

**MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD MEETING  
HELD ON WEDNESDAY, JUNE 22, 2016 AT TOWN HALL COMMENCING AT  
7:00PM**

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

Pledge of Allegiance

**PRESENT:** Chairman Belden  
Valerie Ingersoll  
Joseph McMurray  
Frank Wells  
Donald Sanders, Jr  
Max Fruchter

**ABSENT:** Zachary Middleton

**OTHERS PRESENT:** Cindy Raggi, Christopher Mastantuono, Steve Wilson, Chris Boyea, Michael Suprenant, Melissa Lescault, Scott Sanders

**APPROVAL OF MINUTES: MOTION** by Joe McMurray, Seconded by Donald Sanders to approve the minutes of the meeting of June 8, 2016 **ALL AYES, Valerie Ingersoll recused herself**

**BUSINESS:**

**The Garden Barn  
Site Plan Review**

**Valerie Ingersoll recused herself**

**Chairman Belden:** The Zoning Board of Appeals granted a Special Use Permit and The Garden Barn is now before us for Site Plan approval.

**Mary-Ellen:** The applicant has gone to the County upon the Planning Board's referral; at that meeting the County reviewed both the Special Use Permit and the Site Plan Review applications for both the respective Zoning and Planning Boards. The County deemed it a matter of local concern with no conditions or additional comments. The Zoning Board along with granting the Special Use Permit had referred the SEQRA to the Planning Board, recommended that the Planning Board be lead agency and also recommended a Negative Declaration for SEQRA purposes.

**Jim Houston:** Final plan dated June 1<sup>st</sup> is acceptable for me.

**Mary-Ellen:** The applicant has asked how soon if approved they can start. There needs to be a final sign off from the County Code Enforcement Officer (acting for the Town due to a conflict) and a Certificate of Compliance needs to be issued before they can start.

**PUBLIC COMMENT: None**

**Letters of support from the neighbors are in the file**

**MOTION** by Joe McMurray, Seconded by Max Fruchter to close the Public Hearing at 7:10pm  
**ALL AYES**

**MOTION** by Don Sanders, Seconded by Joe McMurray to reaffirm the SEQRA Negative Declaration **ALL AYES**

**MOTION:** To accept and approve the Site Plan application contingent on final County Building Department approval and a Certificate of Compliance issuance and to authorize Chairman Belden to sign the Site Plan upon final County approval **ALL AYES**

### **McDonalds Site Plan Review**

**Chris Boyea:** At the last meeting we were asked to have the Town consultants do their review before referring to the County. We received Mr. Houston's engineering comments. We want to address the comment regarding stacking in the drive through. We are trying to improve on the drive through due to the high volume of drive through customers and we have improved the entrance. 4 of the comments are in regards to water. Originally we were coming out to the street to tap and bring a new line to the building, CT Male pointed out we would need a DOT permit which is going to be a 5 month wait. We removed the sprinkler system from the building and we are going to reuse the water line that is more than adequate for us to operate.

**Max Fruchter:** You are taking out the sprinkler system? Are you putting in a life safety sprinkler system?

**Chris Boyea:** I do not know if we are putting in a life safety sprinkler system but I can find out.

**BOARD:**

**Valerie Ingersoll:** School buses stop there after games, they used to park out back, where will they park at the new restaurant?

**Chris Boyea:** We are proposing a 30' wide drive aisle in the back to allow for buses and tractor trailers to come through.

**Max Fruchter:** I would like to see sprinklers by the exits

**Mary-Ellen Stockwell:** SEQRA forms, question 20 regarding remediation sites, put it into the EAF mapper and add that number. The application needs to be referred to the County Planning Board. I sent out a letter on 6/10 to DOT and DOH and they have 30 days to respond. I've heard nothing from them and the 30 days will be up by the time we meet again on July 13<sup>th</sup>. I recommend referral to the County. And we need to set a Public Hearing for July 13<sup>th</sup> at 7pm. Building permit and demo permit needed.

**Jim Houston:** Depth to groundwater information needed

**MOTION** by Joe McMurray, Seconded by Valerie Ingersoll to set a Public Hearing for July 13<sup>th</sup> at 7:00pm **ALL AYES**

**MOTION** by Max Fruchter, Seconded by Valerie Ingersoll to refer the application to the Washington County Planning Board for their July 12<sup>th</sup> meeting with a submission deadline of July 1<sup>st</sup> 2016 **ALL AYES**

**The Car Shoppe (Sales)  
276 Broadway**

**Eric Schwenker:** This application was before this Board last on March 23, 2016 and at that time there was a letter provided by the Town's Engineering Counsel. I would like to request a waiver for the following: topographic map, direction of drainage flow, signs, building height and grading plan. The building is existing and there are no proposed changes to the building and the fact that the Site Plan involves the addition of grass pavers I would request a waiver of those 5 Site Plan requirements (Section 81-13 of the Town Zoning Code).

