

**MINUTES OF THE MEETING OF THE COHOES PLANNING BOARD HELD AT 97 MOHAWK STREET  
COMMON COUNCIL CHAMBERS  
MAY 8, 2023 at 6:30PM**

**MEMBERS PRESENT:**        **Mr. John Carroll, Chair**  
                                      **Mr. Joe Moloughney, Vice Chair**  
                                      **Mr. Joe Nadeau**  
                                      **Ms. Stephanie Couture**  
                                      **Ms. Kizzy Williams**

**ABSENT:**                        **None**

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

Chairperson Carroll called the May Planning Board meeting to order at 6:32 pm and asked for roll call.  
Roll Call; All members were present

**CONSIDERATION OF MINUTES FROM THE APRIL 10, 2023 MEETING**

Chair Carroll; first on the agenda is the meeting minutes from the April 10<sup>th</sup> meeting, are there any corrections, changes, being none he asked for a motion to accept the minutes as printed.  
Motion to accept the minutes was made by Member Couture 2<sup>nd</sup> by Member Nadeau motion carried unanimously.

	YES	NO
Chairperson Carroll	X	
Vice Chair Moloughney	X	
Member Couture	X	
Member Nadeau	X	
Member Williams	X	

**CONSIDERATION OF A SUBDIVISION/LOT LINE ADJUSTMENT AT 9 CHARLES STREET**

Chairperson Carroll; next on the agenda is 9 Charles Street. He then asked the applicant to approach and explain what they wanted to do.  
Mr. Kevin Flatley land surveyor; told the board they are proposing to move the lot line for 28 Wilmer Street closer about 8 ½ feet...  
Chairperson Carroll; we have the whole lot outlined here right?  
Mr. Flatley yes, in order to get 28 Wilmer Street on its own parcel, the existing lot line goes through the house. Henry Casey is trying to sell the parcels.  
Chairperson Carroll; so this is more of an administrative procedure?  
Joe Seman-Graves; gave some background on the parcels and showed the board on the screen how the lot lines are now set up. He told the board that the applicant did receive all the variance approvals for the property.  
Chairperson Carroll; asked if the whole property was one owner.  
Mr. Flatley stated yes  
Chairperson Carroll; and you are just dividing the property  
Mr. Flatley; yes Carolyn Casey owned the property and actually now it's going to be sold  
Vice Chair Moloughney; there's an encroachment of the house, over the existing property, you can't chop off a piece of the house, so you want to move the property line so everything is contained on its own parcel.  
Mr. Flatley; yes

Chairperson Carroll asked if any board members had any questions or concerns.

Member Nadeau stated it is pretty straightforward.

Vice Chair Moloughney asked about a 3<sup>rd</sup> parcel on the corner, and asked if anything was changing or being affected there.

Mr. Flatley; replied that the lot would be getting bigger, that 9 Charles lot would be smaller.

There was a discussion regarding the parcels and what ones were going to be affected and where the lot lines would be.

Vice Chair Moloughney mistakenly thought there was a 3<sup>rd</sup> lot.

Joe Seman-Graves explained the process of what will happen with the lots and the process if anything devastating happened.

Member Nadeau; once it's approved, it's a stand alone and it's grandfathered in and there's no issue with it, as it stands.

Joe Seman-Graves; right unless something happens with it, then the owners would need to go to the boards depending on what they wanted to do.

Member Couture asked if that was outlined anywhere

Joe Seman-Graves stated that usually there is a request for a Zoning Verification Letter which would tell what can be done with the parcel.

Chairperson Carroll opened up to the public for comments, being none asked for a motion on the application. Member

Nadeau made a motion to approve the application 2<sup>nd</sup> by Vice Chair Moloughney motion carried unanimously.

	YES	NO
Chairperson Carroll	X	
Vice Chair Moloughney	X	
Member Couture	X	
Member Nadeau	X	
Member Williams	X	

### **CONSIDERATION OF A CHANGE OF USE/NEW TENANT APPLICATION FOR 92 MAIN STREET**

Chairperson Carroll next on the agenda is 92 Main Street, is anyone here for that? The applicant was not present so a motion was made to **TABLE** the application until the applicant can be present.

Member Nadeau made a motion to **TABLE** the application 2<sup>nd</sup> by Member Couture motion carried unanimously.

	YES	NO
Chairperson Carroll	X	
Vice Chair Moloughney	X	
Member Couture	X	
Member Nadeau	X	
Member Williams	X	

### **CONSIDERATION OF A SPECIAL USE PERMIT FOR 96 HEARTT AVENUE**

Chairperson Carroll; next is 96 Heartt Avenue, Ms. Vincent?

Ms. Vincent; yes

Chairperson Carroll come up and tell us what you want to do.

