

# Planning Board meeting

## September 20, 2018 Minutes

Chairman Kozakiewicz called the meeting to order at 7:00pm.

Roll call:

Al Kozakiewicz — present

Kim Hart — absent

Fred Franko — present

Mike Voght — present

Peter Kiernan — absent

Lynne Delesky — present

Rick Gilmour — present

Members of the public in attendance: Stephanie Dye, Bruce Dye, Gail Fisher, Paul Kolodziej, Kenneth Coirin, Kathleen Ellerby, Peter Welker

Agenda for the meeting:

Rick Gilmour moved to approve May 17, 2018 minutes. Lynne Delesky seconded the motion. All were in favor.

Application #: P2018-03 Owner: Community Research and Development Corp. of 350 North Main Street Gloversville NY 12078 of the Property located at: vacant land identified as parcel #83.6-2-5 for a Site Plan Review of the Town of Caroga Zoning Ordinance. Owner Desires to: make a lot line adjustment with parcel 83.6-2-4.

Chairman Al Kozakiewicz: Who is here representing Community Research and Development?

Paul Kolodziej: That would be me, Paul Kolodziej.

Chairman Al Kozakiewicz: OK. Normally someone from Ferguson & Foss, P. C. [surveyors] is here as well. The only reason is I have to sign, in order for you to do anything, so when we say it's OK, I have to sign the plat.

Paul Kolodziej: I delivered today to Linda Gilbert [Town Clerk] the Mylar and some additional signed copies of the survey map.

Chairman Al Kozakiewicz: OK, does it have a place for a Planning Board signature? Usually — they do this all the time — so, normally they would.

Paul Kolodziej: Yes, absolutely. I would be surprised if they didn't put that little thing that says "approved by the Planning Board". Some Planning Boards have a stamp that they put on there, so I didn't know what your procedure was.

Chairman Al Kozakiewicz: Yes, normally he just gives me five copies. I sign them at the meeting and then I don't know what happens.

Paul Kolodziej: So, you know what, I will check with Linda [Linda Gilbert, Town Clerk] tomorrow morning. Like I say, I just got them the other day. I just brought them up. I don't know if it has that little space.

Chairman Al Kozakiewicz: OK. And, before you get started, I will point out there's an error here, because the call-out for the parcel or the piece that's being transferred, says it's being transferred from Kolodziej to Dye, which is wrong.

Paul Kolodziej: I am the owner and president of Community Research. So, maybe that's what Chris [Ferguson of Ferguson & Foss, P. C.] was thinking because, it should be Community Research.

Chairman Al Kozakiewicz: That's what I thought, because there is a parcel that belongs to Kolodziej somewhere over here. Nice Polish name. So, why don't you tell us what you are trying to do here.

Paul Kolodziej: Essentially, I bought the parcel from Leon Cristiano last December. In getting the survey completed, it was determined that the Dyes, their deck and their fire pit and part of their lawn was on the property that I purchased. They noticed it too, because you step right outside you see the survey post. Being a good neighbor, I worked it out to convey them a sufficient piece of property so they would not be encroaching and that they would have their own space. The Dyes have it for sale and in its present configuration, nobody's going to buy it if they have an encroachment on it.

Chairman Al Kozakiewicz: Any questions anybody?

Rick Gilmour: Just adding 20 feet or so — that's basically it.

Chairman Al Kozakiewicz: Does anybody have a zoning map?

The chair is provided with a zoning map.

Chairman Al Kozakiewicz: The dark blue is lakefront residential or LF1, either way. So, at any rate, this does not create a nonconforming lot or anything. It actually make — depending upon which it is — because the map is so small, I can't tell which it is. From the color it is either LFA or LF1. I just wanted to make sure it wasn't some commercial with a lot of acreage requirement plot that we were taking land away from. So, there's no issue with that.

Chairman Al Kozakiewicz: Any more questions, anybody?

The chair closed public hearing at 7:05PM.

Chairman Al Kozakiewicz: In the subdivision regulations there's a checklist of what we are supposed to go through. Article 7 or 8, I don't know which one. The APA likes to see us go through the process however [inaudible]. This is basically things in Paragraph J. We don't have any issues with water. Nobody loosing a well or anything else: OK. Any issues with the land in terms of drainage or anything else: No, not this, because they already exist and nothing is really changing. If anyone wants to interject anything other than my opinion, just do so, because otherwise I'm just going to —

Rick Gilmour: It looks like they've been maintaining that property for a while, so an extra twenty feet--

Chairman Al Kozakiewicz: I would assume this has no effect on air quality, no effect on noise levels. It's not a critical resource area. The wildlife is probably down at Vrooman's or something. Aesthetics: there's no change. It's not an historic site. There's not going to be any development and I can't think of any government interest in this. So, unless somebody thinks otherwise, would somebody like to make a motion to approve the application?

Rick Gilmour made motion to approve the application. Mike Voght seconded the motion.

Roll call vote by secretary:

Mike Voght: Yes.

Lynn Delesky: Yes.

Al Kozakiewicz: Yes.

Rick Gilmour: Yes.

Fred Franko: Yes.

Chairman Al Kozakiewicz: The motion passed.

Application #2018-04 Owner: **Gail Fisher PO Box 714 Caroga Lake NY 12032** of the property located at: 3068 State Highway 29A in the Town of Caroga, and identified as parcel # **83.15-7-4** for a Site Plan Review per the Town of Caroga Zoning Ordinance as it pertains to Article 9 Section 9.010 which states a non-conforming structure may not be altered or enlarged or extended as of the date this ordinance becomes law, except by site plan approval of the Planning Board. Owner desires to: build an addition and porch at the rear of the current structure.

