

**MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD MEETING  
HELD ON WEDNESDAY, FEBRUARY 8, 2017 AT TOWN HALL COMMENCING AT  
7:00PM**

The meeting was called to order at 7:02pm

**PRESENT:** Chairman Belden  
Joseph McMurray  
Frank Wells  
Zachary Middleton

**ABSENT:** Valerie Ingersoll  
Donald Sanders, Jr  
Max Fruchter

**OTHERS PRESENT:** Robert Dingman (Kingsbury Planning Board), Ross Cortese (Kingsbury Zoning Officer), Michael O'Connor (Little & O'Connor), John Davidson (WCC, LLC), Matt Steves (VanDusen & Steves), Town Engineer Jim Houston and Town Attorney Mary-Ellen Stockwell

**BUSINESS:**

**WCC, LLC  
Subdivision Application**

- Looking for sketch approval and subdivision approval. Includes lands in the Town of Fort Edward and the Town of Kingsbury.
- Paul Goldman is representing the perspective buyer; he is not in attendance tonight.
- Wants to give an overview, looking for our responses and would like to start SEQRA.

The applicant builds subway cars and is currently in a bid process, the review for the site could happen in late April or May. Mr. Steves explained tax parcels 20, 22 and 1.3 and their land hooks to the railroad.

**Michael O'Connor:** Explained the school system tax map boundaries. A lengthy discussion was held about why the property was cut up the way it is. Track frontage is being kept so that future CP Rail extension can be accomplished. We are requesting the Town of Fort Edward Planning Board to be lead agency and asking for coordinated review. We would like a condition based on Lock 8 Way becoming a public road. As proposed several parcels would remain land locked even when Lock 8 Way is a public road.

**Joseph McMurray:** Asked about the purpose of leaving property between the test track and CP Rail.

**John Davidson:** Explained that room is needed to switch up to 30 cars.

**Joseph McMurray:** Asked about the road.

**John Davidson:** The majority of the road has a 36” sub base and the narrow portion still has a 24” sub base.

**Ross Cortese:** Asked about property connections and zoning in Kingsbury.

**Robert Dingman:** Asked about the 1 lane bridge.

**Joseph McMurray:** Asked about the road and how it affected a previous project in the area.

**Michael O’Connor:** Explained that at that time the EPA owned the road. He explained that with the dewatering plant being shut down the road can be taken over by the involved Towns. He then listed all of the involved agencies. He will talk with the Town of Fort Edward Zoning Administrator about the three non-conforming land locked parcels that will be landlocked and non-conforming as the project is proposed. He is asking to hook into Village Sewer and Water. There will be no process water.

**John Davidson:** Explained that they are meeting with the State of New York and the Sewer Agency.

**Jim Houston:** Lots must meet current zoning. Lot -2-22 and 1.3, proposed lots 1 & 4 are a concern. They do not have frontage now and they will not have frontage as proposed. The school district lines dictate the boundaries of these lots. A lengthy discussion was held about the property on the west side of the tracks and how to make it one lot that would have road frontage.

“We would not sell a portion off without coming back before the Planning Board”

**Michael O’Connor:** would be okay with specific conditions to specific lots.

**Lead Agency letter will be prepared by the Town Attorney**

**MOTION** by Zachary Middleton, Seconded by Frank Wells to deem the subdivision a major subdivision **ALL AYES**

**MOTION** Zachary Middleton, Seconded by Frank Wells to refer the project to the Washington County Planning Board if it still exists and if not the Washington County Planning Dept. **ALL AYES**

**PLANNING BOARD OF THE TOWN OF FORT EDWARD  
COUNTY OF WASHINGTON, STATE OF NEW YORK**

Adopted February 8, 2017

Introduced by Frank Wells  
who moved its adoption

Seconded by Zachary Middleton

**RESOLUTION ACCEPTING SUBDIVISION APPLICATION AND  
CONCEPTUAL SITE PLAN SKETCH  
OF  
WCC, LLC (INDUSTRIAL PARK SUBDIVISION AND SITE PLAN)**

**WHEREAS**, pursuant to Town of Fort Edward Town Code Section 81, also known as the Town of Fort Edward Site Plan Review Law (hereafter the “Site Plan Review Law”) and pursuant to Town of Fort Edward Town Code Section 87, also known as the Town of Fort Edward Subdivision Regulations (hereafter the “Subdivision Regulations”), the Town of Fort Edward Planning Board (hereafter the “Planning Board”) is authorized and empowered to review, approve, approve with modification and conditions, and disapprove all site plans and subdivisions in the Town of Fort Edward as required under said Site Plan Review Law and the Subdivision Regulations; and

