

**MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD MEETING
HELD ON WEDNESDAY, JULY 13, 2016 AT TOWN HALL COMMENCING AT
7:00PM**

Chairman Belden called the meeting to order at 7:00pm

Pledge of Allegiance

PRESENT: Chairman Mark Belden
Valerie Ingersoll
Joseph McMurray
Frank Wells

ABSENT: Zachary Middleton
Donald Sanders, Jr
Max Fruchter

OTHERS PRESENT: Steve Wilson, Scott Buckley, Eric Schwenker, Christopher Mastantuono, Mike Suprenant, James King, Scott Sanders, Gerald Kearns, Harold Fitzsimmons, Town Attorney Mary-Ellen Stockwell and Town Engineer Jim Houston

APPROVAL OF MINUTES: MOTION by Frank Wells, Seconded by Joe McMurray to approve the minutes of the meeting of June 22, 2016 **ALL AYES**

BUSINESS:

Mary-Ellen Stockwell: The County Planning Board did not meet last night due to not having a quorum so McDonald's and The Car Shoppe at 276 Broadway were not reviewed.

**McDonald's
Public Hearing
7:00pm**

Chairman Belden called the Public Hearing to order at 7:03pm

Steve Wilson: Bohler Project Manager: Proposing taking down the existing building and replacing it with a more modern facility. The road access is to remain the same, parking to remain the same. They are looking for 2 accesses for ordering, for better traffic flow. When McDonald's first opened it was a sit down approach and now it is more drive thru based. They are looking at new lighting and landscaping.

Chairman Belden: The applicant went to the Zoning Board first

Mary-Ellen Stockwell: The applicant requested variances for lesser parking (32 spaces), new signage, size of directional signs at last month's meeting; planning board set a public hearing and referred to the County Planning Board. County did not have a quorum for their meeting but they are trying to reschedule. We are here to listen to public comment and I recommend tabling the

public hearing to the next meeting as well as doing SEQRA at the next meeting.

Steven Wilson: Does Jim Houston have anything further?

Jim Houston: Water main crossing the road, questioning sprinkler heads, Building Inspector will not look at plans until they have Planning Board approval.

MOTION by Joseph McMurray, Seconded by Frank Wells to table the application and keep the public hearing open until the meeting on July 27, 2016 **ALL AYES**

Joseph McMurray: Can we do SEQRA now?

Mary-Ellen Stockwell: It is not recommended without hearing from the County Planning Board first.

**The Car Shoppe
276 Broadway
Site Plan Review
Public Hearing
7:05pm**

Chairman Belden called the Public Hearing to order at 7:10pm

Eric Schwenker: We are proposing a retail used car dealership with no proposed changes to the structure or the office building. No variance applications have been made. They are requesting an increase in parking spaces and will be using grass pavers for a permeable surface.

Chairman Belden: Are there any engineering or legal changes?

Mary-Ellen Stockwell: Nothing further, it has been referred to the County Planning Board. If they do not have a special meeting, their next scheduled meeting is August 9th which is before our next scheduled meeting of August 10th.

Chairman Belden: Are there any questions or comments from the public?

MOTION by Frank Wells, Seconded by Joseph McMurray to table the public hearing **ALL AYES**

**The Car Shoppe
280 Broadway
Site Plan Review
Public Hearing
7:10pm**

Chairman Belden called the Public Hearing to order at 7:14pm

Eric Schwenker: Letter from Engineering Council for Planning Board - Applicant is attempting to address all the issues and they have submitted an amended Site Plan. There are a few items missing, the prepared short form EAF and deed have been added, there is a request for a Phase I study and my understanding with both the client and the Town Council is there may have been a study done by the Town back in 2014. The site may have been subject to Brownfield application back in 2014 and it may be in the Town records. The applicant has foiled for the information. If it is subject to the BOA, grants may be available for this project for my client.

Chairman Belden: Jim, would someone from C.T. Male have been involved?

Jim Houston: It would have been someone in the Environmental Dept., I can check.

Mary-Ellen Stockwell: Darlene DeVoe would have more information; it would be helpful to both the Planning Board and the applicant if it was done.

Eric Schwenker: Are there any further questions from the Engineer?

Jim Houston: The access for handicap parking to the front of the building crosses gravel and pavement.

Joseph McMurray: Why is there handicap parking; this is just a repair shop for The Car Shoppe business next door.

