

# Planning Board Meeting

## May 13, 2021 Minutes

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

Roll call:

Chair Al Kozakiewicz — present  
Fred Franko — present  
Lynne Delesky — present  
Karen Dutcher — present  
Mike Voght — present (arrived 7:30pm)  
Matt Cooper — present  
Roderick Gilmour — present

Attendees: Jennifer DeRocker-Blowers, Jeff Houck, Tracy Fahy, Michael Fahy, Kyle Price, Rick Ruby, Don Cropsey, Steven E. Smith PE

Chair Al Kozakiewicz said the agenda for the meeting is to consider three applications in the following order: a Subdivision from Putman ([P2021-02](#)), a Special Use Permit from Houck for the Pine Lake campground ([P2021-03](#)), and a Special Use Permit for a shed for Fahy on State Highway 10 ([P2021-04](#)). He noted the presence of Caroga Arts Collective representatives. He noted he had one old item relating to the Zoning Ordinance.

Chair Al Kozakiewicz said regarding [P2021-02 Putman Subdivision](#), “Planning Board members, this is pretty straightforward. This is a currently 7.4 acre plot of land, most of which is undeveloped. It is up by the triangle, the north end where Route 10 meets Route 29A, and from my reading, what the applicant wants to do is partition off a lot which meets the

dimensional requirements for the Resort district that the lot would be in — that the whole property is in — and then leave a sixty-foot-plus frontage on Route 10 and the rest of it undeveloped in the back. Any questions on that?”

There was no correspondence on the application.

There were no questions from the Board.

**Motion:** Chair Al Kozakiewicz said, “And my thought is that it looks like — that retains that lot for further subdivision and development in the future. I mean, not like we’re going to be turning into Colonie or Guilderland overnight, but that’s the kind of parcel where, with that frontage on Route 10, you could put eight or ten building lots back there, all with the 25,000 square foot requirement for the Resort area. I don’t know whether they would be desirable lots but nevertheless that’s something you could do, I suppose. It’s not precluded. Alright, do we have any discussion on this — well let’s — first of all, I’ll make a motion that we accept or we grant the subdivision for — this is [P2021-02](#) for Putman. Discussion?”

Multiple board members spoke simultaneously, probably Fred Frank and Matt Cooper.

Matt Cooper said “My only issue is the width does not meet the requirement of one hundred feet, correct?”

Chair Al Kozakiewicz said “which width?”

Matt Cooper said “the road frontage. Minimum lot width.”

Chair Al Kozakiewicz said “Which — I don’t know who is speaking. Which lot are we talking about?”

Rick Gilmour said, “it’s Matt [Matt Cooper speaking].”

Matt Cooper said “this is Matt Cooper and it looks like you’re taking, based on what I’ve seen, there’s one big lot and you are making it into three little lots. Or, two little lots and one bigger lot.”

Chair Al Kozakiewicz said, “no, no. What there is — there is one lot. If you are looking at the Site Plan, the lots in question are labeled Lot 1, which is 0.6 of an acre, and Lot 2, which is 6.73.”  
[Speaker was interrupted]

Matt Cooper said, “So I guess — so my question is: the Lot 2 width dimension on the road front is 63.57 [feet], and the minimum [lot width](#) is [a hundred feet](#), correct?”

Chair Al Kozakiewicz said, “Well yes but [lot width](#) is not just the smallest dimension, it’s the average of all the width dimensions.”

Matt Cooper said, “I’m just saying it because that’s the access point, so if you are going to keep that as a separate lot and develop it, now you are sixty feet wide.”

Chair Al Kozakiewicz said, “Right. Which is wide enough for a road right of way.”

Matt Cooper said, “OK. I just wanted to check.”

Chair Al Kozakiewicz said, “Yes. Yes, because the [width of the lot](#) is not 63.57 [feet]. It’s the average of 63.57 times 184 plus whatever the remainder is of the remaining two hundred and some feet. So it’s — I don’t have enough information on this map, but the average lot width, which is what [lot width](#) refers to, is way more than 63 feet. Alright, any other comments, discussion?”

