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October 3, 2025

VIA EMAIL

Town of Oneonta Town Board
Brett D. Holleran, Interim Town Supervisor
Patricia Riddell Kent
Kim Fierke
Joe Camarata
Clerk@townofoneonta.org

**Re: Eco-Yotta, Inc.
Application for Planned Development District (PDD)
357 County Highway 9, Oneonta, New York**

Supervisor Holleran and Members of the Town Board:

This firm represents Eco-Yotta, Inc. (the “Applicant”). The Applicant is proposing to use the Property located at 357 County Highway 9, in the Town of Oneonta (the “Property”), and its existing structures (house with attached garage and detached barn), for its agricultural research business (the “Agri-Business”). Enclosed herewith as **Attachment A**, is an application for the Town to establish a Planning Development District (“PDD”) and **Attachment B** is the State Environmental Quality Review Act Long Environmental Assessment Form.

As set forth in the attached request for determination, submitted to the Town Code Enforcement Officer (see **Attachment C**), the Agri-Business constitutes an “agricultural pursuit” under the Town of Oneonta (the “Town”) Code. To the extent, the Code Enforcement Officer disagrees with that determination, Applicant is submitting this request for a PDD to permit the Agri-Business on the Property.

The Agri-Business

The Agri-Business will provide agricultural research space and equipment to explore innovative means to provide a longer, more sustainable, growing season in upstate New York. The

business will be primarily dedicated to student-led research on the intersection between computer science and agriculture. To that end, Eco-Yotta has already created in-roads for cooperation and use of the research space with nearby universities such as the State University of New York at Oneonta and Hartwick College.

The research will focus on agricultural grow operations (greenhouses and hydroponic equipment) supported, heated, and powered by small scale computer servers. Enclosed as **Attachment D** is a general depiction of the proposed grow operation and equipment layout. The equipment used to support the Agri-Business will include greenhouse and hydroponic grow systems, radiant floor heating, space heating, and computer servers.

The greenhouse and hydroponic grow operations will use computer technology to support grow operations. For example, the computers will be connected to monitoring equipment and cameras that will be able to provide real-time feedback and data on grow conditions such as heat, humidity, and hydration to optimize yield/quality. In addition, the heat produced by the computer servers will be captured and utilized to power and heat the grow operation. As an accessory use, and to ensure a consistent production of heat and power, the computers will also be utilized to provide state of the art advanced computing power for students and other users.

The Agri-Business's equipment will be located within the existing 1,300 square-foot garage and ~10,000 square-foot barn; both of which are located on the 153-acre Property. Enclosed as **Attachment E** is a site map of the Property (the "Site Map"). The garage and the barn will be sound insulated. The Applicant anticipates 5 to 10 individuals (staff and student researchers) traveling to the Property on a given day as a result of the Agri-Business. The Agri-Business will not require water and sewer utilities greater than any typical agricultural use/operation or produce and solid or hazardous waste. The Agri-Business will also not result in any air emissions.

The Agri-Business Meets the PDD Standards

The proposal for the Agri-Business is consistent with the Town's Planning Development District Regulations at § 103-40.

A. The uses proposed will not be detrimental to the natural characteristics of the site or to present and potential surrounding uses but will have a beneficial effect which could not be achieved under any other district.

The Agri-Business will revitalize this farm property by putting it to a functioning agricultural use consistent with the natural characteristics of the Property and the surrounding area. The Agri-Business will not have any detrimental impacts resulting from sound, traffic, energy consumption, waste, or air emissions. Thus, the Agri-Business will not be detrimental, but, rather, a significant benefit to the natural characteristic of the Property and surrounding area. Given the agricultural nature of the Agri-Business, the beneficial effect of the Agri-Business could not be achieved in any other zoning district within the Town.

B. Land surrounding the proposed development can be developed in coordination with the proposed development and be compatible in use.

The Agri-Business proposed to revitalize a non-operational farm in an agricultural district of the Town. The surrounding properties in this agricultural district are residential and agricultural. The Agri-Business will be conducted in the existing house and farm structures, with no construction of any new structures. Thus, the land surrounding the Agri-Business can be developed in coordination with the residential and agricultural use of the Property.

