

**MINUTES OF THE MEETING OF THE COHOES PLANNING BOARD HELD VIRTUALLY ON  
JANUARY 11, 2021 at 6:30PM**

**MEMBERS PRESENT:**       **Mr. Mark DeFruscio, Chairperson**  
                                  **Mr. Jack Carroll, Vice Chairperson**  
                                  **Mr. Bob Bucher**  
                                  **Mr. Joseph Nadeau**  
                                  **Ms. Stephanie Couture**

**ABSENT:**                       **None**

**ALSO PRESENT:**           **Joseph Seman-Graves, City Planner**  
                                  **Sharon Butler, Administrative Assistant**

Chairperson DeFruscio called the meeting to order at 6:30 pm.  
Roll Call: No members absent

**CONSIDERATION OF MINUTES FROM THE DECEMBER 14, 2020 MEETING**

Chairperson DeFruscio; glad to see you all hope everyone had a nice holiday and New Year, good to see everybody. The first item on our agenda is consideration of the agenda minutes from the December 14<sup>th</sup> meeting. Anybody have any comments, additions, any changes?  
Member Nadeau; you're talking about the word for word minutes we're looking at right?  
Chairperson DeFruscio; yup  
Member Nadeau; thank you Sharon  
Chairperson DeFruscio; if there aren't any additions, changes or deletions, I'm looking for a motion to accept the minutes as submitted  
Vice Chair Carroll; so moved  
Member Nadeau; second  
Sharon; Mark I know you and Stephanie have to abstain because you weren't at the meeting  
Chairperson DeFruscio; correct

	YES	NO
Bob Bucher	X	
Joseph Nadeau	X	
Mark DeFruscio	ABSTAIN	
Jack Carroll	X	
Stephanie Couture	ABSTAIN	
Alternate Kizzy Williams		

**CONSIDERATION OF SPECIAL USE PERMIT APPLICATION FOR A HOME OCCUPATION AT 16  
SUNSET COURT**

Chairperson DeFruscio; Item number two on our agenda is consideration of a special use permit for a home occupation business. The applicant is Amber and Joseph Ortiz, do we have them on the call?  
Amber Ortiz; yes hello, can you hear me?  
Chairperson DeFruscio; yes we can  
Ms. Ortiz; can you see me?  
Chairperson DeFruscio; yes I can see you. Could you explain to us what you're presenting at this point in time?  
Ms. Ortiz; yes, we currently own a transporting company. I work from home, I answer the phone and I used this computer that I am talking to you on. That's pretty much the only reason I need the special permit, to be able to do this from the

house. We are moving the trucks, which we found a location, since that was one of the grievance's that somebody had put in, that they didn't prefer seeing them.

Chairperson DeFruscio; alright, so potentially the only, I did read your application and the employees are you, your husband and then ne other employee that helps you at some point in time.

Ms. Ortiz; yea, when my husband needs it, we have somebody else that helps him, I don't move furniture.

Chairperson DeFruscio; it's somebody that's not at the house though?

Ms. Ortiz; no, no

Chairperson DeFruscio; now, the only vehicle that is going to remain at the residence is the one van that you use as a primary transportation resource.

Ms. Ortiz; ye and that has writing on the side that say Ortiz Transport. But we use it as our daily driver.

Chairperson DeFruscio; not an issues, the concern is the large box trucks that I guess have been parked at your residence for some period of time at this point in time. So, you've secured another location for those trucks?

Ms. Ortiz; yea, they should be gone in about 7 to 10 days at most. We just found a place to be able to sore them.

Chairperson DeFruscio; ok, and the other employee that helps your husband, he will be parking at your residence or where the trucks are, where will he be parking?

Ms. Ortiz; we we're going to have him park down where the trucks will be. The reason he parks here it to hop in the truck with my husband, but once we move them he should be parking there and meeting him up there.

Chairperson DeFruscio; ok, so our only issue here is that you need a special use permit for the home occupation and because it's a residential area. Are there any other questions from board members at this point in time?

Vice Chair Carroll; I walk by there every morning, I'm the guy with the black dog.

Ms. Ortiz; ok, hello

Vice Chair Carroll; how are you? Once the trucks are gone, I see nothing wrong with the application.

Chairperson DeFruscio; ok, any other comments or observations?

Member Nadeau; I would be interested in what kind of enforcement there will be assuming that, we're saying the trucks should not be parked there. There may be an occasion where it's more convenient to pull a truck into the driveway and leave it there a day, 2 days, 3 days. What kind of enforcement can we expect from the city?