Lynne Delesky said, “I’ll just say — this is Lynne — basically he’s creating a flag lot, which as you said, Al, could be further subdivided into additional lots at some point in the future. If you put a road in there, you could divide that into several other lots.”

Chair Al Kozakiewicz said, “Yes. You know, if I were looking at prime real estate, like I said, in Guilderland or Colonie, it would be cul-de-sac of some kind. I’m not saying that’s what we want here. I’m just saying that what this is allowing him to do is sell off the existing mobile home — which is the only thing on the property now — and retain the remainder for some undefined use.”

Lynne Delesky said, “Or let the people stay in the mobile home and develop the new lot he’s creating.”

Chair Al Kozakiewicz said, “That’s if — maybe they didn’t want to buy the whole seven acres. I don’t know what the story is there.”

Lynne Delesky said, “Because there is someone currently living in the mobile home.”

Chair Al Kozakiewicz said, “Oh, yeah, I’m sure there is.”

Lynne Delesky said, “Yes. My only other thought is it’s not close to the intersection, right? There’s some distance? I mean, if the person did put a road in, they would still be able to see as far as pulling out into the road? You know, it’s not right at the intersection?”

Chair Al Kozakiewicz said, “Right. Right. I’m trying to do the math and the geometry in my head. Oh, there’s a dimension there. So, any road would be like 120 feet from the stop sign.”

Lynne Delesky said, “OK, that’s kind of what I thought. It’s enough distance.”

Chair Al Kozakiewicz said, “Alright. Any other discussion?”

Chair Al Kozakiewicz said, “Anyone want to second my motion?”

Lynne Delesky said, “I’ll second the motion, Al.”

Chair Al Kozakiewicz said, “OK. Barring any further discussion, James [James McMartin Long, clerk] you want to take the roll for the vote?”

Roll call vote:

Chair Al Kozakiewicz: yes

Fred Franko: yes

Lynne Delesky: yes

Karen Dutcher: yes

Mike Voght: absent

Matt Cooper: yes

Rick Gilmour: yes

Chair Al Kozakiewicz said, “OK. Sounds like the motion carries. So, that is granted. I’ve got to sign. I don’t have originals here.”

Mike Voght joined.

Chair Al Kozakiewicz said, “This is [P2021-03](#). The applicant is Jeff Houck. This is for a Special Use Permit for adding campsites to the Pine Lake Resort Village. What I’m going to do at this point is let me ask Jeff, since he is on the call, to give his presentation on what he wants to do and then I’ll open it up for the public and then we’ll go into deliberation.’

Jeff Houck said, “Sure thing. Hello everyone. You all look really good on camera, for the record. Basically, Pine Lake Resort Village is a mobile home park which has always had a recreational vehicles. It is a seasonal park that operates from May 1 to October 1, just right at the entrance of Pine Lake Park. And so, what we are proposing is the addition of 24 sites, which I believe you probably have the site map. I think — I’m guessing — the town provided that for you. So, you can see on the site map where the sites would be going. We are currently in the final stages of review with the Health Department. So, all necessary paperwork has been filed with them for installation of septic, utilities, et cetera. So, our goal would be to open those in kind of a phased pattern. So, we might get, or hope to get, twelve online this year. And then, an additional twelve either later this year or then next year. That one subdivision that looks like — that says Adirondack Avenue — that actually hasn’t been started, obviously. But, that’s — all these sites would be seasonal sites. They are not overnight camping sites. So, they are not intended for that use. So, it would be people spending the summer as residents of the town and that would be their base of operations. That’s our primary business. I hope that brief overview kind of some idea of what you are looking at there. If you have questions, I’d be happy to answer them.”

Lynne Delesky said, “One thing, Jeff, this is Lynne Delesky. I think we did just receive a copy of a letter from the Department of Health about some additional information they need from you. So, you are not complete on that with the Department of Health.”

