

**TOWN OF OTEGO PLANNING BOARD**  
**Public Hearing**  
**December 20, 2022**

The Public Hearing opened at 7:03 pm for a Special Use Permit requested by Frank Stanley. He has applied to place a food trailer on property at 116 Secor Road in Otego with tax #317.00-1-67.01 owned by John Escobar.

Frank Stanley stated he has applied for a Special Use Permit to place a food trailer on the property of John Escobar. It is a food preparation and vendor.

Several concerns were voiced by Sheridan Herring O'Hara. She and her brother own some of the property adjacent to Mr. Escobar's property. She wants assurance that the Special Use Permit will not affect her property. Her concerns included placement of the food trailer, garbage, inappropriate signs, parking, and water run-off. The following was addressed by Mr. Escobar, Mr. Stanley, and Lois:

1. The food trailer will be placed against the wall behind the white fence.
2. Garbage: There will be garbage cans, etc. to hold any garbage.
3. There will be no inappropriate signs.
4. Parking: All parking will be off road on Mr. Escobar's property.
5. Water run-off: Mr. Stanley states that gray water will go into a tank on the food trailer. Mr. Escobar states the gray water will then be put into his septic system.

Mary Hiller states the term food truck and food trailer have been used. She questioned if it is a self-contained truck or will it be transported by another vehicle. It is self-contained but transported by another vehicle.

Ed Horan was present and asked if the food trailer would be in used year-round. Mr. Stanley states it will be in position year-round, but it will depend on business. Mr. Horan also asked about the lighting for the area. Mr. Escobar states there is sufficient lighting facing into the area and not toward the road. There will be one trailer set against the wall on the back of the property with parking on the property.

Sheridan O'Hara asked regarding Department of Health involvement. Lois states the Town of Otego has a Health Officer who she has been in contact with.

Dan Wilber states the trailer will have to comply with Department of Health regulations. The town of Otego has no say regarding certain aspects of the food trailer. As Code Enforcement Officer he is required to inspect annually. He has jurisdiction regarding such areas as garbage.

There were no other concerns in writing or verbally voiced regarding this Special Use Permit.

**Motion made by Kathy Leahy, seconded by Harry Martin, to declare the Public Hearing closed at 7:18 pm. No discussion.**

**Vote: Yes: 4 No: 0 Motion Carried.**

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**TOWN OF OTEGO PLANNING BOARD**  
**Minutes of Regular Meeting**  
**December 20, 2022**

<b>Planning Board Members Present:</b>	Lois Chernin, Mark Dye, Kathy Leahy, Harry Martin,
<b>Planning Board Members Absent:</b>	None
<b>Planning Board Member Excused:</b>	Lonnie Ridgway
<b>Planning Board Alternate Present:</b>	None
<b>Planning Board Recording Secretary Present:</b>	Colleen Bushnell
<b>Codes Officer - Dan Wilber:</b>	Present
<b>Town Board Liaison - Jimmy Hamm:</b>	Present
<b>Members of the Public:</b>	11

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The regular meeting of the Town of Otego Planning Board opened at 7:19 pm.

The minutes from the November 15, 2022 regular meeting were reviewed by members.

**Motion made by Harry Martin, seconded by Mark Dye, to accept the minutes as written.**

**Vote: Yes: 4 No: 0 Motion Carried.**

**Reports:** Jimmy Hamm reports for the Town Board:

- Rick Brockway, County Representative, informed the Town of Otego that Otsego County received \$11.5 million from Federal Recovery Money related to the COVID pandemic. The county is offering towns some of the money to fund projects. Otego has requested \$50,000. Otsego County awarded the Town of Otego the money to be used for the new town garage floor.
- JR Hurlburt contacted Bridges of New York regarding bridges in Otego. They are still looking into the possibility of some assistance. However, most of the bridges in Otego are not large enough.

**Old Business:**

- Robert Birch is in attendance representing TEGO Properties, Andrew Latham Estates, regarding a Minor Subdivision application for property at 283 County Highway 6 in Otego with tax #307.00-1-24.00. He presented Lois with the receipts from the surrounding landowner's letters. Two of the landowners called him with questions which he addressed. No concerns have been expressed.
- Mr. Birch gave the Planning Board copies of the map for the property. It is one parcel being divided into 3 properties. The parent parcel is 144.12 acres. The parent parcel (Lot 1) will be 121.98 acres, lot 2 to be 12.7 acres, and lot 3 will be 9.44 acres.
- There was some discussion regarding a 5-acre land-locked parcel with tax #307.00-1-25.00 which had been merged into tax #307.00-1-24.00 in July 2021 as requested in a Boundary Line Adjustment. This action was approved and sent to Otsego County at that time. However, the county has not acted on the approved change. Lois states she doesn't feel this is a concern for this subdivision. She will change the application from 149.12 acres to 144.12 acres on tax #307.00-1-24.00. This will have to be addressed in the future. According to the map that 5 acres has the tax #307.00-1-25.00.

**Motion made by Harry Martin, seconded by Kathy Leahy, to accept this application as complete. No discussion.**

**Vote: Yes: 4 No: 0 Motion Carried.**

**Motion made by Mark Dye, seconded by Harry Martin, to declare the Planning Board of Otego lead agency in the matter of the Minor Subdivision for tax #307.00-1-24.00 owned by TEGO Properties. No discussion.**

**Vote: Yes: 4 No: 0 Motion Carried.**

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

**Motion made by Kathy Leahy, seconded by Mark Dye, to declare this a negative declaration under SEQER needing no further action. No discussion.**

**Vote: Yes: 4 No: 0 Motion Carried.**

**Motion made by Mark Dye, seconded by Harry Martin, to approve the Minor Subdivision for tax #307.00-1-24.00 owned by TEGO Properties, Andrew Latham Estate. No discussion.**

**Vote: Yes: 4 No: 0 Motion Carried.**

- The mylar map was signed and dated by Lois.
- A letter of this action will be sent to Mr. Birch as representative for the Latham Estate and to the county.

