

**MINUTES OF THE TOWN OF FORT EDWARD ZONING BOARD OF APPEALS
MEETING HELD ON THURSDAY, MAY 5, 2016 AT TOWN HALL COMMENCING
AT 6:00PM**

Chairman Suprenant called the meeting to order at 6:00pm

Pledge of Allegiance

PRESENT: Chairman Michael Suprenant

Kenneth LaFay

Jim Maskell

Jim King

OTHERS PRESENT: Town Attorney Mary-Ellen Stockwell, Town Engineer Jim Houston, Cindy Raggi, Joe Raggi, Melissa Lescault

APPROVAL OF MINUTES: MOTION by Jim Maskell, Seconded by Ken LaFay to approve the minutes of the meeting of April 21, 2016 **ALL AYES**

**The Garden Barn
Special Use Permit
Agent: Melissa Lescault**

Opened at 6:02pm

Melissa Lescault: Special Use Permit App. Went over general requirement points. Health safety and welfare of the community will be protected, no negative effects. Will not cause a detriment to the neighboring homes. Total of 16 seats in the café with a kitchen. Not going to change the nature of the neighborhood. Adequate landscaping and screening, addition is behind their structure and they are asking that they don't have to put buffers up to prohibit the current farming operations. Adequate parking? Traffic? In the past they had a corn maze at the barn and at that time the lot was at full capacity, the café will not bring that much traffic in. David Armando said they have more than enough parking.

Jim Houston: Gave the Board the following memo regarding the project:

Dear Chairman Suprenant:

C.T. Male Associates Engineering, Surveying, Architecture & Landscape Architecture, D.P.C. (C. T. Male) has completed a review of the project documents that we received from the Town of Fort Edward for the Cafe Addition Special Use Permit Application. The package of information that we reviewed included the following documents:

1.) Special Use Permit Application, signature page dated April 12, 2016.

2.) Short Environmental Assessment Form, signature page dated April 12, 2016.

3.) Plot plan prepared by Russell E. Howard Licensed Land Surveying dated April 8, 2016.

4.) Floor plan prepared by G. Peter Jensen, dated April 2016.

Based on our preliminary review of these project related documents, we offer the following comments for consideration by the Zoning Board.

Special Use Permit Application

1. Page 1 – the application package does not include several of the bulleted items listed.

2. Page 4 – tables are missing information.

3. Page 6 – it may be necessary to check the box for onsite wastewater disposal.

4. Page 6 – regarding other permits – DOH food service?

5. Page 6 – Site Plan Requirements – check parking, pedestrian

accommodations/sidewalks?

C.T. MALE ASSOCIATES, D.P.C.

May 5, 2016

Mr. Michael Suprenant – The Garden Barn – Café Addition

Page - 2

Architecture & Building Engineering • Civil Engineering • Energy Services • Environmental Services • Survey & Land Services

Short EAF

6. Page 1 of 4 – Question 2. The NYS Department of Health may have to issue a food service permit.

7. Page 1 of 4 – Question 3.b. Shows the acreage of disturbance to be greater than 1.0 acres. This seems contrary to what is portrayed on the plans.

8. Page 2 of 4 – Questions 10 and 11. It appears that the existing well and septic field will be used to service the proposed café. Additional information on these systems should be provided.

Plot Plan

9. At a minimum the following information should be added to this plan: existing/proposed parking configuration, location of café, well and septic

locations, proposed grading, any new signage/lighting.
Floor Plan

10. The floor plan is labeled “Existing Condition”. A proposed conditions floor plan should be included in the application package showing the proposed location of the café.

Please contact me directly at 518-786-7463 should you have any questions or comments regarding this correspondence.

Respectfully submitted,

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, D.P.C.

T. James Houston, PE

Senior Civil Engineer

Mary Ellen Stockwell: We are here for the Zoning Board and they also have to go before the Planning Board for Site Plan Review. The next Planning Board meeting will be May 11th for preliminary site plan review and then they will be back to Zoning Board on April 19th and possibly finish up with the Planning Board on May 25th.