C. Any proposed change to a planned development district is in conformance with the general intent of the Master Plan for the town.

The Agri-Business is in conformance with and fully supported by the Town of Oneonta Comprehensive Plan (the “Comp Plan”).¹ The Comp Plan notes that in the survey upon which the Comp Plan was based, residents spoke in heavily in favor of commercial (and industrial) development, including development of renewable energy sources, in a manner that was protective of the environment. See e.g., Comp Plan, pp. 2 and 15. The Comp Plan expressly recommends “strength[ening] and expand[ing] economic development in the Town through new opportunities in farming agri-business and agri-tourism.” Comp Plan, p. 12.

The Agri-Business is new agricultural and commercial development in the Town. The Agri-Business will have no discernable impacts on the environment or the community. Thus, the Agri-Business is the exact type of business supported by the Comp Plan and residents of Oneonta.

D. Existing and proposed streets are suitable and adequate to carry anticipated traffic within the proposed district and in the vicinity of the proposed district.

As noted, the Agri-Business is anticipated to attract 5 to 10 individuals (staff and student researchers) to the Property on any given day. The Property is located on a County Highway with the closest intersections being almost ½ mile to the north and over a mile to the south. A County Highway is more than suitable and adequate to carry this anticipated traffic and, thus, the Agri-Business will not have any adverse traffic impacts.

E. Existing and proposed utility services are adequate for the proposed development.

As noted, the Agri-Business is not expected to require any water or sewer utilities beyond what is required for the Property’s current use as a farm and residence. In addition, the Applicant has confirmed with NYSEG that the proposed energy consumption will not have an impact on its transmission system.

¹ Available here:

https://www.townofoneonta.org/application/files/2517/3687/0597/2014_Adopted_Comprehensive_Plan.pdf

F. Each phase of the proposed development, as it is proposed to be completed, contains the required parking spaces, landscape and utility areas necessary for creating and sustaining a desirable and stable environment.

As shown on the Site Map, the Property is improved by several interconnecting driveways and large parking areas. The Agri-Business is anticipated to attract only 5 to 10 persons on a given day. The Property has ample parking for the Agri-Business. No landscape or utility areas are required for the Agri-Business.

The Agri-Business is a Permitted Use in a PDD

Under the Town Code, the Agri-Business is a permitted PDD residential and commercial use.

The Agri-Business will be an office and business for student-led agricultural research. Thus, the Agri-Business is a “professional residence-office” and “school” use and a permitted use in the PDD under Town Code § 103-43(A)(3). The Agri-Business is also a “business office” use and permitted in the PDD under Town Code § 103-44(A)(2).

Conclusion

For the reasons set forth above, the Agri-Business provides a unique opportunity for rural innovation and technological advancement by creating a sustainable means to power greenhouses and support year-long crop production. Accordingly, we respectfully request your approval of the application to establish a PDD on the Property for use as an Agri-Business.

Thank you kindly for your attention to this letter. We look forward to discussing this matter with you. Please let me know if you have any questions about the materials submitted.

Very truly yours,

/s/ T.J. Ruane

T.J. Ruane

Encs.

cc: E. Hyde Clarke, Esq. (hclarke@youngsommer.com)

Attachment A

APPLICATION FOR A ZONING AMENDMENT

Form: TVB-1

Town/Village Board

Town/ Village of Oneonta, NY

WHEN TO USE THIS FORM: This form is used by an individual who applies for an amendment to the town/village zoning map and/or ordinance.

Instructions: Fully complete this application. Write ANA@ when Anon-applicable@. Applications, complete with fees, shall be filed with the Zoning Enforcement Officer who will file a copy with the Town Clerk.

OFFICE USE ONLY

Application No.:	Z-	_____
Received (postmark or hand-delivered):	_____	_____
Official Date of Receipt	_____	_____
Referred to Town PB:	_____	_____
Referred to Co. PB:	_____	_____
Public Hearing:	_____	_____
Final Action:	_____	_____

Applicant Name: TIRUSHA DAVE

Address: 357 COUNTY ROAD 9, ONEONTA, NY 13820

Telephone No. 732-829-9210, tirushadave@gmail.com & 937-830-6084, pgorantala@gmail.com

If application is by petition, please attach hereto.

