

DRAFT
Town of Oneonta
Zoning Board of Appeals
Meeting Minutes
October 24, 2022

Present: D. Allison, D. Prouty, M. Stolzer, Chairman Cannistra, Laura Sause (Clerk)

Absent: A. Black, Rob Panasci (Attorney)

Others: Todd Hartman

A. Roll Call

- Chairman Cannistra called the meeting to order at 7:05pm and called for the roll.
- Next meeting is scheduled for November 28, 2022.

B. Minutes – September 26, 2022

MOTION: A motion was made by M. Stolzer and seconded by D. Prouty to approve the minutes as presented.

DISCUSSION: None **VOTING:** Unanimous. Motion Carries.

C. New Applications:

- **Todd Hartman, Special Extension**
Tax Parcel No: 300.00-3-61.02
354 Southside Drive
Zoning: RA-40 (Residential - Agriculture)

Kathleen & Todd Hartman are seeking a special extension to allow 3 or more unrelated individuals to reside in the same dwelling as a family unit.

A “family” as defined in 103-3, definition of “family,” Subsection (3), may be permitted by the Board of Appeals provided that said Board finds the occupants constitute a functional family unit, which means a group of three or more individuals living together in a single dwelling unit and functioning as a family with respect to those characteristics that are consistent with the purposes of zoning restrictions in residential neighborhoods. In determining whether or not a group of unrelated individuals is functional family unit under the definition set forth above, the Zoning Board of Appeals may consider, among other things, the following factors:

- (1) Whether occupants share the entire dwelling unit as contrasted with a situation where the various occupants act as separate roomers.
- (2) Whether the household has stability with respect to the purpose of the Zoning Ordinance. Evidence of such stability may include among things, the following:
 - (a) The presence of minor, dependent children regularly residing in the household.
 - (b) Enrollment of dependent children in local schools.
 - (c) Proof of the sharing of expenses for rent or ownership costs utilities and other household expense.
 - (d) Whether the household has been living together as a unit for a year or more; either in the current dwelling unit or other location.

Todd Hartman appeared for the application. He owns a 7 Bedroom rental property and resides in the house next door. Currently he rents it out to 2 unrelated people for the 8-month season being the school year and he would like to rent it out to up to 5 unrelated people. He stated that he is close to the home and keeps it in good repair. He has also rented out the home in the summer as a Short-Term rental for the baseball camp. Last year he had complaints for the team parties that took place and the planning board revoked his license as a Short-Term rental. Chairman Cannistra read aloud the decision by the planning board to revoke the license and which allows him to reapply for the Short-Term rental in March of 2023.

MOTION: A motion was made by D. Prouty and seconded by M. Stolzer set a public hearing for November 28, 2022 at 7:15pm or as soon as possible thereafter.

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DISCUSSION: None **VOTING:** Unanimous. **Motion Carries**

There being no further business before the Board, the meeting was adjourned at 8:00pm.
Laura Sause,
Clerk of the Zoning Board of Appeals