Ms. Vincent approached and stated that "it is actually Dr. Vincent"

Chairperson Carroll; ok my apologies. Please tell us what you are looking to do

Ms. Vincent; I received a call that you had some questions so I'm here to answer any question you have. I think the letter submitted outlines the laws and the specifications, hopefully you had time to read prior to this meeting and it's pretty cut and dry. If you have any questions I'm here to answer them

Chairperson Carroll; it's quite a lovely house

Ms. Vincent; told the board that they did a lot of upgrades to the house we just wish the rest of the island looked the same way

Chairperson Carroll; asked if the house is a 2 family

Ms. Vincent stated that it is a 2 family but being used as a one family

Chairperson Carroll; so you are not renting

Ms. Vincent stated that they will never rent to New York tenants, no

Chairperson Carroll; New York tenants?

Ms. Vincent; any tenants, but any tenants that may want to reside in New York.

Chairperson Carroll; well if you're going to live there you're going to reside in New York.

Ms. Vincent; we will never have tenants, we had tenants it took 7 months to get them out.

Chairperson Carroll; now, my understanding is you are looking at 40% of the footprint of the building that will be used for the purposes that you are asking.

Ms. Vincent; that is correct however that may no be what we intend to do, but according to law.....

Chairperson Carroll; that is what we are going to abide by

Ms. Vincent; yes, it would be 40% or less

Chairperson Carroll; my concern, my question is I'd like to see a plan of the house and what portion, you're going to Pod cast and such?

Ms. Vincent; you don't have access to those plans here at the City of Cohoes?

Joe Seman-Graves; we don't have floor plans

Chairperson Carroll; these are private residences. We can see an overhead shot, but as far as what you plan on using for what is something that has to come from you

Ms. Vincent; it would not be anything out of the ordinary of anyone that is going to have a Sunday night football game in comparison, there be no modifications, there will be no overcrowding, the home is going to look the exact same way except when we change the siding to grey with black accents. There will be nothing between what it looks like now than what it will look like in the future. There will be over the garage area, a sign the size of a license plate that would say our name and it will have religious quote, but to the normal person driving by would never be able to distinguish it as a place of business. Therefore nothing will be any different, we took the lamp post that is outside, and putting a rail on it, and we were thinking doing a 2x3 sign there but again we didn't want to take away from the residential look. I was living in Florida for 10 years and sat on the planning board as well as oversaw quite a bit of expensive architectural design and historic neighborhoods in the City of Clairmont, so I understand how important it is to myself and the neighbors to maintain it looking like a residential neighborhood. So I think that if we veer away from that it will look more like a business and it doesn't hold true to what we want to accomplish...

Chairperson Carroll; again it being a business, our concern is this is residential and the nature of the community and the surrounding community is residential.....

Ms. Vincent; excuse me for one second, being in business, there are several types of businesses. There are other businesses on our street that are not distinguishable as a business but are home based businesses as well, counseling businesses, directly behind us is an automotive repair shop, (inaudible) on Jackson Street that is a distinguishable business and takes away from it, adjacent to that is another property that is residential two-family and they sell stone that is often in the road or up against their property so that takes away from the residential look of the neighborhood. Which we are not trying to do, the only thing we are trying to do is protect ourselves and our neighbors and do it the right way. We could have under the law not given notice to this board because there is nothing that would again, any person driving by wouldn't know that we are holding worship in our home with a small group of friends to practice our believes and our religion the right way, so we decided to do this the legal way and give notice to the City that we live in and that we call home as a respect to the City of Cohoes. We also reached out to City of Cohoes which there are members here which may or may not have received emails from me in the past as just the notice thing, I would like to do business here and represent the City of Cohoes as a Chamber of Commerce and work with some of the small businesses. As a non-profit organization in Cohoes, the businesses on Remsen Street do know me because I have contributed about 20% of my time building logos for them, doing newsletters for them that don't cost them anything because I grew up in a very small-town Hudson New York, which is in Columbia County which started off, yes that's where I'm from, it started off as a very small city 7 blocks (inaudible) and 4 blocks over however the residents there were given the opportunity to purchase the homes and

start businesses there and because they weren't aware of how to do a business or the importance of owning their own homes they didn't do that, now that same property that was about \$90,000 is now over \$2million and all of the folks from New York City have taken over that small area so, and the City of Cohoes as we do call this our home, we contribute a lot of our time I work for Goldman Saks, (inaudible) and many other multi-million dollar companies and I build websites and do consulting for them, so I contribute that time at least 20% to the City of Cohoes at their businesses and doing that same exact thing for no charge. So I understand exactly the importance of keeping it a residential area.

Chairperson Carroll; now you, again I want to know how many, you refer to we and people coming and church services, how many people are we talking.