Application is for:

- (x) zoning map amendment
() zoning ordinance amendment

Attach a completed Part I of the Environmental Assessment Form (EAF) using the (check one):
() short form or (X) long form. Forms are available from the zoning enforcement officer.

Completed Section A and/or B as appropriate:

A. Zoning Map Amendment

- General description of boundaries or area for which the zone change is requested:
The property is currently located in the Town of Oneonta and consists of approx. 153.43 acres, designated as RA 40. The parcel is proposed to be re-zoned as a PDD to accomodate the agricultural hydroponics research & development hub (agri-business).
- Attach a copy of the tax map showing area for which the zone change is requested.
- Total area (square feet or acres): 153.43 acres
- Present zoning classification: RA 40 (RESIDENTIAL AGRICULTURE)
- Present use: _____
- Adjacent zoning classification: RA 40 TO THE NORTH & WEST AND INDUSTRIAL TO THE EAST & S. EAST

7. Adjacent use: RESIDENTIAL USE, WOODLADS
8. Proposed zoning classification: PDD
9. Proposed use: agricultural hydroponics research & development hub (agri-business)
10. Reasons for amendment request: I am requesting the PDD, so that I can use the AI servers as my heat utility.

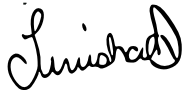
B. Amendment to Zoning Ordinance

1. Section(s) reference: _____

2. Existing section(s) is not adequate because: the current RA 40 zone has limited flexibility for advanced infrastructure development

3. Proposed change: AI servers as a utility for hydroponics agri-business

4. The proposed change will clarify or improve the ordinance because: it will allow the Town of Oneonta to regulate & support modern, digital infrastructure in an appropriate zoning district while encouraging sustainable development and enhancing local economic potential.



Signature of Applicant

09 / 30 / 2025

Date

- NOTE:
1. Parts II and III of the EAF and the entire SEQR (State Environmental Quality Review) process must be completed by the Town/Village Board before the application can be considered complete.
 2. The Town/Village Board will notify you of their action in writing (form TVB-3) within _____ days of the date of the public hearing held on this application.

DISCLOSURE STATEMENT

Pursuant to the requirements of General Municipal Law Article 5-K, Section 809, an applicant seeking local approval for a planning or zoning action is obligated to disclose the name, residence and the nature and extent of the interest that any officer or employee of the municipality may have with the applicant.

An officer or employee of the municipality is deemed to have an interest in the applicant, when he/she, his/her spouse, their brothers, sisters, parents, children, grandchildren or the spouse of any of them

- a) is the applicant, or
- b) is an officer, director, partner or employee of the applicant, or
- c) legally or beneficially owns or controls stock of a corporate, applicant or is a member of a partnership applicant or association applicant, or
- d) is a party to an agreement with such an applicant, express or implied, whereby he/she may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

I, TIRUSHA DAVE, the applicant for local approval of a planning or zoning action in the Town/Village of ONEONTA, hereby disclose one of the following

(check one):

- ☒ 1. No officer or employee of the local agency from which approval is sought has an interest in the applicant.
- ☐ 2. There exists an interest in the applicant by at least one officer or employee of the local agency from which approval is sought. These interests are as follows:

NAME

RESIDENCE

NATURE OF
INTEREST

a.

b.

c.

