

**Town of Oneonta Planning Board
Board Meeting
Monday, March 7, 2022 at 7pm**

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

Absent: none

Others Present: Gavin Vuillaume; Patrick Calhoun; Marty Andrews; Tom Hoffman Jr; Joshua Hogan; David Baritell

The meeting was called to order at 7:01 PM.

Public Hearings: none

New Applications:

PB000595 Mitchel Couch TMP#299.07-3-51.00; 13 Orchard St
Special Use Permit Application for short term rental

Mitchel Couch was not present to represent his Special Use Permit Application for the short term rental of his 3 bedroom home. Board tabling the application until the applicant is present.

PB000596 Ali Sharhan TMP#300.08-3-8.00; 5381 St Hwy 7
Site Plan Review Application

David Baritell of Howard Hanna appeared as authorized representative to represent the Site Plan Application for a retail smoke shop in the vacant 21st Century Pool building. The business owners currently have 4 other typical smoke shops retailing tobacco, pipes, vape supplies, e-cigarettes and glassware. There are no proposed changes to the structure, just paint, display cabinets and racks for shelving. They have a 5- year lease contingent on the Site Plan Approval. Hours of operation will be 9AM to 8-9PM, 6 to 7 days a week, based on demand and employing 1-2 employees. Chairman Camarata stated that if the trash receptacle could be moved to rear of building and still have enough parking spaces (10 required), that would be beneficial for emergency access around the building. The board doubted they would need the parking out back. The parking would need to be striped on paved portion of lot and the trash receptacle is to be moved to the rear near well head against the wall.

Motion made by Tom Rowe and seconded by Jenny Koehn that the Site Plan Review Application will not have a negative impact on the environment.

VOTING: Unanimous. **MOTION CARRIES**

Motion made by Breck Tarbell and seconded by Reggie McGuinness to approve the Site Plan Review Application conditioned with the striping of parking lot.

VOTING: Unanimous. **MOTION CARRIES**

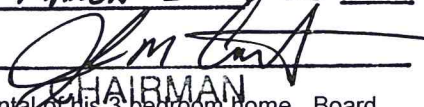
PB000594 Patrick Calhoun TMP#287.09-1-49.00; 2885 Co Hwy 8
Special Use Permit Application for short term rental

Patrick Calhoun was present to represent his Special Use Permit Application for the short term rental of his garage turned carriage house (400sf studio apartment). He has had a Special Use Permit for his 3 bedroom home on this parcel since 10/16/17 and have had no issues. However, when final inspection was done for gym in garage, the inspector noted it had been converted to a dwelling and Certificate of Compliance was issued for gym conditioned not a sleeping unit. In March of 2021 he applied for a variance for 2nd dwelling unit on a parcel and was approved April 26, 2021 due to hardship needed a place to stay during short term rental of primary residence. Approval states specifically as requested on application. On January 14, 2022 an ad was found on line Airbnb for the "Carriage House". He was issued a Cease and Desist Order and then filed this application. Reviews go back to November 2021 and see dates marked out throughout the calendar year. They have not ceased as most recent review is dated February. Mr. Calhoun clarified his intent was to rent primary residence during baseball season and the "Carriage House" during the off season. Board discussed the hardship was self-imposed and no way to know what is being done when.

Motion made by Jenny Koehn and seconded by Tom Rowe to deny the Special Use Permit for short term rental of "Carriage House" one Special Use Permit for short term rental per property.

VOTING: Unanimous. **MOTION CARRIES**

APPROVED
BY THE PLANNING BOARD
TOWN OF ONEONTA

MARCH 21, 20 22

CHAIRMAN

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Continuing Business:

PB000590 Hoffman Development Corporation TMP#300.14-1-6.00; 716 St Hwy 28
Site Plan Review Application

Gavin Vuillaume, RLA of Environmental Design Partnership and Marty Andrews, Director of Development for Hoffman Development Corporation were present to go over the updated Site Plan for the 6400sf automated car wash building. Mr. Vuillaume advised there was just a little change in the layout, allowing for future development of remainder of the land being purchased. The front drive has been changed to 2-way traffic allowing for a right in and a right out of possible future development area. As noted on the drawings, the section for future development will be closed off until there is a future tenant. Chairman Camarata also pointed out that NYSDOT may require the curb cut shown on undeveloped portion of updated Site Plan submitted. They are developing 1.78 acres of the 2.13 acres purchasing and questioned if they should discuss a subdivision now. It was clarified they were purchasing both lots 300.14-1-6.00 and 300.14-1-9.00, and that they would like to sell the remaining vacant land. Chairman Camarata advised that would be a whole other application. Code Official Paul Neske would assist them in the Lot Line Change Application process, it would not be a subdivision. They brought copies of the Stormwater Management Plan and the SWPPP, that they will be submitting to NYSDEC. They have hired VHB in Albany to do a traffic study. It was noted that they did not add a sidewalk and Mr. Vuillaume advised the potential for a sidewalk didn't seem appropriate. If the town wanted a sidewalk and NYSDOT insisted, they would address its construction with NYSDOT. The board advised that sidewalks were a part of the NYSDOT long term plan and that the Town agreed. Paul Neske, Code Official advised the board that the Oneonta Fire Department had no issue with site plan provided. They would like to begin the construction in June, with construction time being 10-12 months.

Motion made by Tom Rowe 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 Tom Rowe to approve the Site Plan Review Application conditioned on adding sidewalks, NYSDOT and NYSDEC requirements met.

VOTING: Unanimous. **MOTION CARRIES**

Discussions:

Board members agreed all new Special Use Permit Applications for short term rentals would have no open building permits and all violations cleared before applications would be forwarded to the Planning Board. New owners of properties with Special Use Permits for short term rental would be notified as soon as sale known to renew or decline. The renewals would be placed on a Planning Board agenda to go over conditions and update contact information in person.

Minutes:

Minutes were reviewed by the board from February 7, 2022 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 Rob Lishansky and seconded by Reggie McGuinness to adjourn at 8:10 PM, with the next scheduled meeting March 21, 2022.

ALL IN FAVOR **MOTION PASSED**

Respectfully Submitted,

Wendy Cleaveland
Planning Board Clerk

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