

TOWN OF OTEGO PLANNING BOARD

Public Hearing

October 20, 2020

The Planning Board met at 6:48 pm for a Public Hearing regarding the application for a Major Lot Subdivision of the Elizabeth Latham Estate. Robert Birch, lawyer for the applicant, presented the Board proof of certified notices sent for this public hearing and the completed application which includes a completed EAF short form.

The application is for a Five Lot Subdivision of which the smallest lot is 8.3 acres, the largest is 53 acres. All lots have the required road frontage. The southwest corner of Parcel 2 eliminates 1.04 acres being transferred to property owner Randy Perkins.

Lois received a letter from Joan Siedel (property owner) with questions regarding the notice she received. Lois contacted Joan and answered questions she had. No other comments regarding this application were presented.

Lois declared the Public Hearing completed at 7:00 pm. Check received for fee from Mr. Birch.

**Minutes of Regular Meeting
October 20, 2020**

Planning Board Members Present:	Lois Chernin, Mark Dye, Harry Martin
Planning Board Members Absent:	None
Planning Board Alternate:	Lonnie Ridgway
Planning Board Recording Secretary:	Colleen Bushnell
Codes Officer - Dan Wilber:	Present
Town Board Liaison - David Sheldon:	Present
Town Lawyer:	Beth Westfall
Members of the Public:	3

The regular meeting of the Town of Otego Planning Board opened at 7:05 pm..

The minutes from the September 15, 2020 minutes were reviewed by members. Correction to be made on page 2 - Change "The property is in Zone 3 so it is permissible to have a home occupation" to read a home occupation is permissible in all Zones.

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

Vote: Yes: 4 No: 0 Motion Carried.

Reports: David Sheldon report:

- The Town Board accepted the resignation from the Planning Board of Katie Higgins.
- The Town Board will vote next month on the Fee Schedule presented by the Planning Board.

Old Business:

- In discussion last month the Planning Board went through the SEQR review and they found a negative declaration so no further forms are required. Therefore no further forms are required. The application is complete.

Motion made by Lois Chernin, seconded by Mark Dye to accept the action of the Major (Five Lot) Subdivision in the estate Elizabeth Latham.

Vote: Yes: 4 No: 0 Motion Carried.

- The Mylar map was signed and dated by Lois following the vote.
- Matthew Oesch is not in attendance regarding construction of a commercial kitchen on his property on Hell Hollow Road. Lois e-mailed him the regulations for home occupations but has received no reply. No further action needed at this time.

New Business:

Michael Perry addressed the Planing Board.

- Mr. Perry discussed property he acquired on Flax Island Road. He desires to use the property as a wedding venue and has submitted an application for a Special Use Permit. He has had two weddings there for friends as a trial run. He states he received a cease and desist order from Dan Wilber.
- Dan states New York State requires a Special Use Permit is needed for a tent more than 200 square feet.
- Mr. Perry had questions regarding the Zoning Laws for Special Permit uses. Beth Westfall states Code Enforcement officer initially interprets the zoning law and issues a letter stating his findings. An appeal can be issued to the Zoning Board of Appeals if one contests Mr. Wilber's finding. Dan states he will discuss this with the Planning Board as the Zoning Laws are vague. If the Planning Board approves a Special Use Permit the issue is settled. If they disapprove Mr. Perry can appeal that decision as well.
- Mr. Perry reviewed the map to show where the road is and the distance from other property, etc.
- Dan Wilber reviewed some of the zoning regarding the intended use of the property and concedes he made an error in his original thought to deny Mr. Perry's request owing to the vagueness in the Zoning Law. He recommends Mr. Perry file a Special Use Permit and that the Planning Board give it serious consideration.
- An issue regarding informal complaints of noise was addressed. Mark Dye states if hours of operation are included in the Special Use Permit it would address the concern regarding noise as there is no noise ordinance for the town of Otego. A Public Hearing would be able to address any of these issues.
- Mark Dye informs Mr. Perry he will need to send certified letters to landowners within 500 feet of the property prior to the Public Hearing if the Special Use Permit is accepted at the November meeting.
- Lois states the tax map number in the original application is not correct. Mr. Perry will address this.
- The Planning Board will review Mr. Perry's application at the November meeting. Mr. Perry will attend that meeting. A Public Hearing will be scheduled at that time if the application is accepted as complete.

Communications: None

Privilege of the Floor: Lois asked if the Planning Board needs copies of any documents. David states he needs a copy of the Site Plan Review. Lois will provide this.

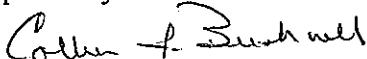
Next meeting: November 17, 2020.

Motion made by Harry Martin, seconded by Mark Dye to adjourn the meeting.

Vote: Yes: 4 No: 0 Motion carried.

Meeting adjourned at 7:56 pm. Beth Westfall to present training on SEQR forms following this meeting.

Respectfully Submitted:



Colleen Bushnell, Acting Secretary