Jeff Houck said, “So, yes, let me address that, because obviously I got that same letter late last week. I managed to get that into my engineer. I turned around engineer drawings within 24 hours, back to the Health Department. So, they have all those things addressed. I’m just waiting to hear from the director for final approval. So,

I've already addressed all those things. I can forward a scanned copy of those new engineering drawings to the town. I was planning on doing that anyways. So, I'm expecting them to let me know by tomorrow the status of that. I can't really see how we didn't address everything. I think we did. We went down like a check sheet. So, yes, I was more than well aware of that and I immediately got to work on that."

Chair Al Kozakiewicz said, "And, Lynne, just for, you know, I can't stop myself from talking. So, for what it's worth, generally speaking except for possibly Fred [Franko], none of us here has any expertise in that area. I mean, none of us are civil engineers. And my philosophy is, you know obviously we want to see that septic system — especially at a site like this — has been engineered and signed off by a PE, but we're honestly relying on the fact that the health department has a say in this. They review it and our town Code Enforcement Office also reviews this. They're the ones that I expect to have the technical expertise to handle this. So, the way I would proceed is if we decide to grant this application tonight, it would be contingent on, you know, that part of the design being approved by the appropriate people."

Lynne Delesky said, "Right. Now, I understand. It is just that Jeff had mentioned that he was good with the Department of Health and we just received a note that said he's not good with the Department of Health. So, I just wanted to — not that we're going to be the experts to say whether this is good or not design, but what I just saw wasn't complete, but Jeff is saying, OK, he's done that and resubmitted, but we didn't see that."

Chair Al Kozakiewicz said, "And that's my bad too, because I got that from Linda last week and I forgot to forward to everybody. And, I don't think James [James McMartin Long, clerk] put it on the website, so you wouldn't have seen it. I just saw it this

morning or this afternoon as I was going through the applications: oh, I've got this, I should send it out to people. It was actually Rod that reminded me."

Rick Gilmour said, "This is Rick here. I just wondered why he [the applicant] put down on the application that all sanitation plans are approved by the Department of Health. So, how did he get that idea that they were approved and they weren't."

The clerk said, "And just for the record, that letter immediately went up when I received it, Al."

The letter went online May 8, 2021 at 2:03 pm, five days before this public hearing.

Chair Al Kozakiewicz said, "OK."

Jeff Houck, said "Maybe I misstated — I mean up — I mean anything we would do with sanitation would have to be approved by the Department of Health. We can't proceed without that approval. I mean, we understand that and we wouldn't proceed without that approval. We've ceased, you know, any work or doing anything on any of those sites. So, you know, by all indications, three months ago, this was supposed to be, you know, pretty much set. And, what's happened is over the course of the last couple months — you know, Health Department, I've submitted things. I've probably submitted engineer drawings on this project four separate times and every time I've submitted them they've come back to me and said 'oh, we need you to do this'. So, I've immediately done that within usually 48 hours. So, you know, like I said, we understand that we can't proceed without their approval. I mean, there's absolutely no way to do that."



Fred Franko said, “Well, if I can, I’ve got a couple of quick questions. Are you going to be developing roads? I was a little unclear. I saw the first six sites that were pretty clear that were going to be in your phase one stuff. And then, I was a little unclear about what the second phase of them was. There was a whole series of sites — I wrote the numbers down — stand by — 91, 93, 95, 97, 99, 101, and then 112, 113, 114, 116, 118, 120, and 122 and 124. Are those the correct numbers for the second phase?”

Jeff Houck said, “No. No. The second phase would actually be Loon Lane — it’s the extension of Loon Lane and that would be 100, 98, 96, 94, 92, and 90. So, if you look on the map there, it would be kind of an extension of Loon Lane, which is right off of Woodpecker Way. That road is already existing. So, that’s not a new road. And then, the other road, the Adirondack Avenue, that would be an additional road, but would be, you know, off of Resort Road, as you come in the park. I don’t know if that answers the question, but.”

Fred Franko said, “Well, that was a little unclear to me on the plans that were posted one way or another. I am assuming that your engineer drawings will correct that and, kind of, be a little more clear about that? Because, I couldn’t figure out [inaudible with two people speaking at the same time] was.”

