

DRAFT
Town of Oneonta
Zoning Board of Appeals
Meeting Minutes
July 24, 2023

Present: A. Black, D. Allison, K. Wilde, Chairman Prouty, Laura Sause (Clerk)
Absent: D. MacClintock, R. Panasci (Attorney)
Others: Justen Golinski, Steven and Karla West, Bruce A. Smith

A. Roll Call

- Chairman Prouty called the meeting to order at 7:02pm and called for the roll.
- The next meeting is scheduled for August 28, 2023

B. Minutes

- **June 26, 2023**
MOTION: A motion was made by D. Allison and seconded by K. Wilde to approve the minutes.
DISCUSSION: None **VOTING:** Unanimous. Motion Carries.

C. New Applications:

- **Steven West, Area Variance**
Tax Parcel No: 300.14-1-42.00
147 Glen Drive, Oneonta, NY
Zoning: RA-40 (Residential-Agricultural District)

The applicant requests a front yard area variance to replace the front porch within the front yard set-back. The existing dwelling is pre-existing non-conforming.

CODE REVIEW:

Building location and setbacks.

<u>Setback</u>	<u>Required</u>	<u>Proposed</u>
Front yard	50 ft	30 ft 0 (currently 33 ft)
Side yard	25 ft	Complies
Rear yard	25 ft	Complies
Frontage	200 ft	No change
Building Height	35 ft	< 35 ft

Steve and Karla West appeared for the application. They would like to change their front door to a standard size with side lights. In order to get the correct height for a standard door, they would need to take off the existing porch and build a new one. The new one will come extend 3 feet beyond the current porch. They stated that it was not practical to build it below the existing porch to get the door height because the stone foundation is 1 foot off the ground and the porch was built this way when they purchased it.

MOTION: A motion was made by D. Allison and seconded by Chairman Prouty to set a public hearing for August 28, 2023 at 7:15pm or as soon as possible thereafter.

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

- **Heath Weeks, Area Variance**
Tax Parcel No:299.07-4-1.00
10 Murdock Ave., Oneonta, NY
Zoning: R-20

The applicant requests a side yard area variance (facing a second street, corner lot) to construct an attached garage within the side yard set-back. The existing dwelling is pre-existing non-conforming.

CODE REVIEW: Building location and setbacks.

<u>Setback</u>	<u>Required</u>	<u>Proposed</u>
Front yard		complies
Side yard	8 ft	pre-existing 4 ft
Second Side Yard	25 ft	EX 15'10" proposed 10'10"

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Rear yard	25 ft	complies
Frontage		no change
Building Height	35 ft	< 35 ft

Heath Weeks spoke for his application. He has renovated his property and would like to build a garage with a master bedroom attached to the house. This will encroach 5 feet from the side setback on the Madison Street side. There had been a detached garage on the property but it had burnt down with no existing footprint found.

MOTION: A motion was made by D. Allison and seconded by A. Black to set a public hearing for August 28, 2023 at 7:30pm or as soon as possible thereafter.

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

- **Justen Golinski Use Variance**
Tax Parcel No: 309.00-1-50.01
180 St Hwy 28, Oneonta, NY
Zoning: RA-40 (Residential Agricultural)

The applicant desires a use variance to allow Retail Sales of cannabis at his parcel along St Hwy 28. Once this decision is made, we can proceed with the building permit items.

Justen Golinski appeared for his application. He would like to start a business selling Cannabis. He has a license to sell Hemp/CBD products and sell these products in his retail stores in Cooperstown and Bainbridge. The property has an Amish Barn/shed structure which he would like to use for his business.

MOTION: A motion was made by Chairman Prouty and seconded by K. Wilde to set a public hearing for August 28, 2023 at 7:45pm or as soon as possible thereafter.

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

D. Public Hearings: *None*

E. Other:

Bruce Smith, a resident from Swart Hollow Road appeared at the meeting to voice a complaint. He has an issue with property across the street from him. He stated that his neighbor is running a junk yard business without a permit, a license or an LLC. He is very concerned with the mess it creates and his property value. He has been to the Town Board and the Code Office but has not seen any resolution. The board told him that this issue is not part our authority to address but would try to look into it.

There being no further business before the Board, the meeting was adjourned at 7:55pm.

Laura Sause,
Clerk of the Zoning Board of Appeals