she had received, which stated short term rental in the description and questioned if actually transient rental. She also advised the board that there was an error in the County records, omitting her as part owner of vacant parcel between her home and 38 Jefferson. The error was brought to her attention, as her name was not listed as one of the property owners of this parcel for notification as within 200 linear feet. The vacant parcel is owned jointly with the Mykytyn's and the County verified earlier by phone that it had been corrected. Ms. McMullen then presented the board with a packet containing a letter from her addressed to the Planning Board and copies of various Town Code sections, that she wanted to go over with the board. She advised the board that Mr. Mykytyn had told her that "they have to give it to me -it's the law", however the regulation states that the Planning Board may grant a Special Use Permit. Mr. Mykytyn advised her as well as others, that he has a group of hunters that will be renting the home in November. She questioned how these residences are being monitored and how a group of hunters meets the criteria of family. Parcel is in a R20 Residential zone and that the home, nor any other home on Jefferson have ever been a rental of any type, therefore not consistent with the neighborhood.

Chairman Camarata advised that the listing provided for notifications, is done as a courtesy from the Otsego County website and that it is up to property owner to verify listing for accuracy. Short term rentals are an allowable use, one family, and if there are unresolved complaints then they are asked to return to Planning Board and/or subject to revocation. He advised her if she had an issue with the Town Code, she would have to address it with the Town Board.

Motion made by Breck Tarbell and seconded by Reggie McGuinness to close the public hearing.

Abstain: Kirt Mykytyn

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

Abstain: Kirt Mykytyn

VOTING: Unanimous. **MOTION CARRIES**

Town of Oneonta Planning Board
Board Meeting
Monday, October 19, 2020 at 7pm

Motion made by Breck Tarbell and seconded by Jenny Koehn to approve the Special Use Permit Application for a short term rental.

Abstain: Kirt Mykytyn

VOTING: Unanimous. **MOTION CARRIES**

Continuing Business:

Discussions:

Chairman Camarata went over proposed 2021 Calendar holiday conflicts. The board agreed to meet on January 18, 2021 and February 15, 2021, if there are applications pending. The board will not meet on July 5, 2021 or September 6, 2021.

Board discussed the drafted conditions for short term rentals and agreed that need to add sketches showing egress windows/doors, sleeping arrangements and parking, to that list. The list will be included in the Special Use Permit Application process. The need for enforcement and penalties to deter those operating without necessary approvals was discussed.

Adjournment:

Motion made by Rob Lishansky and seconded by Reggie McGuinness to adjourn at 8:05 PM, with the next scheduled meeting November 2, 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

Nov 2, 20 20

CHAIRMAN