Attachment B

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Agri-Business: agricultural hydroponics research & development hub		
Project Location (describe, and attach a general location map): 357 COUNTY ROAD 9, ONEONTA, NY 13820		
Brief Description of Proposed Action (include purpose or need): A modern hydroponic farm with year-round greenhouse production. Smart computing equipment that powers the farm: crop monitoring, automation, AI-driven yield optimization. Heat reuse system: waste heat from computers warms the greenhouses, reducing fossil fuel use.		
Name of Applicant/Sponsor: TIRUSHA DAVE	Telephone: 732-829-9210	
	E-Mail: tirushadave@gmail.com	
Address: 357 COUNTY ROAD 9		
City/PO: ONEONTA	State: NY	Zip Code: 13820
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, ☒ Yes ☐ No or Village Board of Trustees	TOWN BOARD	
b. City, Town or Village ☐ Yes ☐ No Planning Board or Commission		
c. City, Town or ☐ Yes ☐ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☐ Yes ☐ No		
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☐ Yes ☐ No		
h. Federal agencies ☐ Yes ☐ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☒ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☒ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒Yes ☐No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐Yes ☒No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes ☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes ☒No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☒No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☒ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? PDD _____

C.4. Existing community services.

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

PDD

b. a. Total acreage of the site of the proposed action? _____ 153.43 acres

b. Total acreage to be physically disturbed? _____ acres

c. Total acreage (project site and any contiguous properties) owned
or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: _____ 6 months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☒ No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☒ No If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☒ No If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____ _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☒ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? ☐ Yes ☐ No ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☒ No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☒ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☒ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☒ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____ _____ _____	☐ Yes ☐ No ☐ Yes ☐ No	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	☐ Yes ☒ No	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____ _____		
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____		
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____ If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____ _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____ • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? _____	☐ Yes ☒ No ☐ Yes ☐ No ☐ Yes ☐ No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____		
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____ If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	☐ Yes ☒ No	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____ If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)		☐ Yes ☒ No ☐ Yes ☐ No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? ☐ Yes ☒ No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☒ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☒ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☒ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☒ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ 3,000,000 kWh/year ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): NYSEG iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☒ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ 8 AM - 6 PM • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ 8 AM - 6 PM • Saturday: _____ 8 AM - 6 PM • Sunday: _____ 8 AM - 6 PM • Holidays: _____ 8 AM - 6 PM </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ 8 AM - 6 PM • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ 8 AM - 6 PM • Saturday: _____ 8 AM - 6 PM • Sunday: _____ 8 AM - 6 PM • Holidays: _____ 8 AM - 6 PM
i. During Construction: • Monday - Friday: _____ 8 AM - 6 PM • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ 8 AM - 6 PM • Saturday: _____ 8 AM - 6 PM • Sunday: _____ 8 AM - 6 PM • Holidays: _____ 8 AM - 6 PM		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☒ No If yes: i. Provide details including sources, time of day and duration: _____ _____	☐ Yes ☒ No
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No Describe: _____ _____	☐ Yes ☒ No
n. Will the proposed action have outdoor lighting? ☐ Yes ☒ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____ _____	☐ Yes ☒ No
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No Describe: _____ _____	☐ Yes ☒ No
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____ _____ _____	☐ Yes ☒ No
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____ _____	☐ Yes ☒ No
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No If Yes: i. Describe proposed treatment(s): _____ _____ _____	☐ Yes ☒ No
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☒ No	☐ Yes ☒ No
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☒ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ _____ • Operation: _____ _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ _____ • Operation: _____ _____	☐ Yes ☒ No

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site			
a. Existing land uses. i. Check all uses that occur on, adjoining and near the project site. ☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Rural (non-farm) ☐ Forest ☒ Agriculture ☐ Aquatic ☐ Other (specify): _____ ii. If mix of uses, generally describe: _____ _____			
b. Land uses and covertypes on the project site.			
Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

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v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No - If yes, DEC site ID number: _____ - Describe the type of institutional control (e.g., deed restriction or easement): _____ - Describe any use limitations: _____ - Describe any engineering controls: _____ - Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No - Explain: _____ _____	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ _____ % _____ _____ % _____ _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site ☐ Moderately Well Drained: _____ % of site ☐ Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ % of site ☐ 10-15%: _____ % of site ☐ 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? ☐ Yes ☒ No If Yes, describe: _____ _____	
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☒ No ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☒ No If Yes to either <i>i</i> or <i>ii</i>, continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: - Streams: Name _____ Classification _____ - Lakes or Ponds: Name _____ Classification _____ - Wetlands: Name _____ Approximate Size _____ - Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____	
i. Is the project site in a designated Floodway? ☐ Yes ☒ No	
j. Is the project site in the 100-year Floodplain? ☐ Yes ☒ No	
k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No If Yes: i. Name of aquifer: _____	