**Old Business:** (continued)

- Frank Stanley is in attendance regarding the application for a Special Use Permit. He has applied to place a food trailer on property at 116 Secor Road in Otego with tax # 317.00-1-67.01 owned by John Escobar.
- The Planning Board addressed several concerns with Mr. Stanley and Mr. Escobar:
  1. Gray water: Mr. Stanley states there is a storage tank in the trailer. That will be emptied into the existing septic system on the property. It will not be allowed to run on the ground.
  2. Dan Wilber is responsible for Fire Safety Inspections as required. He is also responsible for any issues regarding refuse.
  3. The Department of Health is responsible for addressing cooking, water, and septic concerns. They cover the sanitation aspect.
  4. Parking: Mr. Escobar states the parking will be off road with two lots for overflow.
  5. Toilet Facilities: There will be portable restrooms which are subject to health code.
  6. Time of business: It will be in position year-round with hours to be determined. This will be decided in the future according to the need.
  7. Lighting: There is lighting with two poles facing down and facing away from neighboring residents and the road. There will be lighting also at the entrance to the area.
  8. Water: The property is fed by water from the Village of Otego.
  9. Garbage: There will be a dumpster for garbage.
  10. Vendor Tent Use: This will only be in the summer and will only be seating area for the food trailer.
- Mr. Stanley presented Lois with all receipts from all required property owners. The fee has been paid.
- Lois reviewed the application and states it is complete.

**Motion made by Harry Martin, seconded by Kathy Leahy, to declare this application for a Special Use Permit on tax #31.00-1-67.01 as complete.** No discussion.

**Vote: Yes: 4 No: 0 Motion Carried.**

**Motion made by Mark Dye, seconded by Kathy Leahy, to declare the Planning Board of Otego lead agency in the matter of the Special Use Permit for a food trailer owned by Frank and Marie Stanley on property with tax #317.00-1-67.01 owned by John Escobar.** No discussion.

**Vote: Yes: 4 No: 0 Motion Carried.**

- Mark 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 SEQER action is required.

**Motion made by Harry Martin, seconded by Mark Dye, to declare this a negative declaration under SEQER needing no further action.** No discussion.

**Vote: Yes: 4 No: 0 Motion Carried.**

Discussed possible restrictions:

- The application addresses the possible use of the tent for craft fairs. This will be removed from the application. The tent will only be used for seating for the food trailer per Mr. Stanley.
- Hours of operation: The food trailer will function when the need is there. That will be determined by customer use and the season.
- Lighting discussed and is not an issue.
- Water/Toilet access discussed and is not an issue.
- Music: If used it will be appropriate and quiet.

**Motion made by Mark Dye, seconded by Harry Martin, to approve the Special Use Permit with no restrictions for a food trailer owned by Frank and Marie Stanley on property with tax #317.00-1-67.01 owned by John Escobar.** No discussion.

**Vote: Yes: 4 No: 0 Motion Carried.**

**Old Business:** (continued)

- A letter of this action will be sent to Mr. Stanley and Mr. Escobar.
- If any changes are needed in the future the Planning Board or the owners can re-address the permit.

**New Business:**

- Robert Lesprence is in attendance representing New York Land and Lakes. They have applied for a Major Subdivision on County Highway 7 and Lower Greet Street with tax # 307.00-1-29.01. This is a 139 acre parcel they want to divide into 12 lots, from 2 to 60 acres each.
- The company has had the property surveyed. They have done soil testing and perc tests on each parcel. He presented the report to Lois. The testing was done on each property where a building would be most likely be built.
- On the map presented to the Planning Board are lists of a covenant put forth by the New York Land and Lakes. These restrictions are for future land owners which New York Land and Lakes will enforce. Dan Wilber stated the restrictions are not something the Town of Otego would be able to enforce.
- The subject of single-wide housing was discussed. The state of New York now states the town cannot prohibit single-wide use. However, Mr. Lesprence states the company can do that. If someone does not want to adhere to the covenant, they won't buy the property.
- The wet lands are delineated on the map so any potential property owner will be aware.
- The Planning Board members reviewed and discussed the map. Kathy Leahy brought up a concern with parcel 11. The water from the surrounding area tends to gather on that parcel.
- Lois will send a form letter to Mr. Lesprence for notification of required property owners as needed for a Public Hearing. A list of neighboring property owners was included with the application.
- Lois states the application is complete enough to schedule a Public Hearing.

**Motion made by Kathy Leahy, seconded by Harry Martin, to accept the application for a Major Subdivision of property on County Highway 7 and Lower Green Street with tax #307.00-1-29.01 as complete enough to schedule a Public Hearing.** No discussion.

**Vote: Yes: 4 No: 0 Motion Carried.**

- Lois scheduled a Public Hearing to be held at 7:00 pm prior to the next meeting on January 17, 2023.

**Communications:**

- Harry Martin presented the secretary with certification from 4 hours of training on December 3, 2022.

**Privilege of the Floor:** None

Next meeting: January 17, 2023 at 7:00 pm.

**Note: Public Hearing to be held at 7:00 pm with Regular Meeting to follow.**

**Motion made by Harry Martin, seconded by Kathy Leahy, to adjourn the meeting.**

**Vote: Yes: 4 No: 0 Motion carried.**

Meeting adjourned at 8:51 pm.

Respectfully Submitted:

Colleen Bushnell, Secretary