Jeff Houck said, “Alright. I thought that was clear from the drawings I submitted. But, I can certainly — I can resubmit the current engineer drawings. All the numbering is correct on there. But, if I remember correctly, the ones I did submit, the numbering I thought was correct. So, I’m kind of at a loss on that one. I don’t have the maps sitting in front of me.”

The clerk reminded everyone that the map is online.

Fred Franko said, “I’m actually doing that right now.”

Fred Franko said, “I’ve got it in front of me at this point. I’m just looking to see. What were the numbers again that you were saying were phase one.”

Jeff Houck said, “Phase one was the Woodpecker Way: 115, 117, 119, and 121, 123, 125. And then there would be Loon Lane: 100, 98, 96, 94, 92, 90. I’m looking at the map right now and it is numbered correctly. So, and it is the same one that I submitted.”

Chair Al Kozakiewicz said, “If I understand — this is what I understood when I looked at the map — is that anything that in solid is proposed for this phase and anything in dotted line. Did I get that right, Jeff?”

Jeff Houck said, “I’m sorry. I missed what you said.”

Chair Al Kozakiewicz said, “That in looking at the map, my understanding was that everything that is dotted line outline was a future phase. So that’s Loon Lane and Adirondack Avenue and the plots or the sites that are on Adirondack Avenue and that everything in solid lines, so Woodpecker Way and the campsites along there are for this phase.”

Jeff Houck said, “That would be correct. Right. So, the dotted line is not — has not even been started. Alright. That’s a proposal. [inaudible]”

Chair Al Kozakiewicz said, “And, what I want to make clear both to you and the rest of the Board is that we’re — we should — is my recommendation is we consider the entire plan, both proposed for future phases and proposed for this year tonight so that you are not coming back here in the future to re-present basically the same thing.”

Fred Franko said, “And I’m a little — was a little confused, I think, because everything on the other side of Woodpecker Lane [sic, Way] is all in solids, as well as a whole series on the other side of Pine Place. Those looked the same to me as the ones over to the left of the dotted ones. So the upper left [speaker was interrupted]”

Jeff Houck said, “That’s all current. The solid stuff: that’s all current stuff. That’s already there.”

Fred Franko said, “Except for the stuff that’s off of Loon Lane and there’s a dozen of them there, right?”

Jeff Houck said, “Right. You have Loon Lane, Woodpecker Way, and then that Al was just speaking about.”

Chair Al Kozakiewicz said, “Alright. Just so this doesn’t get away from me, I’m going to open the public comment portion of the meeting now that Jeff has presented his proposal. I don’t think we have any members of the public here that want to comment, but if there are, make yourself heard now.”

Jennifer DeRocker-Blowers said, “I’m here.”

Chair Al Kozakiewicz said, “I’m sorry. Who is that?”

Jennifer DeRocker-Blowers said, “This is Jennifer.”

Chair Al Kozakiewicz asked, “Oh, Jennifer, are you here as a member of the public to comment?”

Jennifer DeRocker-Blowers said, “Yes.”

Chair Al Kozakiewicz said, “OK, please do.”

Jennifer DeRocker-Blowers said, “I think I should say one thing in regards to Fred’s question and that is when you guys receive something online, obviously it is not a great big poster that you can look at clearly. And whenever you get an application and you are having trouble reading that type of thing on a little computer screen, you are always welcome to come in and go over it with Anthony or I and we can lay it all out on a table for you if it makes it easier. The second thing I want to say is we’ve had meetings with Jeff and we’ve gone up to Pine Lake several times. He has actually volunteered to come to us during our work day. And, I have also spoke with two different members of the Department of Health in regard to this situation because of the sanitation system and Anthony and I wanting to learn about it. And whatever happens with the Department of Health tells us is approved, Anthony and I will follow through and verify that what they say is OK is what he does. That part, like Lynne’s question system: that’s up to us to do our job and make sure that was done. That’s really not what you are voting on, right?”