Ms. Vincent; there really isn't a we ...

Chairperson Carroll when you say we what are you referring to

Ms. Vincent; when I say we I mean myself and my husband. So when I say we having consultation with the office I believe (she then referred to a conversation with Joe) If you want to have a sign or you have anyone who is going to come to your residence then you are not considered (inaudible) there are legal ramifications for that therefore the only folks coming to our home would maybe be someone who is looking for Christian counseling, a one on one appointment, who wants to talk to me about marital problems or something like that then we can set aside that appointment, however since I have filed a petition, my husband and I veered away from that and we have leased a space at 69 State Street in Albany a commercial space at the Bank of America building that we thought would be more compliant to our clients and compliant to HIPPA because I'm also a licensed counselor and own and operate a business doing that, so the privacy of whoever we are working with we took into consideration and decided to rent a commercial space. There would be more than likely unwanted visitors, such as my family who live in Troy, visiting more than there will be any type of business activity going on there. So this is a formality that we would like to do to comply with any of the City of Cohoes laws. Any noise, I will address that. We live directly across from Heartt Ave park, so there will never be any noise above or beyond what is at the City of Cohoes park when children are playing there, so you wouldn't have to worry about any of those things. We most recently over the weekend had a barbeque which all of our neighbors were invited to with their children, which we fed them and gave out toiletries to those who were in need of those, so things like that there is a box on Ontario Street where the resident there, she does a non-profit organization she can't sell women's toiletries to those in need so this would give us the opportunity legally to also do that when you are a non-profit charitable organization which again would not take away from look or feel of a residential neighborhood. So I think this is a benefit to the City of Cohoes and the residents. Right now there is an app Next Door and I see many of the City of Cohoes residents go on that app and they are looking for money and they are begging the residents, which I am a very vocal advocate member, but do not give because you don't know that person's true reason for wanting that money. Let's send them to non-profit organizations, churches, offer them jobs things like that so that we as citizens here are not taken advantage of by just giving them money because they are usually the same people that are not from the City of Cohoes or just reaching out to get donations where if we can do in a more formal setting and working with some of the churches in the area that would be beneficial than, I mean my neighbor next door was taken for \$600 right around Christmas time, that is not fair to her for people that are just trying to help, this person did not live in the City of Cohoes, so. And some of them do and they need that avenue to be able to do it the legal right way, I mean the State of New York has very many avenues that are available to those in need. We have churches, we have non-profit organizations all those things that people can reach out to instead of begging on the side of the street or the side of the street being the next-door app and begging people for money and those people coming out of pocket and sometimes even inviting them to their homes, or taking them to Wal-Mart and using their credit card and buying them groceries which is very unsafe, so I think that should be a focus.

Member Couture; can I ask a question? I appreciate that you are looking to be a community partner, so we appreciate that, can you clarify specifically what you are looking for especially because the documentation that we have does mention place of worship and place of counseling, what exactly are you looking for from us today?

Ms. Vincent; I'm looking for if we were to have a small group of 5 or 6 folks in our backyard and someone was driving by, then we are legally able to do that and that if we were to have a yard sale and those that are going to benefit, people that are in need of that we are in the clear of doing that, we are filed with Albany County as a non-profit organization and recognized as a church, a legal entity. We are also recognized with the IRS as a 501 (C) 3 as well as the organizations that we worked with I am born and raised and from this area my whole life, I attended Russell Sage College....

Chairperson Carroll; 501 (C) 3?

Ms. Vincent; yes that is an IRS nonexempt religious entity

Chairperson Carroll; ok, I just wasn't familiar

Ms. Vincent; yes I do hold free classes for people interested in learning business information.

Member Couture; so 96 Heartt Street is a recognized religious establishment as it stands?

Ms. Vincent; Crown Christian College, I mean Crown Christian Churches and under that entity we also have Crown Christian Ministries which we own and operate and a complete bible institute that is also accredited and is recognized in the State of Florida and the State of Texas, we also offer something different for a church, we also have an accredited institution where we go out to religious entities we look at their finances, and their auditing and get them on the path to become accredited so they can also offer non-profit services to the public and the communities that they live in.

Member Nadeau; so is that a yes to Stephanie's question that you are recognized?

Ms. Vincent; yes

Member Williams; you said that it would be vacant sometime, how many months, how long

Ms. Vincent; out of the year how long will it be vacant, I can't tell you that exactly, we do travel with missionary work that is our work that is what we do. I'll tell you right now, before I got the call today, that I have a flight out tomorrow, tomorrow we will be in the Dominican Republic and we will be working with the orphanages in Kuwait we then come back here for about 3 weeks then we will be going to Jamaica where my husband is from we will be there for a week this is our home it is listed as our primary residence but we do travel

Vice Chair Moloughney; that was related to that, it was one of my things to clarify so this is your home, it is your residence you may not be here because of traveling. This is your residence and that's 60/40, 60 is the residential and 40 is your home business.

