

**Town of Oneonta Planning Board
Board Meeting
Monday, May 3, 2021 at 7pm**

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

Absent: Tom Rowe

Others Present: Teresa Desantis; Denise Wist; Mark Talbot; Greg Talbot; Rod VanDerWater; Lance King; Ryan Fennell

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

Public Hearings: none

New Applications:

PB000562 Certified Auto Outlet, Inc. TMP#300.00-3-71.00; 5244 St Hwy 23
Minor Subdivision Application

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

May 17, 2021

CHAIRMAN

Mark Talbot and Denise Wist appeared before the board to represent the Minor Subdivision Application. Applicant would like to subdivide a .197 acre portion of 4.067 acre parcel that has an existing building with a separate use. The Zoning Board of Appeals granted an area variance on 3/22/21, as parcel does not meet the Town Code requirements of lot size and road frontage. There is also a Site Plan Review Application, listed below to be reviewed concurrently in an effort to save time. The applications were forwarded for 239 review to Otsego County and NYSDOT. NYSDOT replied on April 27, 2021. Chairman Camarata handed a copy of the NYSDOT letter to the applicant and advised that they would need to contact them directly and resolve any issues (to include cars parked in the right of way and unloading in the right of way) before subdivision would be granted. Lance King advised the board that he had a conversation with Paul Neske/Code Official, who stated lot was a non-conforming site. Mr. King questioned how did DOT approve originally site. Chairman Camarata stated he couldn't speak for DOT and it was clarified Town setbacks were different than NYSDOT right of way. Mark Talbot advised in his 23 years there, that he has never been contacted by DOT regarding an encroachment. Applicants were advised that the County had not replied to date, but have 30 days to reply. Enterprise is leasing 22 feet additional land which will include septic tank and parking. Town attorney verified that a lease agreement is okay but would rather see an easement. Mark Talbot advised he would address issues and add the well to their agreement until southside water comes thru. The existing sheds out back are being relocated onto the Certified Auto parcel. Mr. Talbot stated the autos currently on the lease section of parcel are vehicles to be repaired and would be relocated around back of Certified Auto.

Motion made by Kirt Mykytyn and seconded by Rob Lishansky to set a public hearing for May 17, 2021 at or about 7:15 PM.

VOTING: Unanimous. **MOTION CARRIES**

PB000574 Enterprise Rent A Car TMP#300.00-3-71.00; 5246 St Hwy 23
Site Plan Review Application

Lance E. King of RAV Architect P.C. was in attendance to represent the Site Plan Review Application to open an auto rental business in existing vacant pizzeria building. They intend to lease parcel from Certified Auto with shared utilities and a parking agreement. The Site Plan submitted shows 16 parking spaces, so even if they lose 2 front spaces that are possibly in the highway right of way, they still feel sufficient parking. They typically have 12 cars and 2-3 employees. Customers are not allowed to park on site due to parking limitations and they offer pickup/drop off. They will be putting a wash bay in rear of building, raising the roof 4 to 8 feet, installing an overhead door with a new concrete slab tapered to floor drain which goes to an oil separator. They will be washing/detailing cars only, no maintenance or oil changes on property. They will be filling/sealing existing asphalt (possibly a thin top coat) and stripe the front. Out back the existing stone will be removed and replaced with new compactable stone suitable for parking cars on. The green space will continue along the side and Mr. King agreed to eliminate the one car space shown along the side of Certified parcel on drawing for additional green space. Mr. King will update submitted drawings to include greenspace. Enterprise is open Monday thru Friday 8AM to 6PM, Saturday 9AM to Noon and closed on Sunday. Lighting will be LED 30W wall packs on building – front, one side, and rear. They will be removing existing freestanding sign and understand sign permitting is separate. Chairman Camarata noted there was nothing in plan submitted for curb stops between Certified Auto and leased space. Mr. King advised not a fan of curb stops due to the weather in the northeast and that they typically install bollards with yellow chains. Mr. King clarified with board, that no decision would be made and no building permit issued until subdivision completed.

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Continuing Business:

PB000572 Lowe's Home Centers, LLC TMP#300.00-3-85.00; 5283 St Hwy 23
Site Plan Review Application

Otsego County responded and returned for local action with no comments made. Solli Engineering and applicant were advised that their presence was not required. There were no additional questions or comments from the board.

Motion made by Breck Tarbell and seconded by Rob Lishansky that the Site Plan Review Application will not have a negative impact on the environment.

VOTING: Unanimous. **MOTION CARRIES**

Motion made by Jenny Koehn and seconded by Rob Lishansky to approve the Site Plan Review Application.

VOTING: Unanimous. **MOTION CARRIES**

Discussions:

Chairman Camarata advised the board that 239 referral responses for the KFC Restaurant had been received from NYS Department of Transportation and Otsego County Planning Board. Copies were emailed to board members and applicant contact Liz Fusco. Once the replies are received from NYSDOH and NYSDEC or 30 days, applicant will be placed on the next Planning Board agenda. Paul Neske, Code Officer sent the board an email after meeting with adjoining property owner Patricia Cohen addressing her concerns. Chairman Camarata clarified to the board that 1/3 of the ravine was on her property and that Rick Eastman was going to be doing the site work. There were 2 options, a retaining wall or slope it, dress up her side from driveway down, re-seed, install a retainage swale to divert water out of there and put up a privacy fence. Property owner had submitted a letter from Ms. Cohen in agreement to grading and fence, but it also requested a written guarantee. The board agreed need a more detailed agreement in writing and to be included in the site plan.

Teresa DeSantis advised board that she was running for Town Supervisor and was there to observe meeting.

Minutes:

Minutes were reviewed by the board from April 19, 2021 board meeting.

Motion made by Reggie McGuinness and seconded by Jenny Koehn to approve the minutes.

ALL IN FAVOR **MOTION PASSED**

Adjournment:

Motion made by Reggie McGuinness and seconded by Rob Lishansky to adjourn at 7:54 PM, with the next scheduled meeting May 17, 2021 at 7:00 PM.

ALL IN FAVOR **MOTION PASSED**

Respectfully Submitted,
Wendy Cleaveland
Planning Board Clerk

APPROVED
BY THE PLANNING BOARD
TOWN OF ONEONTA

May 17, 20 21
CHAIRMAN