

TOWN OF OTEGO PLANNING BOARD

**Public Hearing
August 16, 2022**

The Planning Board met at 7:02 pm for a Public Hearing regarding the application for a Special Use Permit-Light Industrial Use by Michael Pentaris, CEO of Custom Electronics. This Special Use Permit is regarding property at 3954 State Highway 7 in Otego, New York with tax # 308.00-1-32.03. Mr. Pentaris presented the Board with original proof of notification to appropriate landowners for this public hearing. This parcel is in an area that has been zoned for light industrial.

There are no property owners in attendance to offer comment on this action. Lois Chernin, Chairperson of the Planning Board, states she has received no written comments.

No comments were offered regarding this Special Use Permit – Light Industrial Use.

**Motion made by Harry Martin, seconded by Lonnie Ridgway, to declare the Public Hearing completed at 7:09 pm.
Vote: Yes: 3 No: 0 Motion Carried.**

TOWN OF OTEGO PLANNING BOARD

**Minutes of Regular Meeting
August 16, 2022**

Planning Board Members Present:	Lois Chernin, Harry Martin, Lonnie Ridgway
Planning Board Members Absent:	Mark Dye
Planning Board Member Excused:	Kathy Leahy
Planning Board Alternate Present:	David Sheldon - Absent
Planning Board Recording Secretary Present:	Colleen Bushnell
Codes Officer - Dan Wilber:	Present
Town Board Liaison – Jimmy Hamm:	Absent
Members of the Public:	4

The regular meeting of the Town of Otego Planning Board opened at 7:10 pm.

The minutes from the July 19, 2022 regular meeting were reviewed by members.

**Motion made by Lonnie Ridgway, seconded by Harry Martin, to accept the minutes as written.
Vote: Yes: 3 No: 0 Motion Carried.**

Reports: Jimmy Hamm is not present at this Planning Board meeting. Lois Chernin reported from the last Town Board meeting:

- The Town Board received a directive regarding local laws related to the cannabis industry from the New York State Office of Cannabis Management. The Town Board has approved the dispensing of cannabis in the Town of Otego and will accept input from the Planning Board.
- The Town Board discussed the issue of properties owned by absentee landlords. There is often no one responsible for taking care of the property or they are completing work without the required permits. Dan has issued stop work orders but is unable to serve those landowners as they often live out of state.
- Dan Wilber suggests a requirement stating owners must have a local representative to advocate for them if there are any concerns. Lois has been in contact with the Town of Otego lawyer regarding this. Lonnie stated the City of Oneonta has the requirement that a representative must live within an hour of the property. This may be a consideration for this issue.

Old Business:

- Michael Pentaris, CEO of Custom Electronics, is in attendance regarding an application for a Special Use Permit – Light Industrial Use of property at 3954 State Highway 7 with tax # 308.00-1-32.03.

**Minutes of Public Hearing and Regular Meeting
August 16, 2022**

Old Business: (continued)

**Motion made by Lonnie Ridgway, seconded by Harry Martin, to accept this application as complete.
Vote: Yes: 3 No: 0 Motion Carried.**

**Motion made by Lonnie Ridgway, seconded by Harry Martin, to declare the Planning Board of Otego lead agency in the matter of the Special Use Permit – Light Industrial Use for tax #308.00-1-32.03 owned by Custom Electronics.
Vote: Yes: 3 No: 0 Motion Carried.**

- Lois read the questions from the EAF form. The answer to each question was no. This Special Use Permit results in no adverse environmental impact and can be given a negative declaration. No further SQER action is required.

**Motion made by Lonnie Ridgway, seconded by Harry Martin, to declare this a negative declaration under SEQR needing no further action.
Vote: Yes: 3 No: 0 Motion Carried.**

- There was discussion regarding the use of this property. Mr. Pentaris stated the use of the property will occur inside the building resulting in no concern of lights or noise. All items used in the manufacturing are brought in for assembly.
- Question raised regarding the hours of business. Mr. Pentaris states presently the hours of business are 8:00 am to 5:00 pm. That may change in the future but would not impact the surrounding properties.
- There is no concern regarding parking. There will be 20-35 employees. This should not increase the traffic activity in any major way.