Ms. Vincent; when we use it

Vice Chair Moloughney; when you use it, I think I better understand it

Ms. Vincent; and in a way we have it set up so I think (inaudible) did request that information about the floor plans, but I can give that to you it's my husband and myself it was a 2-family home it's 2,000 square feet down stairs we had to spend \$13,000 in damage our tenants caused to our property and \$9,000 legal fees to get them evicted and that after them living there 7 months without paying any rent. They dumped their pool in our basement and flooded it because they were upset because we were evicting them so therefore we turned the first floor is still the same exact footprint, kitchen, living room, 2 bedrooms bathroom, upstairs is my husband's fake gym, and then we have a living room, the living room which used to be a living room area is now a media room and we have another small dining room but it isn't utilized as a 2-family because we took the kitchen cabinet out....

Chairperson Carroll; going back to my original request, I would like you to give us a plan that shows a floor plan of the house and what portion the 40%, where that 40% is going to be

Ms. Vincent; if that is your wish sir then that's what I'll do

Chairperson Carroll; well will tie everything together in a visual context and then we'll get an idea of how many people you are going to have coming through and give us an estimate. I'm not asking how many people you are going to invite to a barbeque but

Ms. Vincent; there was never, I'll make it clear to you sir, because it seems a little unclear. There will never be a group or congregation of people it's not a church where we're going to hold worship every single Sunday and have choir or a podium and different things like that. So if you'd still like that I can send it to you

Chairperson Carroll; send it to Joe

Vice Chair Moloughney; so I think I heard you say earlier on the occasion that there might be a study group or something it's 5 or 6 people a handful, it's not 40 people showing up right?

Ms. Vincent; it's not even 10 people, because we don't want 10 people inside our home

Vice Chair Moloughney; right because it gets crowded

Member Couture; I have a few more questions. When you and your husband are not, when you are absent from the area is the business still continuing?

Ms. Vincent; absolutely not, that is our home, we have right now ADT, we have cameras on ever single out-facing as well as my neighbor who is directly behind us who has been there since 1955 watches our home for us and we have a handyman that cuts our grass for us, and our landscaping and recently done some roof work for us but other than that the house is locked and nobody is allowed on the property

Member Couture; this sounds like a more informal at home type situation, there's no set hours that need to be addressed... Ms. Vincent; there are no posted hours, nope again theirs is nothing that will distinguish it different than a residential home, there is no overnight guests staying there, there is not any equipment being stored there, there's not just people showing up on our property because again we do live there it is our private home we value our privacy and we respect our neighbors.

Chairperson Carroll; any more questions or concerns

Ms. Vincent; so if you have any more questions, I will tell you right now that I will not be at any further meetings because my time is very valuable I will be traveling so if you have any questions you will have to reach out to me via phone or email ...

Chairperson Carroll; If you can get us that floor plan so we can visually see what part is going to be business and what is going to be your home.

Ms. Vincent; in your mind picture people around a dining room table if you can't visualize that I don't know what to say

Chairperson Carroll; I can visualize it people will someday have to come back and look at this file, aren't visualizing the same things I am and so if we have a copy of that in the file that would be a more complete history of the project request.

Ms. Vincent; that's fine, do you want it in color or black and white

Chairperson Carroll; doesn't matter if you want to do color that's fine

Ms. Vincent; we have a complete plan so it's easy enough when I leave here to email them right over to Joe.

Chairperson Carroll; ok so once you get that plan to us, do I have a motion to table this until we get the plan in?

Vice Chair Moloughney; without any objection from yourself, we can vote on that at our next meeting without you being present.

Ms. Vincent; no objection from. I have a doctorate degree in Ministry, English education and I also have a doctorate degree in psychology and I'm a certified psychologist

Chairperson Carroll; before we make a vote on the motion, is there anybody in the public that wants to make a comment?

Being none closed public comment period;

.Motion to **TABLE** the application pending the submittal of a detailed floor plan was made by Member Williams 2<sup>nd</sup> by Vice Chair Moloughney motion carried unanimously

	YES	NO
Chairperson Carroll	X	
Vice Chair Moloughney	X	
Member Couture	X	
Member Nadeau	X	
Member Williams	X	

Chairperson Carroll then asked for a motion to adjourn the meeting

**Adjournment;**

Motion to adjourn by Member Nadeau 2<sup>nd</sup> by Member Couture, meeting adjourned at 7:05 PM.

Submitted by:

*Sharon Butler*

Secretary