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No If Yes: i. Species and listing (endangered or threatened): _____ _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No If Yes: i. Species and listing: _____ _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ No If yes, give a brief description of how the proposed action may affect that use: _____ _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

Attachment C

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September 30, 2025

VIA REGULAR MAIL AND EMAIL

Clinton Rearick
Code Enforcement Officer
Town of Oneonta
3966 State Highway 23
West Oneonta, NY 13861
codes@townofoneonta.org

Re: *Eco-Yotta, Inc.*
Request for Interpretation (Agricultural Use and Home Occupation)
Property: 357 County Highway 9 (Tax ID 298.00-2-15.02)

Dear Mr. Rearick:

This firm represents Eco-Yotta, Inc. (the “Applicant”). The Applicant is proposing to use the Property located at 357 County Highway 9, in the Town of Oneonta (the “Property”), and its existing structures (house with attached garage and detached barn), for its agricultural research business (the “Agri-Business”).

This letter respectfully requests your confirmation of the following:

- 1) That the use of the Property for the Agri-Business constitutes an “agricultural [pursuit], such as farms, farming uses or occupancy, including the sale of agricultural products grown on the parcel”; and
- 2) That use of the Property for the Agri-Business constitutes a “home occupation”; and
- 3) That agricultural pursuits and home occupations are permitted as of right within the RA-40 zoning district; and

The Agri-Business

The Agri-Business will provide agricultural research space and equipment for students at nearby universities such as the State University of New York at Oneonta and Hartwick College. The primary purpose of the Agri-Business is to explore innovative means to provide a longer, more sustainable, growing season in upstate New York.

The research and equipment will focus primarily on agricultural grow operations (greenhouses and hydroponic equipment) supported, heated, and powered by small scale computer servers. A general illustration of the proposed equipment is enclosed herewith as **Attachment A**. The greenhouse and hydroponic grow operations will use computer technology to support grow operations. For example, the computers will be connected to monitoring equipment and cameras that will be able to provide real-time feedback and data on grow conditions such as heat, humidity, and hydration to optimize yield/quality. In addition, the heat produced by the computer servers will be captured and utilized to power and heat the grow operation. As an accessory use, and to ensure a consistent production of heat and power, the computers will also be utilized to provide state of the art advanced computing power for students and other users

The Agri-Business's equipment will be located within the existing 1,300 square-foot garage and ~10,000 square-foot barn. The garage and the barn will be sound insulated. The Agri-Business operations will not create any impacts to traffic, air quality, or water quality.

The Project Constitutes an Agricultural Pursuit:

The Town of Oneonta's (the "Town") Code (the "Code") does not define "Agricultural Pursuits," but it does provide that the term includes "farms, farming uses or occupancy, including the sale of agricultural products grown on the parcel." Town Code § 103-16(C).

Under the Code, "Farm" and "Farming, Farm Use or Occupancy" are defined as follows:

Farm: Any parcel of land which is in excess of 10 acres and used principally for the raising of agricultural products or the keeping of poultry, fowl, livestock, or domestic animals, including necessary farm structures and the storage of farm equipment.

Farming, Farm Use or Occupancy: Any activity customarily carried on upon a farm, such as cultivation of land and animal husbandry.

Town Code § 103-3. An "accessory use" is defined as a "use customarily incidental and subordinate to the principal use and located on the same lot with such principal use." Id.

Zoning Interpretation

The Property is 153.43 acres in size and will principally be used for the raising of, and research relating to the raising of, agricultural products (plants and vegetables grown in greenhouses). The computer servers, and accessory equipment (i.e., for heat capture and power), will principally be used to support grow operations and, thus, constitute farm equipment. The use of the computer technology to support indoor grow operations is common practice in agricultural businesses. In addition, the use of the computer servers for heat is no different than any other farm operation relying on diesel generators, natural gas boilers, or other renewable energy to provide heat and power – and, in that regard, they are customarily incidental to the business. To maintain continuous thermal energy for year-round climate control, the computers will also have to perform computing activities outside of monitoring grow operations. Any such activities are necessary for, and incidental and subordinate to, the agricultural business and are, thus, a permitted accessory use under the Code.