Chair Al Kozakiewicz said, “No. It is part of the application and like I said, it is up to people with the both administrative and the technical expertise to make sure the accuracy. The best we can do, as a board, is accept as a New York State licensed PE says this is designed for purpose. If we have a reason to question that, we have to go hire our own expert to say otherwise. But, generally speaking, unless there is something that screams that something is not right here, we would accept that and we would expect you guys either to apply your own expertise or to make sure that someone else’s expertise, engineer, Department of Health, is followed.”

Jennifer DeRocker-Blowers said, “OK. OK. I don’t have anything else to say. I do like the idea of getting the whole 24 things over

with and, like I said, anytime anybody wants to meet and see his plans, we have big poster size of it. It's very readable and it would explain all Fred's questions very quickly. He's welcome to come in."

Chair Al Kozakiewicz said, "Alright. Thanks, Jennifer."

Jennifer DeRocker-Blowers said, "Alright."

Jeff Houck said, "Let me just say one quick thing, and I don't want to, you know, I don't what to say anything about the Health Department, but, you know, this application has been to the Health Department since not this May, but the May prior. So, there have been a lot of revisions to it over the course of a year and the plans she's talking about — Yes, they do have a copy of it. I think they probably gave you a PDF of it. So, with the Health Department, in fairness, I would really — when I put in the permit, I was assuming that the health — the sanitation systems would be approved. I mean, because at this point, I guess a reasonable person would expect that to happen. But, when you deal with the Health Department — I don't know if you've ever had that pleasure — they, they are very, very picky about how they do things and they dot every "i" and cross every "t". And, I understand why they do it, but, you know, this has been quite the ordeal since last May, you know, 2020. So, just a little bit of background."

Chair Al Kozakiewicz said, "I'm sure COVID didn't help."

Jeff Houck said, "No, it did not."

Chair Al Kozakiewicz said, "We're all working remotely or whatever, so yes."

Rick Gilmour said, “But, Jeff [Houck], you can’t put on an application that — you can’t state ‘all sanitation plans are approved’ on an application when they are not yet approved.”

Jeff Houck said, “No. You know, and I agree with you Roderick [Gilmour]. I mean, I mean honestly at the time I put that in, that was supposed to be forthcoming. I mean like, I was assured by the Health Department ‘OK, you’ve got everything in’ and then you got the same letter I got and I’m like, well wait a minute, how did, how did this happen, because they have because they have the set of plans, you know, basically the overview of the whole thing the prior May, May 2020. So, I’m kind of wondering how that didn’t get noticed up to this point, but, like I said, I responded immediately, re-engineered everything, and, and tried to handle it.”

The clerk confirmed that Mike Voght was on the meeting.

Lynne Delesky said, “Jeff [Houck], it just seems it was kind of frustrating for you that they, the Department of Health, didn’t look at everything and get back to you once. It’s like they gave you one thing to do and you did that and came back and they found something else and they came back, but I think that’s the practice.”

Rick Gilmour said, “State of New York. State of New York.”

Jeff Houck said, “Yes, it has been very frustrating. I’m not going to lie, but you know, honestly there are a lot of really good people in the Department of Health and some of them have been really, really helpful, so it’s not all bad. I’ve learned a lot in the process. You know, I know maybe what I would do differently in the future, but it definitely has been a long process, so.”

Lynne Delesky said, “But, it sounds like you’ve gotten through it, so.”

Jeff Houck said, “Hopefully. I’m waiting — like I said — tomorrow I should hear from the director that we addressed everything and he can give us a letter of review and we’ll get that into the town and should be good to go. Any other questions that I can answer?”

Chair Al Kozakiewicz said, “One of the things, for the minutes, I am closing — because I don’t think there’s any other members of the public here that want to comment — I’m closing the public hearing part of this.”

The public portion of [P2021-03](#) closed at 7:35pm.