**Motion made by Harry Martin, seconded by Lonnie Ridgway, to approve the Special Use Permit – Light Industrial Use for tax #308.00-1-32.03 with no restrictions.
Vote: Yes: 3 No: 0 Motion Carried.**

- A letter of this action will be sent to Mr. Pentaris.
- Dan Wilber will address with Mr. Pentaris the change from S-1 to F-1 or F-2 send a form to Mr. Pentaris regarding an occupancy change from S-1 to F-1 or F-2.

New Business:

- Moriah Haner is present regarding an application for Home Occupation on property 131 Willow Street with tax # 317.00-1-37.02. She is asking to run a canine boarding/day care/grooming business on that property.
- The dogs will be held in kennels in the walk-out basement of the home. A 6-foot-high fenced yard will be used to exercise the dogs. Ms. Haner will be present at all times during the exercising of the dogs in the yard.
- The dogs would be cared for Monday through Friday. The hours of business would be 7:00 am – 5:30 pm except for any dogs to be boarded overnight. She is able to kennel up to 25 dogs. They have been running this business in Franklin, New York for three years with no complaints.
- As a Home Occupation request this does not require a Public Hearing.

**Motion made by Lonnie Ridgway, seconded by Harry Martin, to approve the application for Home Occupation for Playful Paws at 131 Willow Street with tax #317.00-1-37.02.
Vote: Yes: 3 No: 0 Motion Carried.**

- A letter of this action will be sent to Ms. Haner.
- She was reminded that she will need a permit from Dan for the construction of the fence. He can classify it as new occupancy.

**Minutes of Public Hearing and Regular Meeting
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New Business: (continued)

- Lois has a completed application for property owned by Kathy Leahy at 64 Otsdawa Avenue with tax #s 317.00-1-4-.01 and 317.00-1-61.02. This is a removal of the rear boundary line of tax # 317.00-1-61.02 previously owned by William Boener which will join the two parcels. Ms. Leahy paid the required fee in November 2021.

Motion made by Harry Martin, seconded by Lonnie Ridgway, to accept this application as complete.

Vote: Yes: 3 No: 0 Motion Carried.

Motion made by Harry Martin, seconded by Lonnie Ridgway, to approve the application for a Boundary Line Adjustment which will remove the rear boundary line of property previously owned by William and Marion Boerner. This will join two parcels of property at 64 Otsdawa Avenue with tax #s 317.00-1-48.01 and 317.00-1-61.02.

Vote: Yes: 3 No: 0 Motion Carried.

- A letter of this action will be sent to Ms. Leahy and to the county.
- Discussion was held regarding a letter received by the Town Board of Otego from the New York State Office of Cannabis Management. The Town Board has approved operations of cannabis dispensing in the Town of Otego. This was approved due to the negative issues brought forth by New York State. This decision under the Marijuana and Taxation Act was accepted by the Town Board in 2021. The Office Control Board and the Office of Cannabis Management are now asking for what restrictions will be put on this by the town.
- The following concerns were discussed:
 - Need for Special Use Permits versus Home Occupations.
 - Should consider where it is, what is surrounding the area, hours of operations, impact of traffic, and on-site consumption.
 - Should consider distance from schools, churches, recovery housing, day care facilities, etc.
 - Dan Wilber suggests the town require Special Use Permits which can be done with restrictions.
 - Per Dan Wilber this would need to be added to the Town of Otego Zoning Laws.
- Lois will contact the town lawyer regarding this discussion requesting the lawyer's input
- Lois is requesting ongoing input from the Planning Board regarding this issue.

Communications:

- Lois received notification of training available for the fall of 2022 regarding Zoning Laws. This is an on-site only seminar available in Hyde Park, Canadagua, and Lake Placid. The seminar is "From Air B&B to VRBO and Everything In Between for Short Term Rentals in Your Jurisdiction".

Privilege of the Floor: None

Next meeting: September 20, 2022 at 7:00 pm.

Motion made by Harry Martin, seconded by Lonnie Ridgway, to adjourn the meeting.

Vote: Yes: 3 No: 0 Motion carried.

Meeting adjourned at 8:30 pm.

Respectfully Submitted:

Colleen Bushnell, Secretary