Based on the foregoing, the Agri-Business encompasses an agricultural pursuit as defined in the Town Code.

The Project Constitutes a Home Occupation:

Under the Town Code, “home occupation” is defined as:

[a]n occupation or profession customarily conducted entirely within a dwelling, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. The office of a physician, dentist, lawyer, architect, engineer, realtor, insurance agent or other professional person who offers skilled services to clients and is not professionally engaged in the purchase or sale of economic goods shall be deemed to be "home occupations"; and the occupations of seamstress, tailor, child care, barber, beautician, tutoring, the giving of music or dance instruction limited to two pupils at one time and similar occupations shall be deemed to be "home occupations." Occupations such as cabinetmaking, furniture repair, animal hospital or kennel, florist, auto repair shop, vehicle sales, restaurant, tavern, store, funeral home, mortuary, or other similar uses shall not be deemed "home occupations."

Town Code § 103-3. A “home occupation” must also meet the following criteria:

1. No more than ½ the floor area of the principal building shall be so used for the home occupation.
2. In the conduct of said activity, no more than one person outside the family residing on the premises shall be employed.
3. In the conduct of such activity, there shall not be any exterior storage of materials or equipment.
4. No exterior sign or display shall be permitted except as provided by the appropriate ordinance of the Town of Oneonta.

Zoning Interpretation

The Agri-Business constitutes a “home occupation” because it engages a professional person offering skilled services to a client that does not include the purchase or sale of economic goods. The Agri-Business is incidental and secondary to the Applicant’s use of the Property as a dwelling, where the Applicant is a professional technology services provider. In this instance, the Applicant’s profession in technology is akin to that of a lawyer, architect, or engineer, as a person knowledgeable in a certain subject matter and offering a service based on such knowledge and skill.

Additionally, as stated above, the entire Agri-Business will be located entirely within the existing garage and barn and will not have any impacts outside of the dwelling that would cause a change to the residential character of the Property or surrounding area. Nor will the Agri-Business bring impacts to the Property such as noise, traffic, or emissions of any kind. The Agri-Business only seeks to offer a service by using the agricultural equipment, computer equipment, and the Applicant’s technology expertise. The proposed use is an academic collaboration, not a commercial storefront of any kind.

In consideration of the home occupation criteria, the Agri-Business is proposed to occupy 1,300 square feet of the existing dwelling. This is less than half of the floor area of the principal building, which property records maintain to have 4,256 square feet of living area. The Agri-Business will at most only employ one person outside of the family residing on the premises. Again, since the Agri-Business will be conducted entirely inside the dwelling, there will be no exterior storage of materials or equipment, or need for exterior signage or displays. The Agri-Business also does not require any construction, alterations, or land disturbances outside of the existing structure, further demonstrating the home-based nature of this use.

The Agri-Business squarely fits within the Town’s definition of a home occupation and meets all four criteria required for a home occupation to operate.

Agricultural Pursuits and Home Occupations are Permitted as of right:

The Agri-Business is located within the RA-40 zoning district. Within the RA-40 zoning district, uses as an agricultural pursuit and home occupation are permitted as of right and, therefore, do not require any Town Board or Planning Board approvals. *See*, Town of Oneonta § 103-16(B).

Conclusion

For the reasons set forth above, the Agri-Business provides a unique opportunity for rural innovation and technological advancement by creating a sustainable means to power greenhouses and support year-long crop production. Accordingly, we respectfully request your confirmation that the Agri-Business constitutes an agricultural pursuit under the Town Code. Furthermore, the Agri-Business satisfies the Town’s definition and criteria of a home occupation. The Applicant and computer equipment provide a technology service that is incidental and secondary to the residential use of the dwelling. The Agri-Business produces no impacts and will not change the character of the neighborhood. Accordingly, we also respectfully request your confirmation that the Agri-Business constitutes a home occupation under the Town Code. Finally, we respectfully

September 30, 2025

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request that as an agricultural pursuit and home occupation, the Agri-Business is permitted as of right in the RA-40 zoning district.