Chair Al Kozakiewicz said, “Alright. So, discussion among the board members. I guess, I’ll lead off. I think this project is well thought out. This is all very professionally done. Jeff [Houck] got the right people involved to do this and not handing us plans sketched on the back of a napkin. I’ve been to Pine Lake Village to get ice cream and watch fireworks and stuff like that. It is a nice adjunct to the town. It’s a nice site and I’d like to see it continue to do business and stay here, so I like what I see and I’m in favor of this. Anybody else?”

Rick Gilmour said, “I got nothing. We’re good.”

Chair Al Kozakiewicz asked, “Well, would somebody like to make a motion to accept the site plan for [P2021-03](#)?”

**Motion:** Lynne Delesky said, “I’ll make the motion to accept the site plan for [P2021-03](#).”

Chair Al Kozakiewicz asked, “Anybody second that?”

Rick Gilmour said, "I'll second that."

Chair Al Kozakiewicz said, "OK. Roderick [Gilmour] seconded it. Is there any further discussion? None heard. James [James McMartin Long, clerk], will you call the roll vote, please?"

Chair Al Kozakiewicz: yes

Fred Franko: yes

Lynne Delesky: yes

Karen Dutcher: yes

Matt Cooper: yes

Mike Voght: yes

Rick Gilmour: yes

Chair Al Kozakiewicz said, "The permit is granted." He asked the clerk to draft the Decision Notice.

The clerk reminded the applicant and the board that the project abuts State Highway 10 and the clerk would need to do a [§ 239-m](#) referral to Fulton County Planning and their deadline is June 8 and they meet on June 15.

Chair Al Kozakiewicz explained [§ 239-m](#) referral to the applicant. He said, "This permit is granted pending review from the Fulton County Planning Board and not receiving any negative findings from them."

Clerk said and that would apply to [P2021-02](#) Subdivision heard earlier.

Chair Al Kozakiewicz asked if the clerk was sure it applied to that subdivision.



Clerk said he was pretty sure. [[GML § 239-m\(3\)\(a\)\(vi\) “other authorizations which a referring body may issue under the provisions of any zoning ordinance or local law.”](#)]

Fred Franko said this was contingent on DOH approval as well.

Chair Al Kozakiewicz agreed.

Chair Al Kozakiewicz said, “OK. The next application on the agenda is [P2021-04](#). Applicant is Fahy. This — I’m going to make my editorial comment on this up front and then we can discuss this. I don’t think anyone from Fahy...”

Clerk said “Yes, they are.”

Chair Al Kozakiewicz said, “OK. Yes, I see it now. Yes, Tracy [Fahy] it says. OK. I’ll let them explain, but, this is to place a couple storage structures on a parcel zoned Highway Commercial and that requires a Special Use Permit. And, my editorial is that this would be allowed in almost any other district. It’s the Zoning Ordinance assumes that something zoned Highway Commercial is actually being used for commercial purposes. In this case, as is the case with a lot of the parcels along the major highways, it’s actually, as I understand it, it’s actually a residential use currently. But, I will let the applicant speak and explain their application at this point.”

Tracy Fahy, “Yes, thank you. Can you hear me OK? We actually put a shed on the property that’s basically just holding lawn equipment. That’s pretty much it: a tractor and want a second shed toward the back of the house, just for lawn furniture. No commercial use at all.”

Chair Al Kozakiewicz said, “Alright. Any questions from the board to the applicant?”

Matt Cooper asked, “The sheds are already there, correct?”

Tracy Fahy said, “They are. We actually applied last year and processed the paperwork and I think there was something that maybe had happened with the paperwork and it was just recently discovered. So, it was already placed. And then our second one was placed — because we were trying for this — I think we didn’t realize there was a little bit more to this, the Planning Board, but the Amish wanted to drop it off so we just had it placed on the front lawn last weekend, yes.”

Rick Gilmour asked, “So, Tracy, that’s going in the back left corner?”

Tracy Fahy said, “Yes.”

Rick Gilmour asked, “And, how far away from the house is that going to be? I didn’t see the dimensions there.”

