

**Town of Oneonta Planning Board
Board Meeting
Monday, June 5, 2023 at 7pm**

Present: Tom Rowe; Dan Baker; Breck Tarbell; Jenny Koehn; Reggie McGuinness; Joseph Camarata (Chairman)

Absent: Rob Lishansky

Others Present: Jaime Lopez; Benjamin & Kirstin Cotter; Melissa Jervis; Bruce Smith

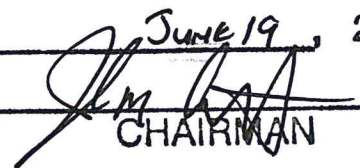
The meeting was called to order at 7:06 PM.

Public Hearings: none

New Applications:

PB000640 Benjamin & Kirstin Cotter TMP#300.14-1-10.02; 201 Southside Dr
Special Use Permit Application for short term rental

APPROVED
BY THE PLANNING BOARD
TOWN OF ONEONTA

June 19, 20 23

CHAIRMAN

Benjamin & Kirstin Cotter were present to represent their Special Use Permit Application for short term rental of their new 2 bedroom single family rental. Applicants have a Special Use Permit for their personal residence across the street. The required property maintenance/fire inspection was performed on May 22, 2023 and passed with no violations cited. The house currently has a Temporary Certificate of Occupancy with the condition of connection to Southside Water District. Mr. Cotter advised the board he had been in contact with Department of Health for an option, until the Southside Water District is operational. He has installed 2 food grade storage tanks, triple filtered with a UV installed and has had the water tested. Chairman Camarata advised that the board cannot approve the Special Use Permit until he has a Certificate of Occupancy or in this case a letter from Department of Health stating that the private water supply is acceptable. Mr. Cotter added that his intent was not to rent as the system is annoying to fill, but would like to have the approval already in place, prior to actual connection to the Southside Water District. Chairman Camarata advised while board would set a public hearing, that he should contact Department of Health directly for a letter of approval. Department of Health approval would be necessary for board approval.

Motion made by Tom Rowe and seconded by Breck Tarbell to set a public hearing for June 19, 2023 at or about 7:05 PM.
VOTING: Unanimous. **MOTION CARRIES**

PB000641 Melissa Jervis TMP#259.00-2-13.00; 391 Gifford Hill Rd
Special Use Permit Application for short term rental

Melissa Jervis was present to represent the Special Use Permit Application for short term rental of their 3 bedroom single family residence that they have purchased for a rental property. They already have a short term rental in the Town. The required property maintenance/fire inspection was performed on May 31, 2023 and passed with no violations cited.

Motion made by Reggie McGuinness and seconded by Jenny Koehn to set a public hearing for June 19, 2023 at or about 7:10 PM.
VOTING: Unanimous. **MOTION CARRIES**

Continuing Business:

PB000600 Clemente Bonilla TMP#287.19-4-14.00; 46 School House Ln
Special Use Permit Renewal for short term rental

Jaime Lopez authorized representative, was present as advised due to complaints filed that the Special Use Permit for short term rental could not renewed until a hearing with the planning board. One complaint was for trash and Mr. Lopez advised it was in a white bag and it had snowed, so he did not see it. As soon as he was advised, he had the garbage

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removed. He has been trying to follow the Homeowners Association rules and having trash set out on Monday mornings. Board advised a trash receptacle should be used and cannot be set out in excess of 48 hours, per Town Code. The other 2 complaints were for more than 2 unrelated individuals, specifically contractors whom were renting the residence. The signed "Conditions of Special Use Permit for Short Term Rental" form, specifically states: One family per dwelling unit. The definition of family in the Town Code 103.3: Not more than two persons, living and cooking together on the premise as single housekeeping unit though not related by blood, marriage or adoption. Therefore 3 or more unrelated contractors is a violation of the Town Code. Mr. Lopez advised that one family unit has been added to the listing and confirmed with the owner on the phone. Chairman Camarata advised property should have been listed that way to begin with.

Motion made by Tom Rowe and seconded by Dan Baker that due to violations, to revoke the Special Use Permit for 6 six months and applicant can reapply in December for a Special Use Permit in its entirety. If applicant continues to rent out short term he will not be allowed to reapply.

VOTING: Unanimous. **MOTION CARRIES**

Discussions:

Bruce Smith was in attendance to request that the Board please issue a Cease & Desist Order for a business operation in the Town without a DBA on file at the County, as well as the properties in the Town with accumulation of junk. Chairman Camarata advised that the Planning Board cannot to his knowledge issue a Cease & Desist, that the Code Enforcement Office along with the Town Board would handle. Mr. Smith advised he has attended the Town Safety Meeting, but nothing has been done. Chairman Camarata stated he would check with the Town Attorney and would send a letter to the Town Board.

Minutes:

Minutes were reviewed by the board from May 15, 2023 board meeting.

Abstain: Dan Baker

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

ALL IN FAVOR MOTION PASSED

Adjournment:

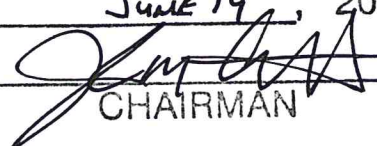
Motion made by Jenny Koehn and seconded by Reggie McGuinness to adjourn at 8:05PM, with the next scheduled meeting June 19, 2023 at 7:00 PM.

ALL IN FAVOR MOTION PASSED

Respectfully Submitted,

Wendy Cleaveland
Planning Board Clerk

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BY THE PLANNING BOARD
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CHAIRMAN