

**TOWN OF OTEGO PLANNING BOARD**  
**Public Hearing**  
**September 21, 2021**

DRAFT

The Planning Board met at 7:05 pm for a Public Hearing regarding the application for a Special Use Permit by Mike Perry of Ridgetop Rentals for tax # 317-00-1-31.41. Mr. Perry presented the Board with original proof of notification to appropriate landowners for this public hearing. There are 23 property owners in attendance for this hearing.

Mr. Perry presented the plan to open a wedding venue. It is 1/2 mile off of Flax Island Road. He and his wife have been highly involved in the community since 1999. Mr. Perry is a volunteer fireman for Otego. This summer he states he has used the venue for friends' weddings without pay as a trial for this plan. During those events he drove the surrounding area to ascertain if the sound of music can be heard and it does not seem to be a problem. Lois requested the address of the property. Mr. Perry states it is 15 Anderson Road.

- A statement was made by one landowner that owns property abutting Mr. Perry's that he has been unable to hear anything from the venue.
- Another landowner asked if Mr. Perry was considering other social options for the property. Lois stated it is a special events venue not just a wedding venue. Mr. Perry states that is a possibility in the future to use the venue for other special events.
- A statement was made that this would be an asset to Otego. They feel it would bring added revenue to the area.
- Another person stated they would love to use this service and feel many would feel the same.
- Dan Wilbur read an anonymous letter of complaint which he received yesterday regarding music during one event that was concerning. The letter states they have heard the music before but it had not been an issue. This is the only complaint he has received. Mr. Wilbur states by law he cannot reveal the author of the letter and he has been unable to validate it as of yet. The complaint was addressed September 18, 2021 and stated they heard music until about 2 am. Mr. Perry states he did have a friend's wedding there that evening but it shut down at 12:30 am.
- Mark Dye explained that no complaints can be considered unless they are formal written complaints and do not impact the decision.
- There was some discussion regarding the zoning laws governing Special Use Permits.
- Mr. Perry asked if a decision would be made on the Special Use Permit tonight. Lois explained that it is not mandatory to act on this request tonight. She informed Mr. Perry the Planning Board will act on this request at next month's meeting as the Board needs to review and discuss the request.

Lois declared the Public Hearing completed at 7:26 pm.

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**Minutes of Regular Meeting**  
**September 21, 2021**

<b>Planning Board Members Present:</b>	Lois Chernin, Mark Dye, Harry Martin, Lonnie Ridgway, Kathy Leahy
<b>Planning Board Members Absent:</b>	None
<b>Planning Board Member Excused:</b>	None
<b>Planning Board Alternate:</b>	None
<b>Planning Board Recording Secretary:</b>	Colleen Bushnell
<b>Codes Officer - Dan Wilber:</b>	Present
<b>Town Board Liaison - David Sheldon:</b>	Present
<b>Members of the Public:</b>	8

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The regular meeting of the Town of Otego Planning Board opened at 7:28 pm.

The minutes from the August 17, 2021 meeting were reviewed by members. No corrections needed.

**Minutes of Regular Meeting  
September 21, 2021**

**Motion made by Harry Martin, seconded by Lonnie Ridgway to accept the minutes as written.  
Vote: Yes: 5 No: 0 Motion Carried.**

**Reports:** David Sheldon has nothing to report from the Town Board meeting.

**New Business:**

- Debra Clark is in attendance with an application for a Special Use Permit - Home Occupation for 521 Hell Hollow Road, tax #273.00-2-29.02. Ms. Clark is a licensed clinical individual and personal counselor. She is requesting to use her home for counseling. She states individuals and/or families may need to reside at the residence for short times. She states there is off road parking for three vehicles.

**Motion made by Lonnie Ridgway, seconded by Harry Martin to allow the Special Use Permit - Home Occupation for Debra Clark.  
Vote: Yes: 5 No: 0 Motion Carried.**

**Old Business:**

- Robert Birch is not in attendance. Lois spoke with him regarding the Latham estate subdivision for tax #307.00-1-24 on county highway 6. Two of the parcels do not have the required 1:4 ratio. Beth Westfall states the Planning Board has no option but to reject the application. Lois spoke with Mr. Birch who states he will need a letter formally rejecting the subdivision in order to present this issue to the ZBA.

**Motion made by Mark Dye, seconded by Kathy Leahy to reject the Latham estate subdivision for tax #307.00-1-24.  
Vote: Yes: 5 No: 0 Motion Carried.**

- Lois states she needs the Planning Board's permission to sign the maps for the Robert and March Birch Minor Subdivision on county highway 8. This was given a conditional approval at the June 15, 2021 meeting. The conditions were that a final survey with location of 20' access of gravel or stone with a turn around which is desirable but not mandatory, and the survey map must have a wetland overlay.

**Motion made by Kathy Leahy, seconded by Lonnie Ridgway to approve the signing of the Mylar map by Lois Chernin.  
Vote: Yes: 4 No: 0 Lois abstained. Motion Carried.**

- The Planning Board By-Laws have still not been received from the lawyer. This is on hold until the October meeting.
- Mr. Perry asked if there was any additional discussion regarding his application. Lois stated there is not.
- Harry Martin presented a receipt from Gemini Signs & Letters for the Memorial Tree markers. They should be arriving soon to be placed. Lois will discuss the placement with J.R. Hurlburt when they arrive.
- There was some discussion regarding the Home Occupation Special Use Permit approved for Debra Clark. There were some questions regarding home occupations. Dan Wilber clarified the differences with a home occupation versus other Special Use Permits. Any problems within the building are the responsibility of the applicant.

**Minutes of Regular Meeting  
September 21, 2021**

**New Business:** (continued)

- There was discussion regarding the request for a Special Use Permit by Mike Perry of Ridgetop Rental. Lois states there are real noise considerations. We can issue stipulations with the Special Use Permit. She feels 10:00-10:30 pm would be feasible for noise.
- Lois states she wants to visit the property to see how it is laid out and affects the surrounding area.
- Someone who knows the property states there were two small pavilions on the property when Mr. Perry purchased it.
- Dan recommends adding the stipulation of maybe just weekends to the Special Use Permit. He also recommends a time stipulation for music. He states the stipulation would be not to stop the event but to turn down the level of noise at a specific time.
- It was suggested that perhaps a one year stipulation of 11:00 pm would be fair. If after that time no complaints have been received the stipulations can be revisited. Dan notes that if the Board revisits the Special Use Permit they can change the stipulations but not revoke the permit.
- The Planning Board will act on this Special Use Permit request at the October 2021 meeting.
- There is a new computer provider and at this time no one has access.

**Communications:** None

**Privilege of the Floor:**

- Harry Martin asked if a property owner is allowed to build small dwellings for weekly rental on their property. Mr. Wilbur states the law now states that regardless of the amount of property owned there can only be one dwelling on a parcel. In R1 zone it is allowed to have one manufactured home and one stick built home.
- Mr. Wilbur also notes the Zoning Commission is reviewing and attempting to change this so a property owner is able to have more than one dwelling if the land can support it without subdividing.

Next meeting: October 19, 2021 at 7:00 pm.

**Motion made by Mark Dye, seconded by Kathy Leahy to adjourn the meeting.**

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

Meeting adjourned at 8:03 pm.

Respectfully Submitted:

Colleen Bushnell, Secretary