Tracy Fahy said, “You know, we did draw it out. I actually don’t have it in front of me. I actually only found notice of this planning board meeting about a half hour ago. It was sent our our old home address and just forwarded here. So, I just found it. So I am actually not prepared for this. I was a little shocked, but it’s — I don’t know — I would want to say something around 30 feet. My husband might be on also. He actually took the measurements.”

Michael Fahy said, “Yes. Hi there Rick. I’m actually on out in Pittsburgh and she just alerted me. I came out from having dinner. But, I would say off the house, it is going to be at least 35 feet or so. It is well within, you know, our two acres and it doesn’t — you know, there’s no substantial footprint taken up any means by any — both of the sheds. The first one you know well about. It’s —

the snowmobile trail circles it. And, the second one is more in the woods than that, so.”

Rick Gilmour said, “I’m all in favor of any kind of outbuilding that will house people’s — people’s belongings so that we don’t have to look and see them all the time.”

Tracy Fahy said, “Yes, we agree. Every lawn should be clean in town and we things put away.”

Chair Al Kozakiewicz asked, “Any other questions from the board? None heard.”

Mike Voght said, “I didn’t receive any paperwork or anything on this one.”

Clerk said everything was done by email and on the web and everything is online on this.

Mike Voght said, “I’m sorry, I can’t vote on this then.”

Chair Al Kozakiewicz said, “Well, I think we have a quorum otherwise. But before we vote on anything, I need to hear a motion to...”

Clerk said, “Let’s just go through the formalities. There was no correspondence.”

Chair Al Kozakiewicz said, “Thank you. And you are closing the public portion?”

Chair Al Kozakiewicz said, “Yes. Well I’m opening it and closing it, because I can see who’s left because there’s nobody — unless one of the CAC people wants to make a comment. There isn’t anybody here I think that would want to do that.”

The public portion closed at 7:46pm.

Chair Al Kozakiewicz asked, “So, somebody care to make a motion to...”

**Motion:** Rick Gilmour said, “I will make a motion two approve the additional structures on that property.”

Matt Cooper said, “I’ll second it.”

Chair Al Kozakiewicz asked for a roll call vote.

Chair Al Kozakiewicz: Yes

Fred Franko: Yes

Lynne Delesky: Yes

Karen Dutcher: Yes

Mike Voght: abstain

Matt Cooper: yes

Rick Gilmour: yes

Chair Al Kozakiewicz said, “Motion carried. This is a Special Use Permit, right? So, which is it?”

Clerk said it was a Special Use Permit and reminded the applicant and board that this is on State Highway 10 so it also is going for a [§ 239-m](#) referral to Fulton County Planning on or before June 8 for adjudication by that board on June 15 at 8:45am.

Chair Al Kozakiewicz said, “Alright. So, once again, similar to at least the last one and maybe the other two — so, for Tracy and Mike [Fahy], the — I don’t know if you heard this and if I’m repeating myself to you, I apologize, but the County Planning Board, for certain activities that are within — there’s a bunch of criteria, but in your case it’s because the parcel is within 500 feet of a state highway, they review everything. They review it once a

month. We're supposed to take any objections they have into consideration. Obviously, since they haven't seen it yet, we weren't able to do that. So, our granting of this permit is contingent on no adverse findings on their part. If there's adverse findings, we have to consider those. But, generally speaking, they really — I don't think you should worry about anything. Generally speaking, stuff like this is very routine and flies through. Don't quote me on that.”

Clerk said the Fulton County Planning Board is scheduled to meet June 15.

Chair Al Kozakiewicz said, “Within a few days after that is all it takes. They let James [James McMartin Long, clerk] by email and you'll be all set.”

The board had an informal discussion with CAC (no action was taken).

The board discussed garages being the only structure on an empty lot (no action was taken).

The board discussed Executive Order 202.15.

**Motion:** Lynne Delesky moved to accept the [2021-02-11 minutes](#). Rick Gilmour seconded the motion. The vote was unanimous in favor of approval.

**Motion:** Al Kozakiewicz moved to adjourn. Lynne Delesky seconded the motion. All were in favor.

The meeting adjourned at 8:45 pm.