

**Town of Oneonta Planning Board
Board Meeting
Monday, January 16, 2023 at 7pm**

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

Absent: Dan Baker; Rob Lishansky

Others Present: James Gillespie; Maria Eliza Oprea; John Claflin; Jim Rowe; Hannah Calhoun; Patrick Calhoun; James Hurtubise

The meeting was called to order at 7:02 PM.

Public Hearings: none

Renewal:

PB000587 James Hurtubise TMP#286.00-2-45.01; 393 Co Hwy 9
Special Use Permit Renewal Outdoor Event Venue

James Hurtubise was in attendance as the Special Use Permit that was issued December 2021 was conditional for one year and advised he would need to reappear for renewal. There have been no complaints or violations cited. Mr. Hurtubise advised the board that he had only had a baby shower since approval and no events have been scheduled for the up coming year, but he would like to renew the Special Use Permit. The board agreed to renew the Special Use Permit, but clarified due to the activity he would need to reappear annually for renewal.

Motion made by Breck Tarbell and seconded by Tom Rowe to approve the annual renewal of Special Use Permit for outdoor event venue.

VOTING: Unanimous. **MOTION CARRIES**

Continuing Business:

PB000620 Shagbark Winery/John Claflin TMP#287.00-1-17.01; 645 St Hwy 205
Site Plan Review Application

John Claflin was present to represent the Site Plan Review Application for a winery with a tasting room. The application was referred to Otsego County, NYSDOT and NYSDEC for their review and comments, per GML239. The Otsego County Planning responded with the recommendation to approve with modification. The County advised that the Town and applicant work with NYSDEC to determine whether any additional actions or issues associated with carrying out Post-Closure and Maintenance Plan of inactive landfill. The application was forwarded to NYSDEC on November 30, 2022 and to date no response received. The reference to potable water and septic would be handled by NYSDOH. The applicant since forwarded a copy of the Post-Construction Closure Plan Certification Report prepared by Lamont Engineers dated August 2002. The report states that the closure of the JMF Associated C&D Landfill meets the requirements of the Final Closure Plan, Dated May 2001, prepared by Delaware Engineering, PC. NYSDOT response was received and forwarded to Mr. Claflin. Mr. Claflin advised that he had spoken with NYSDOT and that they were fine with the existing entrance to property, therefore no work being done in the highway right of way, and he currently has a well driller on site. He stated he had reached out to NYSDEC, but no response. All the information he has gathered states to not disturb the cap of the landfill and advised he has added another 10 feet of cover. As requested, he supplied an information sheet stating the hours of operation 8am to 9pm, 4 employees, parking spaces paved/lined, availability to serve food, ability to have music on site and to hold events. He included the data regarding proposed LED solar lighting.

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

VOTING: Unanimous. **MOTION CARRIES**

APPROVED
BY THE PLANNING BOARD
TOWN OF ONEONTA

FEB 6, 20 23

CHAIRMAN

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Motion made by Reggie McGuinness and seconded by Jenny Koehn to approve the Site Plan Review Application, per Studio MAS architecture drawing dated 17 October 2022.

VOTING: Unanimous. **MOTION CARRIES**

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New Applications:

PB000619 Hannah & Patrick Calhoun TMP#287.09-1-49.00; 2885 Co Hwy 8
Special Use Permit Application for short term rental modification

FEB 6 2023
[Signature]

Hannah & Patrick Calhoun were present to represent their Special Use Permit Application for the short term rental of their garage that they have converted to studio cottage (Carriage House 911 address 2885A). The Zoning Board of Appeals granted a use variance modification 12/19/22, to allow occupancy of the second residential structure beyond themselves. The use variance granted 4/26/21 was conditioned on garage apartment to be used by homeowners to be close to the short term rental of their single family residence. The required property maintenance/fire inspection was performed 1/10/23 and passed. The board questioned if they were seeking approval to rent both dwellings at the same time. Hannah Calhoun stated intent was to rent her house out for 3 months of the year and the Carriage House for the other 9 months.

Motion made by Breck Tarbell and seconded by Tom Rowe to approve the Special Use Permit modification for short term rental to include both dwelling units with the contingency that both cannot be rented at the same time.

VOTING: Unanimous. **MOTION CARRIES**

PB000624 Maria Eliza Oprea TMP#287.09-1-75.02; 2851 Co Hwy 8
Special Use Permit Application for short term rental

Maria Eliza Oprea was present to represent the Special Use Permit Application for the short term rental of the 1st floor of single family residence. Her daughter resides on the 2nd floor with her own private entrance. The required property maintenance/fire inspection was performed 1/12/23 and passed. She currently has a 1 bedroom short term rental at her home. The board clarified was a 2-family residence, with adequate egress and parking.

Motion made by Reggie McGuinness and seconded by Jenny Koehn to set a public hearing for February 6, 2023 at or about 7:05 PM.

VOTING: Unanimous. **MOTION CARRIES**

PB000625 HEG Properties, LLC/Ben Guenther TMP#299.00-1-11.21, -11.25, -11.25 #299.10-1-15.01, -16.01, -17.01, 18.09, -19.01; NYS Rt 7 & 205; Oneida St
Major Subdivision Review Application

This project was initially proposed in 2015 when the Town Board adopted Local Law #3 for a zone change from B-2 to a PPD. The Planning Board later approved a Lot Line Change 3/5/2018 to consolidate the 8 parcels, but the map was never filed. This application will be reviewed as a major subdivision due to the infrastructure being put in to include a new road that will turned over to the Town. It was agreed that the board would review the subdivision and site plan for Stewart's concurrently. Chairman Camarata advised the completed applications will be referred to the Town Board to establish a performance bond and their referral to the Town Engineer. Afterwards, the Town Board will return the applications to the Planning Board for processing.

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PB000626 Stewart's Shops Corp/James Gillespie TMP#299.00-1-11.21, -11.25, -11.25 #299.10-1-15.01, -16.01, -17.01, 18.09, -19.01; NYS Rt 7 & 205; Oneida St

Site Plan Review Application

James Gillespie of Stewart's Shops, Corp was in attendance for the sketch plan review of phased project to consolidate 8 parcels (12.593 acre) and then subdivide a 1.854 acre parcel to Stewart's Shops Corp. The scope of the project for a new 4020sf Stewart's Shop, a 2440sf canopy with 4 fuel islands and underground fuel storage tanks. A new road connecting Route 7 to Route 205 is also proposed as part of the project. James Hurtubise, Town Highway Superintendent offered that the pavement should extend past the end of Stewarts proposed property line with a turn around, due to fact there is no other proposed development at this time.

Motion made by Jenny Koehn and seconded by Reggie McGuinness for the Planning Board to declare SEQRA Lead Agency.

VOTING: Unanimous. **MOTION CARRIES**

Discussions:

Chairman Camarata advised board members he needed to know who was planning on attending the NY Planning Federation Conference April 16-18 for their annual training. He requested that they get in touch with him and with Town Board approval, reservations would be made. Also noted, depending on those attending, that the scheduled Planning Board meeting 4/17/23 may have to be canceled.

Minutes:

Minutes were reviewed by the board from December 5, 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 Reggie McGuinness and seconded by Jenny Koehn to adjourn at 8:13 PM, with the next scheduled meeting February 6, 2023.

ALL IN FAVOR MOTION PASSED

Respectfully Submitted,
Wendy Cleaveland
Planning Board Clerk

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BY THE PLANNING BOARD
TOWN OF ONEONTA

Feb 6, 20 23

CHAIRMAN