**WHEREAS**, WCC, LLC (hereafter the “Applicant”), has proposed to subdivide a +/- 279.2 acre parcel of land within the Town of Fort Edward (TMP: 163.-2-20, 163.-2-22 & 163.-2-1.3) into six (6) lots, and to develop, on a portion of the +/- 279.2 acre parcel of land, which is to be sold to The China Railway Construction Corporation, Ltd. (“CRCC”), who intends to build a manufacturing plant with an accessory rail test track (hereafter the “Proposal”); and

**WHEREAS**, the Applicant has submitted a conceptual sketch of the Site Plan Review for proposed future development and business operations; agricultural data sheet; Part 1 of a Full Environmental Assessment Form (EAF); Subdivision Application and supporting materials (hereafter the “Application”); and

**WHEREAS**, the Planning Board has sought the Town Engineer’s comments; and

**WHEREAS**, the Planning Board is prepared to review the application and make an initial determination in accordance with Section 81-6 (Sketch Plan) of the Site Plan Review Law and the Subdivision Regulations.

**NOW THEREFORE BE IT RESOLVED**, that the review of the Proposal as found in the Application by the Planning Board under the Site Plan Review Law and Subdivision Regulations is an Action under the State Environmental Quality Review Act (SEQRA). The Planning Board hereby finds that this Action is a Type I Action under SEQRA. Other involved and interested agencies will include the following:

- (1) Town of Kingsbury Planning Board,
- (2) Washington County Planning Department,
- (3) Town of Kingsbury Town Board,
- (4) Town of Fort Edward Town Board,

- (5) Town of Fort Edward Zoning Board of Appeals,
- (6) Town of Kingsbury Zoning Board of Appeals,
- (7) Village of Fort Edward Board of Trustees,
- (8) New York State Power Authority,
- (9) New York State Department of Environmental Conservation,
- (10) Washington County Board of Supervisors,
- (11) New York State Department of Transportation,
- (12) New York State Department of Health,
- (13) United States Environmental Protection Agency,
- (14) United States Army Corps of Engineers,
- (15) New York State Office of Parks, Recreation and Historic Preservation, and
- (16) Washington County Sewer District.

The Planning Board hereby declares itself the lead agency, and that the other involved and interested agencies will be notified of this designation and have the right to contest this declaration within 30 days of the receipt of said notice. The Planning Board attorney is directed to send such notice and materials to said agencies; and be it further

**RESOLVED**, that the Planning Board and the Applicant have discussed the Proposal as found in the Application, and prior to the Planning Board considering the Application for further Site Plan and Subdivision approval, the Applicant shall submit a full site plan review, along with revisions to the subdivision map and any subsequent information the Board may request from time to time and be it further

**RESOLVED**, that the as for the Subdivision Sketch Plan Approval, the Applicant's request for sketch plan approval for the proposed subdivision is hereby approved. The Planning Board hereby deems the application a major subdivision. The Applicant is to submit a subdivision plat for further review by the Planning Board which shall include all information required to be submitted in Chapter 87, Article V of the Town of Fort Edward Subdivision Regulations; and be it further

**RESOLVED**, that this resolution shall take effect immediately.

**PRESENT:**

Mark Belden, Chair

Joseph McMurray

Zachary Middleton

Frank Wells

Absent: Valerie Ingersoll, Donald Sanders, Jr. & Max Fruchter

AYES: 4 NAYES: 0 ABSENT: 3 ABSTAIN: 0

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Aimee Mahoney, Planning Board Secretary

**Town Attorney will send Notices and Agricultural Data Notices**

**MOTION** by Zachary Middleton, Seconded by Frank Wells to set a public hearing on March 22, 2017 contingent on the applicant's submission. The public hearing will cover subdivision and site plan. The Board's expectation is that the applicant will have materials in on March 8, 2017  
**ALL AYES**

**Matthew Steves:** Asked for 400 scale and 200 scale for his maps, Jim Houston agreed.

**MOTION** by Frank Wells, Seconded by Joseph McMurray to approve the waiver request of map scale to 400 and 200 **ALL AYES**

**Upcoming Meetings:**

- **March 8<sup>th</sup> – Complete documentation will be provided at the Fort Edward meeting**
- **March 15<sup>th</sup> – Joint meeting at Kingsbury Town hall at 7:00pm**
- **March 22<sup>nd</sup> – Public Hearing at Fort Edward Planning Board meeting**

**ADJOURNMENT:**

**MOTION** by Frank Wells, Seconded by Joseph McMurray to adjourn the meeting at 8:55pm  
**ALL AYES**

DATED: February 15, 2017

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Mark Belden, Chairman