

**MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD MEETING
HELD ON WEDNESDAY, SEPTEMBER 14, 2016 AT TOWN HALL COMMENCING
AT 7:00PM**

Chairman Belden called the meeting to order at 7:05pm

Pledge of Allegiance

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

OTHERS PRESENT: Town Attorney Mary-Ellen Stockwell, Town Engineer Jim Houston, Eric Schwenker, Christopher Mastantuono, Terry Middleton

APPROVAL OF MINUTES: MOTION by Zack Middleton, Seconded Frank Wells by to approve the minutes of the meeting of August 10, 2016 **ALL AYES**

BUSINESS:

**The Car Shoppe
280 Broadway
Site Plan Review**

Jim Houston read through his comment memo regarding the project:

Dear Chairman Belden:

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 for the Car Shoppe – 280 Broadway Site Plan Review Application. The package of information that we reviewed included the following documents:

- 1.) Site Plan Review Application, signature page not dated.
- 2.) Short Environmental Assessment Form (EAF), dated July 13, 2016.
- 3.) “Site Plan – Showing Existing Conditions”, prepared by DLP Surveying, LLC, dated February 18, 2016.
- 4.) “Site Plan – Showing Proposed Site Improvements”, prepared by DLP Surveying, LLC, dated February 18, 2016, last revised August 1, 2016.

5.) NYSDEC Spill Report Form, created on July 7, 2009, last updated April 7, 2010.

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

“Prior Comments – from July 12, 2016 Letter”

Site Plan Review Application

- 1) Comment addressed.
- 2) Copy of floor plans and elevations not included in review package.
- 3) Comment addressed.
- 4) Comment addressed.
- 5) Comment addressed.
- 6) Comment addressed.

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

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Site Plan

- 7) Comment addressed.
- 8) The location of the existing and proposed water and sewer utilities are not shown on the “Existing” or “Proposed” site plans and should be added.
- 9) No proposed landscaping/planting shown.
- 10) Regarding signage – consideration should be given to providing signage to denote “customer” versus “vehicle preparation” versus “storage” parking. The plan should include a note restricting the business sign to the size of the existing/former sign. It appears that all the existing lighting is to remain.
- 11) No provisions are shown to screen adjacent properties from noise, glare, unsightliness or other objectionable features.

12) The extent of the proposed pavement surfaces (stone, gravel...) have been shown but a detail showing the minimum depth of the stone, any geotextile fabric and/or the size of the stone has not been added to the site plan. Handicapped accessible parking spaces have been added on the north side of the main automotive repair building. The northernmost space extends into the egress drive way.

13) No runoff calculations are included in the re-submission package. The applicant's assumption appears to be that the runoff rates and patterns will not significantly change. The pavement design is critical to validate this assumption.

14) Comment addressed.

15) A guard rail is proposed along the back side of the sidewalk. Additional information about the materials of construction and height should be provided.

Miscellaneous items

16) Comment addressed – see the “New Comment” section below.

17) No new information pertaining to traffic (outside of what is presented in response to question 8.a. on the Short EAF) has been provided.

Spill Report Form

18) Comment addressed.

19) The page added to the EAF indicates that a Phase I ESA was completed and is attached. The materials we reviewed did not contain this document.

“New Comments”

20) The tables on page 4 of the Site Plan Review Application should be filled in and this information should be added to the “Site Plan – Showing Proposed Site Improvements” in lieu of the “Area Notes” provided on this plan.

21) Pertaining to the EAF:

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

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a) Page 1 of 3, question 2 – the Town of Fort Edward Planning Board and the Washington

County Planning Board should be listed and the box checked “YES”.

b) Page 1 of 3, question 3 – parts b. and c. are not filled out correctly.

c) Page 2 of 3, question 9 – indicates that the proposed action meets or exceeds the state energy code requirements. No information is presented to support this statement. This should be shown on the

d) Page 2 of 3, question 17 - storm water discharge may be created depending on nature of proposed pavement surface.

22) Pertaining to the “Site Plan – Showing Existing Conditions”:

a) Building setbacks (side yard to the south and rear yard setbacks) should be shown on this plan.

23) Pertaining to the “Site Plan – Showing Proposed Site Improvements”:

a) The northernmost handicapped accessible parking space extends into the egress driveway.

b) There is conflicting information pertaining to the driveway surface. The note on the plan near the main building states “Crushed Stone & Gravelled Driveway”, whereas Note 4 indicates “Crushed Stone” roadway surface.

c) Provisions should be made for tenant parking at the existing residence.

d) Additional signage may be required to distinguish between “customer”, “vehicle preparation” and “storage”.

e) Consideration should be given to relocating some of the green space from the northeast corner of the site to the southeast corner of the site. This will provide some additional buffer to the adjoining residence and provide a space for stormwater runoff to be directed to.