Eric Schwenker: Because the applicant is thinking about opening as a repair shop to the public down the road.

Chairman Belden: This information is good to know now because it may change things.

Eric Schwenker: The applicant is aware of green space zoning codes, 20% referenced on map.

PUBLIC COMMENT:

Harold Fitzsimmons – 2 Hillview Ave: I live across the street and going back a few months their hours of work were from early morning hours to as late as 11:00pm. I have spoken to the property owner about it. I have also witnessed cars being cut up, thrown on trailers and hauled away. Then comes Memorial Day, 7:45 at night the people on the premises put blocks under a

car's tires and burned the tires until you couldn't see the car or building because of the smoke. I called the Washington County Sheriff.

Chairman Belden: It's not an allowed use in the current zoning. The hours of operation will be addressed by the Planning Board and the Washington County Sheriff is a personal issue.

Eric Schwenker: Mr. Mastantuono is aware of the concerns and has had issues with employees on the property. They no longer work for him. The hours of operation will be addressed by the Planning Board and there will no longer be cars revved up on the property.

Harold Fitzsimmons: It's possible that conditions today are due to what is going on now.

Eric Schwenker: Yes, they are requirements of the Commercial Plaza Zone.

Christopher Mastantuono: Addressed Mr. Fitzsimmons and told him that will not happen again.

Harold Fitzsimmons: My house was built in 1971 and I do not appreciate something like this drawing my property value down.

Chairman Belden: The Board is anxious to hear what is in the BOA. This seems like a lot of parking spaces especially in the back with residential space.

Mary-Ellen Stockwell: Discussion of proposed hours should be looked at.

Christopher Mastantuono: I would like to operate from 8am-7pm

Eric Schwenker: 7am-9pm is Code for Commercial Plaza Zone. They would like to stay open after 5pm to accommodate people who work late. Mavis and Firestone in Queensbury are open 7am-7pm.

Chairman Belden: All work is closed inside of the building, no work to be done outside.

Mary-Ellen Stockwell: Because of public issues the applicant should stick with those hours and should also address days open.

Christopher Mastantuono: No Sunday hours expected and short hours on Saturday.

Chairman Belden: What type of auto body work will be done on site?

Christopher Mastantuono: Brakes, Tires, no bond or body work

Mary-Ellen Stockwell: I would recommend coming back on July 27th if the County has a special meeting and if not come back on August 10th after the County meeting.

Eric Schwenker: He can't get BOA information back that quickly

Mary-Ellen Stockwell: Then the Board can put them both on for August 10th.

MOTION by Frank Wells, Seconded by Joseph McMurray to table the public hearing **ALL AYES**

**James King
Boundary Line Adjustment**

Chairman Belden: The applicant is taking 2 non-conforming lots and making 1 conforming lot.

James King: The property is currently on 1 deed and has 82.10 acres. The previous owner died. The North side will be a stand-alone lot and the south side has 2 slivers to be merged with the larger lot.

Chairman Belden: County Route 46 came after this property was subdivided

Joseph McMurray: Is the back of the south side unbuildable?

James King: Yes

Mary-Ellen Stockwell: Is there anyone else that uses the easement?

James King: No

Joseph McMurray: Your line goes to the easement?

James King: Yes

Jim Houston: Surveyors looked at the plans, no issues going through code, map should include water and septic.

Chairman Belden: The applicant's surveyor can contact the Town Engineer directly

James King: The well is in front of the concrete foundation, septic is behind the house

Mary-Ellen Stockwell: The final Mylar needs to be done so it can be ready before the next meeting. As for the public hearing, Code says that it is at the discretion of the Planning Board but it is typical of this Board to have one and if they want to it can be set for the next meeting. The Mylar can be done and brought to the next meeting for signing if everything is complete and it is approved. Final maps will be brought to this Board, applicant needs to add well/septic and wording.

Chairman Belden: Does the applicant need 2 separate Mylar's?

Mary-Ellen Stockwell: The applicant is merging 2 parcels into 1 so if there was a property search done it would be 2 separate owners on 2 lots merged into 1.

MOTION by Joseph McMurray, Seconded by Frank Wells to set a public hearing on July 27, 2016 at 7:05pm **ALL AYES**

ADJOURNMENT:

MOTION by Joseph McMurray, Seconded by Frank Wells to adjourn the meeting at 8:13pm **ALL AYES**

DATED: July 20, 2016

Valerie Ingersoll, Planning Board Member