Chairman Al Kozakiewicz: I don't know if you are familiar with why you are here. You may have been surprised.

Gail Fisher: Yes, I don't have ten feet between the existing structure and my border.

Chairman Al Kozakiewicz: The way the current zoning is written, most of the lots are nonconforming.

Gail Fisher: When I bought it, there's a pipe in the ground. I don't know who put it there. Maybe my neighbors did. I don't really know where it is. I haven't had it surveyed. I will if I have to, but the existing structure —

Chairman Al Kozakiewicz: But, normally we do a Site Plan Review for example if a — here's my favorite example — if Stewarts wants to take over Groom's and build here. So, we would look at traffic and we'd look at line of sight, and we'd look at whether there was noise abatement for the parcels that surrounded that — all that stuff. But, also it happens to be tucked into the ordinance for the few properties in the town where the structure is nonconforming — in other words — you wouldn't be allowed to

build that structure today, regardless of whether or not it meets the area requirements of the zoning zone that it's in. And, that's why you are here. And, I gather afterwards the Zoning Board of Appeals is going to have to look at it as well. I will just ask real quick: has anybody [Planning Board members] gone to take a look at the property?

Rick Gilmour: I did.

Al Kozakiewicz opened public portion at 7:10 PM.

Chairman Al Kozakiewicz: Why don't you explain what it is you're going to do.

Gail Fisher: I purchased the property in 2014. I stayed there for a little bit. Now I live up at the [Pleasant Lake] Inn. It's all paid for. It's just sitting there empty and I just want to do something with it. I've had it lifted off the ground. I paid fifteen grand to do that. I only paid twenty for it. It is only 18 [foot] by 22 [foot]. I thought if I could go out the back, double it. I could take the existing cottage: turn that into a kitchen, living room, have a hall and a bath and a closet. I would be usable, serviceable space. It really isn't as it is. I don't want to put any more money into the interior as it is. Now, there's a lot next to me on the north side: I wrote to the owners to see if they'd be interested in selling it. It's only 50 feet wide — 50 [foot] by 150 [foot]. I really can't go off the side. I could go that way, but then I'd never have any access to the back yard in terms of ever putting in any kind of garage or being able to drive into the back at all. And, that's why I chose to go off the back.

Chairman Al Kozakiewicz: Can I ask what the dotted line represents?

Gail Fisher: Sure.

Chairman Al Kozakiewicz: This is your addition you're putting in?

Gail Fisher: No it is not. The dotted line is the addition. This here is the bathroom. It's 8 [foot] by 10 [foot].

Chairman Al Kozakiewicz: I didn't walk on to the property and look at the back.

Gail Fisher: It's actually the exact same size as the existing structure. It'll have a gable-end roof going off.

Chairman Al Kozakiewicz: It doesn't encroach any more.

Gail Fisher: It's not going this way at all. It's not going beyond the existing building. This is the existing building. I'd like to just double it, go another 18 feet that way.

Mike Voght: You're going 18 feet toward the back?

Gail Fisher: Toward the back. I'm going to have a hallway, a closet, a utility, and a bathroom.

Chairman Al Kozakiewicz: You're going to knock down that thing that's there?

Gail Fisher: Yes. It wasn't done well anyways. I've gotta actually — I don't even know why I'm doing this. There's things when you go inside that are sagging. It's all going to cost money. I'm probably over-investing: spending more on the property than I should. But, it's mine and I own it.

Rick Gilmour: So, we don't have any complaints from the neighbors?

There was no correspondence.

Rick Gilmour: The neighbors, they obviously know that you're doing this and they have no problem with you doing this?

Gail Fisher: As far as I know.

Chairman Al Kozakiewicz: They would have been notified, if not for us, they would have been notified for the Zoning Board of Appeals.

Rick Gilmour: Because, they're the only people that would be impacted by this immediately.

Gail Fisher: Correct.

Mike Voght: Am I looking at this correctly? Is it 98.6 feet from the back of the lot line?

Gail Fisher: Current.

Chairman Al Kozakiewicz: Yes, the current.

Rick Gilmour: Current

Mike Voght: Current, OK. Thank you.

Rick Gilmour: I think, if the neighbor has no complaints about it, she should be allowed to improve her property. It helps the whole town.

Mike Voght: I'm also in favor with it 'cause she's not going wider: She's just going length and she has more width that way. I agree with you 100 percent. There's no correspondence with it, so I don't see a problem with it.

Rick Gilmour: Otherwise the house is going to sit vacant.



Mike Voght: Exactly. It's going to help boost, you know.

Al Kozakiewicz closed public portion at 7:17 PM.

Chairman Al Kozakiewicz: Sounds like we've already started the discussion. I agree with you: no harm is done and an improvement is made. And, that's what we're supposed to look at: Making a bad situation worse? No. Then there's no reason why we shouldn't approve this.

Lynn Delesky moved to approve the plan. Mike Voght seconded the motion.

Roll call vote:

Mike Voght: Yes.

Lynne Delesky: Yes.

Al Kozakiewicz: Yes.

Rick Gilmour: Yes.

Fred Franko: Yes.

Chairman Al Kozakiewicz: The motion passes.

Lynne Delesky moved to adjourn. Rick Gilmour seconded the motion.

The meeting adjourned at 7:22 PM.