- ESA provided to the Board and was prepared on 2011: Discussion was had between Town Engineer Jim Houston and Town Attorney Mary-Ellen Stockwell and it was a service station from 1940-2009 continuously. The ESA talks about tanks removed in the 1990’s and the 1970’s. Were the tanks from the 70’s in the same place as the 90’s?

Mary-Ellen Stockwell: Designate the tenant parking; Signage of customer/tenant parking would be a benefit. Building setbacks should be overlaid on final site plan, landscaping/planting, within 500’ of state highway so it has to get referred to the County for their October meeting and a public hearing should be set.

Eric Schwenker: What setbacks?

Mary-Ellen Stockwell: All the setbacks on the site

Chairman Belden: Page 5 of the ESA, historic registered tanks closed: does that mean the tank was removed or filled with gravel?

Jim Houston: not sure

BOARD:

Zack Middleton: parking within 10 feet of residential has to have a fence. Any commercial use that borders a different zoning has to be fenced per the code. Off st parking should also be shielded by fence. 2 and 3' off the side and rear yard for parking.

Eric Schwenker: It's a pre-existing non-conforming residence

Zack Middleton: I'm talking about the mobile home behind it

Eric Schwenker: The parking is more than 10' from the residence in the back

-what are the specs that would be required? It's at the discretion of the planning board, what are you suggesting for fencing?

Zack Middleton: I would suggest a 6' privacy fence along the back

- Also the parking should be labeled

Joe McMurray: The tanks that may or may not be there? Monitoring wells?

Jim Houston: The monitoring wells are sampling groundwater to see if contamination is present in the soil

Joe McMurray: From the South corner of the building back is gravel or crushed stone?

Eric Schwenker: It's a mix of pavement and gravel

Jim Houston: Area to the north is all grass or vegetation

Eric Schwenker: Yes

Valerie Ingersoll: Our job is to protect all the residents correct?

Mary-Ellen Stockwell: Your job is to review a site plan, protecting all residents is broad.

Valerie Ingersoll: Is there a delineation saying that the applicants can use a certain section and the tenants can use a certain section, when I went by the other night there were tenants with children there

Mary-Ellen Stockwell: That's a private issue, not our responsibility

Chairman Belden: Spill Incident Database on DEC agrees with what is in the ESA submission

Chairman Belden read over the information submitted by Zoning Officer Ed Stimpson

Eric Schwenker: We have addressed the work being done inside the building. We have had a gas station at the site since 1940. The service station came in the 1950's and has operated as a service station from 1957-2009 continuously. Not proposing any changes to the building, the only proposed changes are the parking spaces. I request going further without any further environmental Studies. I am also asking to proceed under the short form EAF. Less than an acre of disturbance. My client is proposing to continue in the same manner as it has been previously. It has been closed since 2009 but it is the same use that is now approved in the zone.

Chairman Belden: It has been closed for quite a while and you are being considered a new use. How many monitoring wells can you identify now?

Eric Schwenker: 2 monitoring wells are identifiable

Mary-Ellen Stockwell: This is what they are proposing now, it is an allowable use. We need to focus on what you are proposing now not what was years ago. You need to discuss this application before you now and decide how to proceed.

Chairman Belden: Do we want the fence and how many cars are we allowing on the lot? I have no issue sending this to County but we as a Board have decisions to make.

Mary-Ellen Stockwell: I can research parking lot density if the Board would like me to.

Joe McMurray: I would be happy if the 7 spots out back would be eliminated.

Zack Middleton: Start by designating the spots for the residential house.

Mary-Ellen Stockwell: We haven't had enough time to digest this so instead of making the applicant make several maps why don't we come back with our concerns at the next meeting.

Donald Sanders: I don't think we should restrict where cars can be parked, I think that is restricting commerce and I do not agree.

Chairman Belden: We are at 50 spots total and a fence along the back and either a fence along the side by Mercurio or move the proposed parking spots.

BOARD: Agrees

MOTION by Max Fruchter, Seconded by Frank Wells to send the application to the Washington County Planning Board for October 11th and set a public hearing for October 12th at 7:05pm
ALL AYES

MOTION by Max Fruchter, Seconded by Zack Middleton to adjourn the meeting at 8:17pm
ALL AYES

DATED: September 15, 2016

Aimee Mahoney, Clerk