

State of New York
County of Fulton
Town of Caroga

Minutes of a Planning Board Meeting held July 6, 2022 at the municipal building located at 1840 State Highway #10 at 7:02 pm with the following persons in attendance by roll call.

Chairman, Al Kozakiewicz- present
Matt Cooper - present
Karen Dutcher - absent
Lynne Delesky - present
Rick Gilmour - present
Mike Voght - present

In attendance were Jennifer Blowers, Code Enforcement, Timothy Eldred and Linda Gilbert, Town Clerk.

Chairman Kozakiewicz asked that the minutes for this year's meetings be emailed to each member while he works on the website.

P2022-04 - Special Use Permit for Timothy Eldred. Mr. Eldred noted that there was a CAD drawing in the packet along with the drawings that he made. Mr. Eldred handed out photos of his property for the board to review. He is proposing a 10x20 foot structure with the side wall of the adjacent structure being the inside wall of his structure. It would be identical in height to the structure that is already on the adjacent property. He will follow the roof line exactly and use the same materials for the outside (board and batten). It will be for boat storage only. There will not be any gas or electric or water to the building. He is trying to offset storage costs. He has a signed letter from his neighbor (Sam Corsi) allowing the attachment of his garage to Mr. Corsi's garage. Mr. Corsi owns half of the building that he wants to attach to. According to Mr. Eldred, the owner of the other half of the building does not have an issue with him attaching the garage. There were questions from the board as to the location of the property. Matt Cooper was able to locate the property in question and explained it to the rest of the board. The road is a private road. Mr. Eldred noted the concern from the ZBA regarding the removal of a tree and confirmed that the tree will be removed.

Matt Cooper asked why there wasn't a drawing indicating the delineation of the parcels of the land. Mr. Eldred thought that there was a tax map in the packet, there wasn't a map included. Linda Gilbert made copies and handed them out to the board.

Lynne Delesky asked if the building was going to be right on the property line. It was stated that yes, it will be since it is attached to the building and it will be about 3 or 4 feet from the property line on the other side.

Chairman Kozakiewicz cautioned the board that the ZBA already granted a variance for the project. The decision notice from the ZBA was distributed.

Matt Cooper asked if the APA was notified. They were not since the Planning Board hadn't met yet. Lynne Delesky and Matt Cooper questioned whether the APA should be notified first since the denial notice stated once the APA ruled on it, the Planning Board would meet. Chairman Kozakiewicz noted that the APA wasn't an advisory board, they just grant the application or not.

Chairman Kozakiewicz asked if the ZBA did a SEQR. It was not done by the ZBA, so the Planning Board will complete it.

Al Kozakiwicz read the requirements for the application to determine if the application was complete. Lynne Delesky questioned why the Planning Board is meeting if the ZBA granted the variance. Chairman Kozakiewicz explained that the reason that the planning board was meeting was because a Special Use Permit is required by the Zoning Ordinance.

Chairman Kozakiewicz went through the SEQR criteria:

- Will the proposed action create a material conflict with an adopted land use plan or zoning regulations - no
- Will the proposed action result in a change in the use or intensity of use of the land - no
- Will the proposed action impair the character or quality of the existing community - no
- Will the proposed action have an impact on the environmental characteristics that caused the establishment of a critical environmental area - no
- Will the proposed action result in an an adverse change in the existing level of traffic or impact existing infrastructure for mass transit, biking or walkways - no
- Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonable energy conservation or renewable energy opportunities - no
- Will the proposed action Impact existing public or private water supplies and wastewater treatment utilities - no
- Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources - no (As an aside, Chairman Kozakiwicz noted that Code Enforcement should routinely check the state website to verify the lack of impact)
- Will the proposed action result in an adverse change to natural resources; that is Wetlands, waterbodies, groundwater, air quality, flora or fauna - no
- Will the proposed action result in an Increase in the potential for erosion, flooding or drainage problems - no
- Will the proposed action create a hazard to environmental resources or human health - no

Is an environmental impact statement required - no

No significant environmental impact found.

The proposed action will not result in any significant environmental impacts.

The Criteria for the Special Use Permit was reviewed :

1. Conformity: Does it conform with the Comprehensive Plan? Yes
2. Compatibility: Is the proposed use compatible with the use in the zoning district? Yes
3. Access circulation and Parking: Not a commercial structure
4. Infrastructure and services: Not using any
5. Environment and Natural features: Compatible with and appropriately protect environment and natural resources: Yes
6. Long term effects: should provide positive or beneficial effects on long term economic stability, environmental integrity and community character of the town, surrounding properties, districts and uses - yes
7. Compliant with any applicable special use criteria or regulations as noted in Article 5 of the ordinance: none noted

Matt Cooper asked if there was a principal structure on this property. Chairman Kozakiewicz stated that no there was not. But, it was pointed out that the ZBA indicated that there was a principal structure since the deed is tied to the parcels where the principal structures are located.

Linda Gilbert, as a member of the public, asked if there was a fire wall that needed to be put in between the parcels. Chairman Kozakiewicz noted that this was a concern for Code Enforcement. Jennifer Blowers said that there wasn't a fire wall between the other buildings. Mike Voght indicated that there is $\frac{5}{8}$ " sheetrock that is fire rated which will slow down a fire. Mr. Eldred indicated that he will put up a fire wall if required by Code Enforcement.

Lynne Delesky asked if this was the only time that there will be a public hearing. Chairman Kozakiewicz indicated that it was since it was advertised and all of the adjacent property owners were notified.

Linda Gilbert stated that previously properties were posted with a notice so that the adjacent property owners would be notified that there was a public hearing and so that board members could easily locate the property in question. Chairman Kozakiewicz indicated that to do that the law would need to be amended, and it might require a public meeting.

No other questions. Rick Gilmour made a motion to approve application P2022-04. Lynne Delesky seconded. All in favor. Motion carried.

Mr. Eldred was informed that his application will go to the APA for approval. Building permits can not be granted until the ruling is received by Code Enforcement. Jennifer Blowers indicated that she will contact the APA since they will be in the area this month.

Lynne Delesky asked if she could receive the minutes from the last meetings. Chairman Kozakiewicz asked if the minutes could be emailed to the members until he finishes working on the website. Mike Voght asked for hard copies to be sent to him.

Chairman Kozakiewicz informed Mike Voght that at the last meeting he informed the board that he would like them to update the Comprehensive Plan's vision statement and following 10 pages. Linda Gilbert asked that the minutes from the meetings discussing the proposed zoning changes be emailed to her so that she could have them on file. Chairman Kozakiewicz said that he will send the minutes to everyone. Linda Gilbert also asked about the mailing time for Planning Board notices since the ZBA wanted to change it; but it will need to go to a public hearing so that policy was not implemented.

Mike Voght's attendance was addressed. He stated that his work schedule has slowed down so he can attend more often. Chairman Kozakiewicz asked that he be more proactive in letting him know if he can't attend since we may not have a quorum. He also asked Mike Voght to check his email at least once a week, since the board moves at the speed of business.

Lynne Delesky asked if there were plans to replace Fred Franko. The town is accepting applications and Chairman Kozakiewicz asked if they knew anyone interested forward their name. He would like to have a couple of alternates as well.

Motion made to adjourn the meeting by Chairman Kozakiewicz and seconded by Lynne Delesky. Meeting adjourned at 8:05.