

State of New York
County of Fulton
Town of Caroga

Minutes of a Planning Board Meeting held August 2nd, 2023 at the municipal building located at 1840 State Highway #10 at 6:00 pm with the following persons in attendance by roll call.

The meeting was called to order at 6:00

Chairman, Al Kozakiewicz- present
Matt Cooper - present
Karen Dutcher - excused
Lynne Delesky - present
Rick Gilmour - present
Tom Wojciechowski - present
John Ivancic - present

Also in attendance were Don Cropsey, Pete Parent, Chris Foss and Rick Ruby
There are no minutes to discuss from the last meeting.

P2023-06 Matt and Amy Clark, lot line amendment. Chris Foss represented the Clarks at the meeting. There is an encroachment from the other piece of adjoining property. The Clarks sold a camp and didn't realize that the lot line went through the camp. They just want to transfer a piece of property to the new owners to remedy the encroachment. Rick Gilmour confirmed with Chris Foss that the remaining lot would still be a conforming lot. There wasn't any correspondance received regarding this application.

Rick Gilmour made a motion to approve the lot line amendment. Lynne Delesky seconded. All in favor. Motion approved

P2023-05 Richard Ruby sub-division

Mr. Ruby explained that he would like to build a single family home on Fulton Road, right before his driveway coming in from the London Bridge direction, for Brian Olsen.

It will be a single family home at road level. It will be one story with the garage in back. In order to make the lot conform Mr. Ruby will convey a piece of property to Mr. Olsen.

Chairman Kozakiewicz confirmed what zoning district this was in - it's Hamlet so the subdivision needs to be over 25,000 square feet. Since it's about 2 acres that requirement is met.

A neighbor asked if this was going to change the right of way to his property since he is on the other side of Mr. Ruby's driveway. Chris Foss and Mr. Ruby clarified that it would not affect the right of way since it's another piece of property and not the one with the right of way. .

Linda Gilbert asked if there was road frontage on the property - it was confirmed that there is road frontage.

Matt Cooper clarified that the property is zoned LF1, but the subdivision still falls within the requirements.

Chairman Kozakiewicz asked if there was any correspondence - there wasn't. There was no further questions from the board.

Chairman Kozakiewicz went through the SEAF. Chairman Kozakiewicz noted that the one question regarding meeting or exceeding the energy code is answered yes. Chris Foss stated that since he doesn't know exactly what the State is looking for he answered yes. Mr. Foss explained that the wetlands are not on the parcel being conveyed but they are on the parent parcel. Chairman Kozakiewicz asked if Ferguson and Foss heard from the APA regarding the wetlands. They have not received a letter of non-jurisdiction yet.

There being no other discussion the board went through the SEAF Impact assessment form.

- 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 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
- 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 - there was some discussion as to the grade of the property. It was clarified that it's a steep enough hill and shouldn't be an issue. - 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.

No environmental impact found.

Motion made to approve P2023-05 by Lynne Delesky seconded by Tom Wojciechowski. All in favor. Application approved.

P2023-01 CAC

This is the third meeting to discuss the short Environmental Assessment Form since a Long Form wasn't required due to the size of the project. The engineers provided a short form and Chairman Kozakiewicz indicated that he had a few bullet points that needed clarification.

Energy Code - will it meet or exceed? Pete Parent stated that it will absolutely meet the energy code. Rick Gilmour asked if new transmission lines need to be installed in the future. There will be upgrades but not an entire new installation.

Question #15 - Does the site contain any threatened or endangered species? Yes, the Northern long eared bat. Chairman Kozakiewicz asked for clarification. The bat was added to the National Endangered Species Act and has a very large habitat area and anything within 5 miles is considered to be affecting the area. Pete Parent explained that the restriction is primarily when trees can be cut due to affecting baby bats. This does not impact this project since there won't be any trees that are being cut.

Is the project located within the 100 year Flood Plain - yes. This project is located within the high water mark of Caroga Lake and Mead Creek. Chairman Kozakiewicz asked where that line is located. Pete Parent stated that it's obtained from looking at aerial photos and where the State thinks the water will go if it floods - there isn't a study specifically delineating where the water will go if the creek or the lake flood. Pete Parent also clarified that since the site does encompass property on both sides of the creek they answered yes to this particular question to be very safe. The Bumper car pavilion will also comply with the flood plain requirements when it is moved.

Chris Foss explained that the high water mark mainly affects the bumper car area and not the midway area.

Storm water discharge: Chairman Kozakiewicz asked for clarification regarding previous handling of this issue with other projects. Matt Cooper clarified that the concern was the runoff from the new stage roof was going to run into the lake. Rick Gilmour is concerned with drainage in front of the bumper car pavilion. Pete Parent explained the various drainage that is going to be installed to alleviate this problem.

Chairman Kozakiewicz will follow up with EDP tomorrow to verify that they are working on this.

- 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 - small impact
- 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 adverse change in the existing level of traffic or impact existing infrastructure for mass transit, biking or walkways - small impact
- 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 - Sherman's isn't on the National Historic Site and the carousel building is being maintained and preserved. No
- 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 - this is pending the storm water survey reviewed by EDP.
- Will the proposed action create a hazard to environmental resources or human health - no

Don Cropsey stated that he believes that EDP will not find any issues with the storm water survey if the board wanted to approve the application. Chairman Kozakiewicz said that he still felt obligated to obtain that outside engineer's approval. Pete Parent asked if the application could be voted on conditionally - contingent on the review from EDP.

Chairman Kozakiewicz stated that the project can be voted on, conditionally dependent on the review from EDP. If EDP finds any issues, the board will meet again to discuss the findings. If EDP doesn't find any issues then they don't need to meet again. The board discussed the merits of contingent approval and whether or not to move the application forward. The board decided to table the decision on the SEQR until the findings are in from EDP since the start date isn't until next Spring. Chairman Kozakiewicz assured the CAC that once he hears back from EDP he will schedule a special meeting and not make the CAC wait until September. Don Cropsey turned over the ZBA application for the zoning variances to be filed with their application for the board.

Chairman Kozakiewicz asked if there was any other business - Lynne Delesky asked about the minutes from the June 28th and July 5th meetings. The June 28th minutes will be emailed and the July 5th will be sent once completed.

Lynne Delesky also asked about the proposed changes being presented to the Town Board. Chairman Kozakiewicz explained where the process is currently. He has met with the Supervisor on three separate occasions and it was almost brought to public hearing. But there was some miscommunication about what was being proposed. Lynne Delesky asked that the Chairman keep everyone in the loop and he assured her that he will. Supervisor Horton was in attendance at this point in the meeting and stated that he would try to get it on the agenda for the next meeting but realistically it would most likely be the following meeting.

Linda Gilbert presented some concerns for the board to review in their proposed changes. Storage containers, travel trailers not being tracked for the 28 day time frame, deeds are not required for submission of an application. Chairman Kozakiewicz stated that he will work on some way to address this and circulate it to the board.

Motion made to adjourn the meeting by Rick Gilmour and seconded by Lynne Delesky. Meeting adjourned at 7:03.

Submitted by Laura Nealon

Planning Board Clerk
August 24th