

**Town of Oneonta Zoning Board of Appeals
Board Meeting
Monday, June 22, 2026**

Present: Kelly Wilde; Tammy Christman; David MacClintock; Allen Black; Michael Stolzer (Chairman)

Absent: none

Others Present: Corinne Cavanaugh (Town Attorney); Jon Bacchi; Charles Christman; David Leahy; Tom & Nora Clark; Rhea Nowak; Tim Ploss; Ann Walsh; Jim Walsh; Timothy Gracy; Teresa DeSantis; Charles & Pat Lowe; Marcia Bowne; Will Rivera

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

Minutes:

The minutes from May 18, 2026 were reviewed by the board for approval.

Motion made by Tammy Christman and seconded by Al Black to approve the minutes.

ALL IN FAVOR MOTION PASSED

New Applications: none

Continuing Business:

ZBA000294 JKS North Street LLC/Jonathan & Kathy Bacchi TMP#287.19-1-27.00; 14 North St
Area Variance Application

Michael Stolzer, Chair advised that JKS North Street LLC 14 North St area variance application to reduce the setback requirements abutting residential properties to construct a 25'x140" self storage drive up unit, had been carried over from the public hearing held on May 18, 2026. Chair Stolzer turned the meeting over to the Board Counsel, Corinne Cavanaugh who advised that the Board had closed the public hearing, completed the SEQRA review and adopted a negative declaration. Since the meeting, the board had received a couple of letters from neighboring property owners that the board had reviewed and agreed mirrored the previously raised concerns of privacy, lighting, traffic, buffer, and the neighborhood impact. The correspondence from the Oneonta Fire Department Chief Knapp expressed concerns limiting fire department access, operational space for apparatus positioning, hose deployment, and exposure protection operations. Applicant stated he was not aware of any Fire Department issue, as there is only access on sides to the existing building. You cannot drive around the existing building; it is either nose in or nose out. Counsel moved on to the area variance criteria. The board questioned it being an undesirable change with the exiting use a storage facility, but the increase in units would increase the use and the result of no buffering would be a detriment to neighborhood. The board agreed that there were alternatives to expand the business without reducing the side yard setback requirement and agreed it was a substantial request. With the information provided from the OFD, the board agreed that limiting space and increased time involved, may increase loss and harm. Chair Stolzer stated he was not sure there was a hardship, applicant purchased an existing business and has the opportunity to resubmit. Council advised that the board has to vote on the application as presented. Based upon the board findings with respect to the 5 statutory factors the board finds that the benefits to the applicant do not outweigh the health, safety and welfare of the neighborhood or community. Town Law section 267b(3)c has not been satisfied.

Motion made by Kelly Wilde and seconded by Tammy Christman to deny the Area Variance Application of the setback requirements for an additional self storage building 25'x140'.

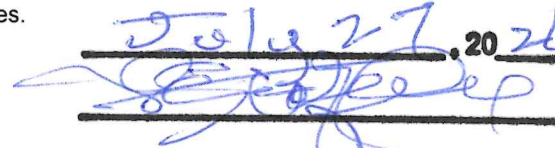
VOTING: Ayes 4; Nays 1 **MOTION CARRIES**

Public Hearing:

ZBA000296 David Leahy TMP#287.00-1-6.01; 169 Forest Ln
Use Variance Application

David Leahy was present and the notifications were verified. Michael Stolzer, Chair opened the public hearing for the Use Variance Application to add a single family residence for his own personal/one story retirement house on the 83.81acre parcel (old golf course) with existing Club House w/apartment. Chair Stolzer turned the meeting over to the Board Counsel, whom advised a threshold interpretation issue regarding the proper application of TC103-63 to this property. Counsel believes the board should first determine the proper classification of the proposed agricultural operation, the existing structure, and proposed residence under the Town code before proceeding with the use variance application. Chair Stolzer opened the public hearing for comment

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TOWN OF ONEONTA



CHAIRMAN

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at this time. Neighbor Tim Gracy stood in support of the application. While the Woodhaven Golf Course was a beautiful course, the neighbors feared the vacant property would become a water park, industrial use or sand/gravel pit. He is very excited about the developments and its beauty. It has enhanced their property values and he is completely in support of residential use and wished Mr. Leahy the best. No one else appeared to speak. Counsel advised that because of the threshold interpretation issue discussed, recommend the board continue the public hearing on the use variance application on July 27, 2026 and schedule interpretation public hearing regarding the proper application of TC 103-63 for the same meeting. Mr. Leahy asked if they could just continue with the use variance. Counsel advised they needed to interpret the statute correctly and time to notify the public. It was clarified that the Board/Counsel had to look at principle use and accessory use, to see if whether or not need a use variance. Dave Macclintock added they would need to look at the agricultural operation and what entails for multiple residences. Mr. Leahy clarified the new proposed home would be his personal primary residence and the other would be for permanent residents, employees, otherwise my children, farm hands, not a rental.

Motion made by Dave MacClintock and seconded by Tammy Christman to carry over the Use Variance hearing to the next meeting, pending the results of an Interpretation hearing to be held July 27, 2026 at 7:00 PM to determine that a use variance is needed to add a single family residence on the parcel.

VOTING: Unanimous. **MOTION CARRIES**

Discussions:

Chair Stolzer announced that the next schedule meeting is on July 27, 2026 at 7:00 PM.

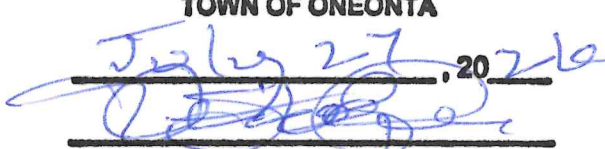
Adjournment:

Motion made by Kelly Wilde and seconded by Dave MacClintock to adjourn at 7:43 PM.

ALL IN FAVOR MOTION PASSED

Respectfully Submitted,

Wendy Cleaveland
Zoning Board of Appeals Clerk

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