Chairperson DeFruscio; well that depends on what we put in as a consideration in the, if we approve the application. We can say that the trucks have to be permanently relocated to a new location within thirty days and if at any point in time the vehicles are stored on sight for a period greater than 24 hours then Code Enforcement will be notified to go and approach the owners. And that's open for discussion, you know we don't, Ms. Ortiz we're not sure how your business is planning on functioning. Is there any points in time where those box trucks will be, need to be at your home?

Ms. Ortiz; we usually get them serviced elsewhere, we don't do the stuff here. It was pretty much storing it in the driveway because we couldn't find a location. Now that we have one it shouldn't be a problem, we won't be having them there unless it's parking for my husband to grab something then go, but that would be it.

Chairperson DeFruscio; yea, the only time and we're going to open this up for public discussion shortly but right now our consideration is that we wouldn't want them there any longer than 24 hours in any one period of time.

Ms. Ortiz; right and I don't see that happening now that we have a location to leave them and they're secure where they will be.

Member Couture; do you have a contract with this location or is there any reason or way that the location can tell you last minute that the vehicles are no longer able to be parked there?

Ms. Ortiz; it's actually T&T towing, the storage unit. We talked with Tom and he's got a location for us to put both of them in one of his spots.

Member Couture; ok

Member Nadeau; do you know what location that would be?

Ms. Ortiz; the one down on the Island, down by the new condo's and stuff

Member Nadeau; ok

Ms. Ortiz; we're going to be storing them both down there.

Member Nadeau; ok, thank you

Member Bucher; yea it's Shanahan's

Chairperson DeFruscio; any other board members have any issues or comments or observations? Ok, Joe do you have anything you want to talk about, the zoning considerations before I open this up to public comment?

Joe Seman-Graves; nope, nothing in particular. I think it's all laid out right here (on screen) for this address, these are the requirements to have that home business. So what we're looking at and nothing sticks out.

Chairperson DeFruscio; and the only thing that's there that would concern us is, the only signage you're going to have is that, that is on your van that your daily driver, you're not going to add any other signage on your house or anything like that correct?

Ms. Ortiz; absolutely not. That's why I was concerned about the van, just because it's got our name on it, but it's just a Chevy cargo van.

Chairperson DeFruscio; that should not be an issues

Ms. Ortiz; ok

Chairperson DeFruscio; ok, I'd like to open this up for public comments at this point in time. Is there anybody from the public that would like to talk? It's awful quiet Joe, anybody raising their hand?

Joe Seman-Graves; I don't see anyone raising their hand, but let me double check. Nope, we did have one person that said they would call in, but they aren't speaking up so.....

Chairperson DeFruscio; the only unfamiliar person I see on the call is Jason there Galaxy, did you have something you wanted to say?

Jason; good evening, no not at all

Chairperson DeFruscio; ok just wanted to make sure.

Jason; I appreciate it though

Chairperson DeFruscio; we want to give everybody an opportunity to talk about this if they have an issue or anything that they want us to consider before we make any decision on this, so, we'll give them another minute or so Joe before we close the public, you do have on phone caller there, I don't know who that is.

Joe Seman-Graves; no, sure, but they're certainly not speaking

Chairperson DeFruscio; ok, so I'm going to close the public comment period at this point in time it's 6:40. So, we're looking for a motion to approve a special use permit for a home occupation at 16 Sunset Court. The 2 caveats that I would like attached to that is; that the box trucks are removed within 30 days and secondly, that if a box truck is parked in the driveway for over 24 hours continuously that Code Enforcement would have the opportunity to go up and deal with the owners. Pardon? You want to make that motion?

Member Nadeau; motion made yes

Member Couture; I'll 2<sup>nd</sup>.

	YES	NO
Bob Bucher	X	
Joseph Nadeau	X	
Mark DeFruscio	X	
Jack Carroll	X	
Stephanie Couture	X	
Alternate Kizzy Williams		

Chairperson DeFruscio; ok, so now that we're done with that item on the agenda, I'd like to ask if any of the members if they have any other items that they'd like to discuss at this point in time, if not I guess I'm looking for a motion to conclude the meeting, of the January 11<sup>th</sup> city planning board.

Vice Chair Carroll; so moved

Member Bucher; 2<sup>nd</sup>, meeting adjourned at 6:42PM

Joe Seman-Graves; to Ms. Ortiz, I'll send you next month just the verification of the special use permit, only because we have to wait for the following month until the board approves the minutes and resolutions from this month. But if anyone asks I'll explain what happened tonight, if you need verification prior to that I can send you a draft if you need.

Ms. Ortiz; ok that sounds fine

Joe Seman-Graves; ok and as long as the trucks are out, I think everyone's happy in the neighborhood and I thank you for working with us and not..I just want to thank you for working with us.

Ms. Ortiz; thank you for being so good about it, we really appreciate it. All we want to do is run our business.