Melissa Lescault: We have correspondence from Ag & Markets stating that because of the level of sales of current products that they already have the Department of Health doesn't have jurisdiction Ag & Markets does. That may change after they open up the café and in November of 2016 they are going to come back and visit that.

-Code Enforcement Officer for the County, Dave Armando, has issued a building and septic permit for the project

Cindy Raggi: We have put in a handicapped accessible area already for the various group homes that come and require that type of access.

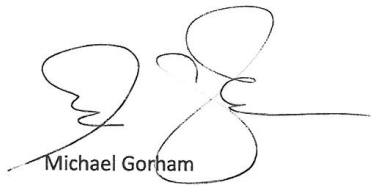
The following letters of support were submitted to the Board and read at the meeting:

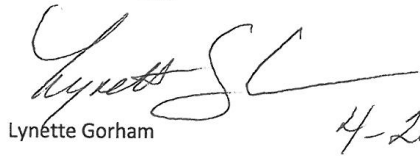
Town Of Fort Edward Zoning Board

We, Michael & Lynette Gorham, residing at 312 East Road in Fort Edward are in complete support of the Garden Barn expanding their business to include a Cafe'. We feel that it would be a great addition to the already tremendous job they have done with their business.

We look forward to enjoying the cafe'.

Thank you in advance for making the correct decision on this matter.

 4-28-16
Michael Gorham

 4-28-16
Lynette Gorham

Patrick and Tammy Boire
270 County Route 42
Fort Edward, New York 12828
518-747-0307

April 28, 2016

Regarding: Zoning Board of Appeals May 5th meeting

Michael Suprenant
Chairman of Zoning Board of Appeals
118 Broadway
Fort Edward, NY 12828

Dear Michael Suprenant :

We received your letter regarding the zoning board of appeals meeting on May 5th 6pm and unfortunately will not be able to attend. However we felt this variance request was important enough to support with a letter. We are in full support of the Raggi's upgrading of The Garden Barn. The Garden Barn business has been a part of our community for years. Many local patrons support the Raggi business by returning year after year. Any local business that is improving the community and wanting to add additional services is a good thing for Fort Edward.

Therefore we would like to note that the Raggi's request for variance/special use permit should be granted, we support the Raggi's request and improvement to The Garden Barn. In today's economy we need to support, and keep any business in Fort Edward.

Respectfully yours,



Patrick and Tammy Boire

CC:
Raggi Family
Mitch Suprenant
Planning Board Members
Zoning Board Members

No change of lighting and no change of signage on site

-The Board went through the criteria for a Special Use Permit

1) That the use is a special use as set forth in Sec. 108-8 through 108-12 hereof (of the zoning code): **Yes**

2) That the use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience of the citizens will be protected: **If anything it will be a convenience to the area**

3) That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located: **Growing business is not going to hurt the value of the surrounding properties and the neighbors have written letters supporting the addition of the café**

4) That the use will be compatible with adjoining development and the proposed character of the zone district in which it is to be located: **They will be working out of their existing Ag. barn, no changes to the character**

5) That adequate landscaping and screening is provided as required in Sec. 108-18: **No need for additional screening it's already a parking lot**

6) That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets: **You are on a main road and there is adequate parking in place already**

No Board concerns

Mary-Ellen Stockwell -Applicant has a Special Use Permit from 1996 but under the Code it doesn't qualify for an eating drinking place.

-The Board reviewed the SEQRA form: 2, 3b have had changes. Mary-Ellen read through Part II of the SEQRA short Environmental Assessment Form

MOTION by Jim King, Seconded by Ken LaFay to have the Zoning Board of Appeals defer the application to the Planning Board for SEQRA review and it would be the Zoning Board of Appeals recommendation that the Planning Board adopt a negative declaration and set the next meeting for Zoning Board of Appeals for May 19th and table the application until the Planning Board completes their SEQRA review **ALL AYES**

ADJOURNMENT: MOTION by Ken LaFay, Seconded by Jim Maskell to adjourn the meeting at 6:40pm **ALL AYES**

DATED: May 6, 2016

Aimee Mahoney, Clerk