Thank you kindly for your attention to this letter. We look forward to discussing this matter with you. Please let me know if you have any questions about the materials submitted.

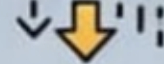
Very truly yours,

/s/ T.J. Ruane

T.J. Ruane

Encs.

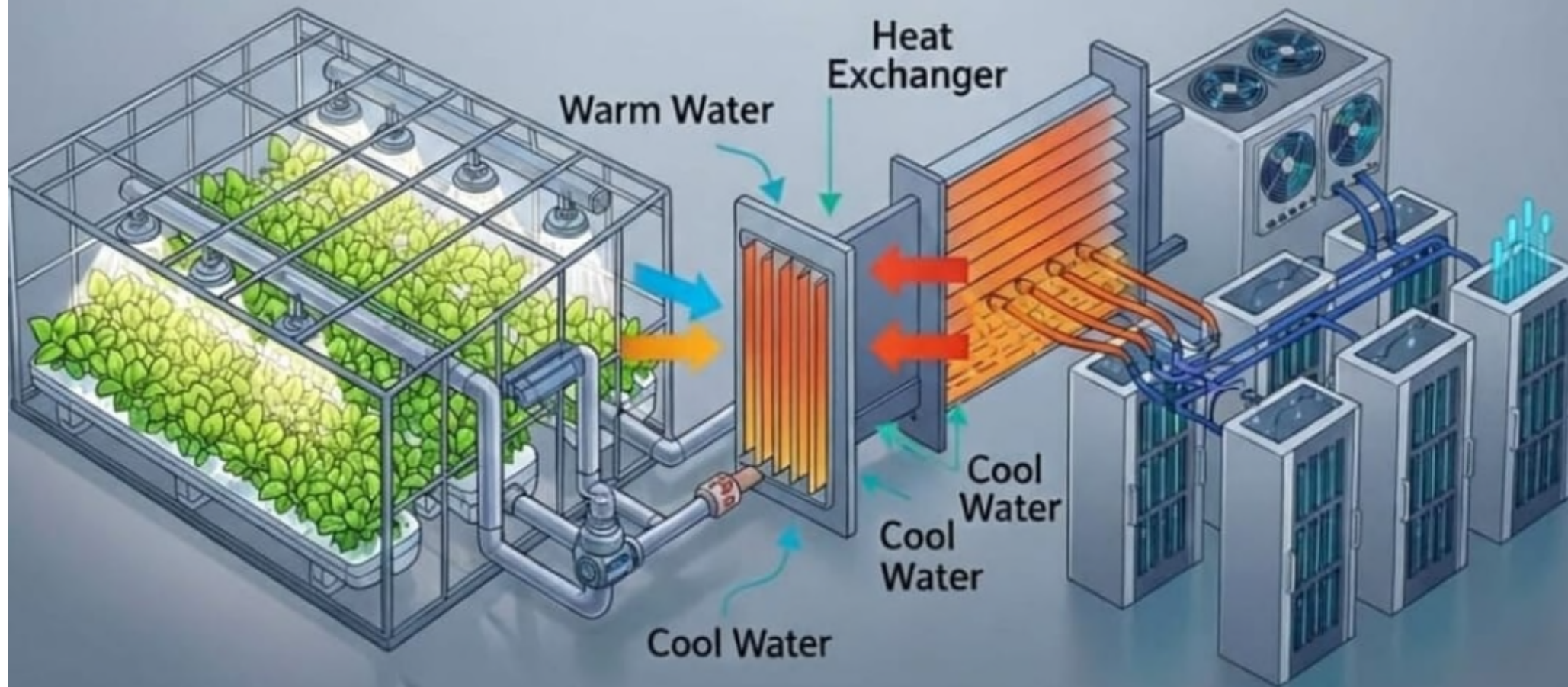
Attachment A



Reduced Carbon
Emissions

Hydroponics Greenhouse

AI Servers



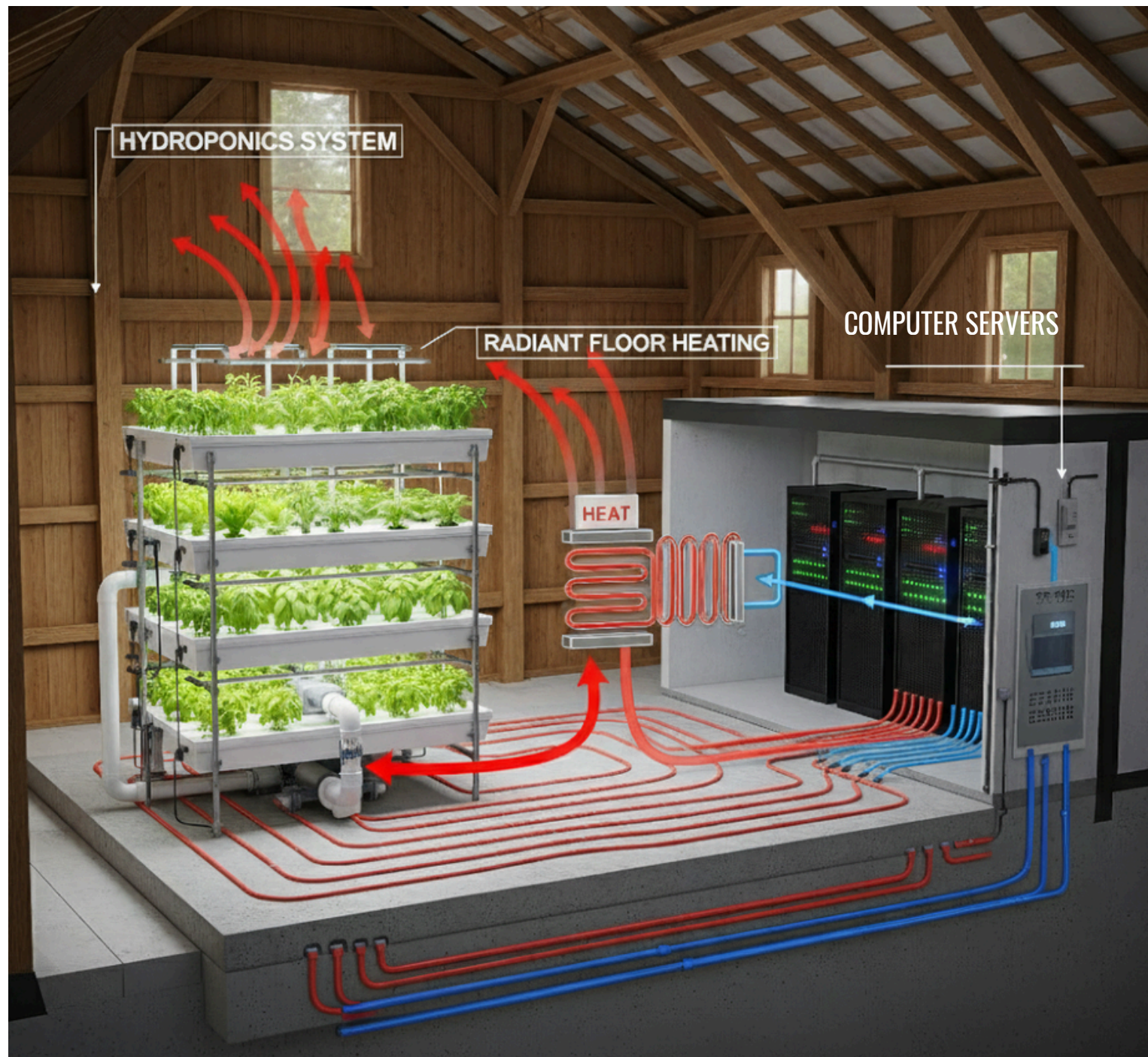
HYDROPONICS
FARMING AREA



PACKAGING AREA

Attachment D

Proposed Model:



Attachment E

Site Map:

