

**TOWN OF OTEGO PLANNING BOARD**  
**Minutes of Regular Meeting**  
**April 18, 2023**

<b>Planning Board Members Present:</b>	Lois Chernin, Mark Dye, Kathy Leahy, Harry Martin,
<b>Planning Board Members Absent:</b>	Lonnie Ridgway
<b>Planning Board Member Excused:</b>	None
<b>Planning Board Alternate Present:</b>	None
<b>Planning Board Recording Secretary Present:</b>	David Sheldon
<b>Codes Officer - Dan Wilber:</b>	Colleen Bushnell
<b>Town Board Liaison – Jimmy Hamm:</b>	Present
<b>Members of the Public:</b>	Present
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The regular meeting of the Town of Otego Planning Board opened at 7:06 pm.

The minutes from the March 21, 2023 regular meeting were reviewed by members.

**Motion made by Harry Martin, seconded by Kathy Leahy, to accept the minutes as written.** No discussion.

**Vote: Yes: 5 No: 0 Motion Carried.**

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

- Ellen Dwyer gave her resignation as Animal Control Officer. The Town will be accepting applications for a new one to start September 1<sup>st</sup>.
- Otego Clean-Up day will be May 13<sup>th</sup> from 8-12
- There was a presentation regarding greenhouse cannabis growing on property on County Highway 48 west of Otego Tire and Auto. This is handled by the New York State Office of Cannabis Management. The Town has no say in this issue. This presentation regarded just growing wholesale of cannabis, not sale on site.

**Old Business:**

- Robert Lesperence and Alan Lord are present representing New York Land and Lakes application for a Major Subdivision at 55 County Highway 7 in Otego with tax #307.00-1-29.01.
- Mr. Lesperence presented the Board with a new map with a reconfiguration of lots 10, 11, and 12 into two lots. This will address the concern the Board had regarding water on former Lot 11.

**Motion made by Kathy Leahy, seconded by Lonnie Ridgway, to declare the Planning Board of Otego lead agency in the matter of the Major Subdivision for tax #307.00-1-29.01 known as Creek Side Farm owned by New York Land and Lakes, LLC.** No discussion.

**Vote: Yes: 5 No: 0 Motion Carried.**

- Mark Dye read the questions from the EAF form. This Major Subdivision results in no adverse environmental impact and can be given a negative declaration. No further SQER action is required.

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

**Vote: Yes: 5 No: 0 Motion Carried.**

**Old Business:** (continued)

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

**Vote: Yes: 5 No: 0 Motion Carried.**

- As this is a Major Subdivision the application must be reviewed by the Otsego County Planning Board. Dan Wilber will deliver the application to them on April 19, 2023. Lois will place a call to them so they will be aware of this.
- After Otsego County Planning gives its opinion on the application the Otego Planning Board will complete action on it.
- Joshua Long and Lisa Garza are present regarding an application for a Special Use Permit for a farm brewery, farm market, and food trailer at the former Pie In The Sky located at 3883 State Highway 7 in Otego with tax # 308.00-1-50.00.
- Dan Wilber has inspected the site. The food trailer is home-built and currently it is questionable if it meets code requirements. Dan states if it was built prior to May 12, 2020, it must have a fire system and a hooded cooking facility, etc. Mr. Long and Ms. Garza will need to obtain documentation that it was in operation prior to May 12, 2020 in which case it could be grandfathered in.
- Mr. Long states it was purchased in New Jersey. Dan suggested they contact the previous owner and get the information needed to be in compliance.
- Mr. Long states he has been in contact with the Department of Health and received a 90-day approval for a brewery. He has been granted use of the property but can't move forward until in compliance with all codes.
- Dan states he has no objections to the application as long as all parties understand that he will be in compliance with all code requirements. He says the Planning Board could give them approval for the Special Use Permit for all aspects contingent on compliance with code requirements. He suggests also giving them approval for use of temporary membrane structures which would give Mr. Long and Ms. Garza some flexibility.
- The property is located in Zone 1 which is light industrial and residential. There was some discussion regarding all aspects including fire inspection, Department of Health requirements, etc.
- Lois states there needs to be a Public Hearing as it affects neighbors of the property. She informed Mr. Long of the required letter to be sent to all adjoining neighbors within 500 feet of the property.
- Dan requested a preliminary sketch of their plan for the inside of the building. They will complete and provide Dan with that request.
- A Public Hearing is scheduled for May 16, 2023 at 7:00 pm.

**New Business:**

- Lois received an application for a Special Use Permit for an Air BnB from Tom and Terrisah Robertson on property at 138 Beilby Road with tax # 318.00-1-20.08. As they are not in attendance no action will be taken at this time.
- Lois also received an application for a Special Use Permit for a Continuing Yard Sale to include a 20x20 canopy from Michael Knowlton. The property is located at 2675 State Highway 7 with tax # 324.00-1-15.02. Mr. Knowlton is not in attendance so no action will be taken at this time.

**New Business:** (continued)

- There was much discussion regarding this application. Dan states it would be considered a roadside stand and can be under a canopy for 180 days before it would be considered a permanent structure.
- The Planning Board needs more clarification from Mr. Knowlton regarding placement, etc.
- Mr. and Mrs. Hector Cotto are present requesting information regarding their property at 1261 County Highway 7. They are requesting to build a second home on their property of 150 acres.
- Due to the current Otego Zoning Laws, they would need to submit an application. The Planning Board would have to deny the application at which time the Cottos would need to present the application to the ZBA to review. If denied by the ZBA they would then need to continue with a Minor Subdivision.

Next meeting: May 16, 2023 at 7:00 pm.

**NOTE:** Public Hearing to be held at 7:00 pm prior to the regular meeting.

**Motion made by Mark Dye, seconded by Lonnie Ridgway, to adjourn the meeting.** No discussion.

**Vote: Yes: 5 No: 0 Motion carried.**

Meeting adjourned at 8:42 pm.

Respectfully Submitted:

Colleen Bushnell, Secretary