I would also like to point out that there is topographical data submitted for the 280-283 Broadway application and given the close proximity I think the elevation change has been submitted on that application as of last Tuesday and I feel that is indicative of the topography of 276 Broadway.

**MOTION** by Joe McMurray, Seconded by Donald Sanders to approve a waiver for Building Height of all buildings and Grading Plan for 276 Broadway **ALL AYES**

**Chairman Belden:** Sign information was already provided to this Board.

**Mary-Ellen Stockwell:** We need to re-affirm the referral to the County Planning Board, the submission deadline is June 30<sup>th</sup> for a July 12<sup>th</sup> meeting; we meet again on July 13<sup>th</sup> and could set a Public Hearing for that meeting.

**MOTION** by Frank Wells, Seconded by Donald Sanders to reaffirm the referral to the Washington County Planning Board's July 12<sup>th</sup> meeting and set a Public Hearing for the Town Planning Board meeting on July 13<sup>th</sup> at 7:05pm **ALL AYES**

**Christopher Mastantuono:** Do I need to have the surveyor put the topographic data on the map or can it be separate? I am currently using a different surveyor than when I first started and seeing as time is of the essence they are not the fastest with their turn around and I know that my new surveyor won't overlay on another surveyor's map. We wouldn't be able to get that by July 13<sup>th</sup> for a meeting.

**Chairman Belden:** What the applicant is saying is that we will not have the topography in a timely fashion showing where the building is currently; it would require an entire new survey.

**Mary-Ellen Stockwell:** There is another level of this. This has been a matter of concern for the Town Board from the standpoint of timeliness of operating without a site plan approval so the applicant has been cited by the Town Board, Zoning Officer and Code Enforcement Officer for operating without a site plan because there is no site plan for either property. The applicant has an urgency to get through this process.

**Max Fruchter:** But it wasn't a delay on the Planning Board's part, it was self-created.

**Mary-Ellen Stockwell:** Yes, I would agree. The other solution I'm thinking is what about a written report regarding the overall topography and drainage flow without including it on the map?

**Donald Sanders:** Due to the fact that we aren't asking them to re-grade anything I would retract my request for a drainage plan.

After some consideration and discussion the Board agreed to waive the Topographic Map and drainage plan requirements for 276 Broadway.

**MOTION** by Donald Sanders, Seconded by Joseph McMurray to waive the Topographic Map and Drainage Plan requirements for 276 Broadway **ALL AYES**

**The Car Shoppe  
280-283 Broadway  
Repair Shop**

**Chairman Belden:** The property is a mixed use property (residential and business on the same lot) that is a pre-existing non-conforming that is older than our Zoning Code and is therefore grandfathered.

**Eric Schwenker:** The application was submitted on June 14, 2016. Currently the property is a licensed DMV car repair center that The Car Shoppe uses to repair vehicles that are being sold at The Car Shoppe and we are applying for a Site Plan to operate in that capacity. We are asking that the application be set for a Public Hearing for the July 13<sup>th</sup> meeting.

**Chairman Belden:** What will be the hours of operation?

**Christopher Mastantuono:** I am thinking 8am-8pm

**Chairman Belden:** There will not be any body work done on the cars correct?

**Christopher Mastantuono:** No we will not be doing any body work.

**MOTION** by Max Fruchter, Seconded by Valerie Ingersoll to set a Public Hearing on July 13, 2016 at 7:10pm **ALL AYES**

- **The application can be referred to the Washington County Planning Board for their meeting on August 9, 2016**

**ADJOURNMENT:**

**MOTION** by Max Fruchter, Seconded by Valerie Ingersoll to adjourn the meeting at 8:35pm **ALL AYES**

**Items for the July 13<sup>th</sup> meeting**

- **McDonald's Public Hearing – 7:00pm**
- **The Car Shoppe 276 Broadway Public Hearing – 7:05pm**
- **The Car Shoppe 280 Broadway Public Hearing - 7:10pm**

DATED: June 24, 2016

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Aimee Mahoney, Clerk

