

**MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD & ZONING BOARD OF APPEALS MEETING HELD ON WEDNESDAY, JANUARY 10, 2018 AT TOWN HALL COMMENCING AT 6:30PM**

Chairman Belden called the meeting to order at 6:40pm

Pledge of Allegiance

**PRESENT FOR PLANNING BOARD:** Chairman Belden  
Donald Sanders, Jr.  
Joseph McMurray  
Valerie Ingersoll  
Zachary Middleton  
Frank Wells                   **ABSENT:** Max Fruchter

**PRESENT FOR THE ZONING BOARD:** Chairman LaFay  
Jim King  
Jim Maskell  
Dolores Cogan

**OTHERS PRESENT:** Chris Boyea, Lauren Monaghan, Erika Sellar-Ryan, Chuck Weingart, Ryan Roberts, Special Counsel Stefanie Bitter and Town Engineer Jim Houston

**APPROVAL OF MINUTES: MOTION** by Zachary Middleton, Seconded by Frank Wells to approve the minutes of the meeting of December 13, 2017 **ALL AYES**

Chairman Belden thanked the Zoning Board of Appeals for attending and assisting in clarifying a few items.

**Stefanie Bitter:** The conditions in question are regarding the easement and the green space that were placed by the Zoning Board of Appeals at their meeting on August 15, 2017. Conditions were written relative to the easement and there is no easement so I have amended the language to reflect that and I removed the green space condition entirely to not hold up the Site Plan application for the Credit Union. Greenspace will be addressed during Site Plan review.

**Revised Resolution**

**Erika Sellar-Ryan:** The issue I have with the new language is for full clarity, yes we have been offered a use easement but I feel we need to include something to the effect of mutually beneficial to all involved parties regarding the easement.

**The Zoning Board of Appeals made the following motion regarding the revised resolution:**

**MOTION** by Kenneth LaFay, Seconded by Dolores Cogan to re-affirm the negative declaration given on August 15, 2018 with the modifications **ALL AYES**

**Erika Sellar-Ryan:** I did check into whether or not an easement was put in place at the time of the sale and there was not. I'm not sure if it was just an over sight or if it was intentionally left out.

**MHW Properties, LLC**  
**Subdivision**  
**Public Hearing**  
**7:00pm**

Jim Houston went over his January 8<sup>th</sup> comment memo:

C.T. Male Associates Engineering, Surveying, Architecture & Landscape Architecture, D.P.C. (C. T. Male) reviewed a Subdivision Preliminary Plat and prepared a review comment letter dated December 12, 2017. The plat that we reviewed was titled: 1.) "MHW Properties Subdivision, Minor Subdivision Preliminary Plat" prepared by Corner Post Land Surveying, PLLC, last revised December 5, 2017.

We have not received nor reviewed any new information in response to our December 12, 2017 comment letter. Therefore we offer the following comments:

1. Subdivision of Land Application revisions – we have not received a new updated application.
2. Short Form EAF revisions – we did not receive an updated Short Form EAF.
3. Subdivision Plat to be revised to include a table showing the zoning requirements and what is provided on each lot – a table was added showing statistics associated with Lot 1. No table/information was provided for the remaining lot (Lot 2).
4. Subdivision Plat to be revised to clearly show the variance that was granted – addressed.
5. Subdivision Plat to be revised to show the existing utilities that service the property – this information was not shown. For reference purposes - the Grading, Drainage & Utilities Plan that was generated by Bohler Engineering in support of the Site Plan application shows many of the utilities that service the existing property. The subdivision application was discussed at the December 13, 2017 meeting of the planning board. Two topics of discussion that needed to be resolved included:
  - Cross lot easement to the property to the north – currently owned by Market 32.
  - Variance language that indicated that Lot 2 had to come into compliance with the green space when Lot 1 was developed.

**Stefanie Bitter:** The new application needs to be signed due to approvals being conditioned on fees being paid.

Chairman Belden opened the public hearing at 7:00pm

The following notice was published in the Post Star on January 3, 2018:

The Town of Fort Edward Planning Board is holding a Public Hearing on Wednesday, January 10, 2018 at 7:00pm to hear comments on the proposed subdivision of MHW Properties located at 344 Broadway in the Town of Fort Edward. The proposed action is to subdivide a 3.07 acre parcel into 2 parcels. No physical changes to the site are proposed. Tax Map #163.10-1-45

At the Public Hearing anyone that wishes to comment will be heard

**PUBLIC COMMENT: None**

SEQRA was done previously

**MOTION** by Zachary Middleton, Seconded by Valerie Ingersoll to close the public hearing at 7:03pm **ALL AYES**

**MOTION** by Donald Sanders, Jr., Seconded by Valerie Ingersoll to approve the subdivision contingent on payment of fees **ALL AYES**

**Great Meadow Federal Credit Union  
Site Plan  
Public Hearing 7:05pm**

**Lauren Monaghan:** I am representing Great Meadow Federal Credit Union and their site plan application. We have a vacant property that currently is completely paved, once the subdivision is finalized that lot will be approximately .6 acres and we will build a brand new federal credit union building, your typical stand-alone bank branch. There will be full circulation with 3 drive through lanes, 34 parking spaces, we have added some green space, a sign for the credit union, we also have pedestrian access from the street to the entrance of the bank. Our access will be through the existing curb cut on Route 4 both entrance and exit. All utilities are currently available as far as water, sewer, gas and electric. We added some site lights for parking and a couple of building mounted lights as well. We do have the cross access between the lots and it will be free flowing as far as vehicular traffic. We meet all the zoning criteria for our free standing sign but are seeking a variance for the 3 building mounted signs, the signs on the front and back will be 25.5sf and the one on the right side will be 17.5sf for a total of 68.5sf therefore we would need relief of 18.5sf from the Town Code.

Chairman Belden called the public hearing to order at 7:08pm

The following notice was published in the Post Star on January 3, 2018:

The Town of Fort Edward Planning Board is holding a joint Public Hearing with the Town Zoning Board of Appeals on Wednesday, January 10, 2018 at 7:05pm to hear comments on the proposed site plan application of MHW Properties – Great Meadow Federal Credit Union located at 344 Broadway in the Town of Fort Edward. The proposed action is the construction of a 2 story, 2,430 SF Credit Union building with associated Drive-Thru, parking, lighting, landscaping improvements and signage. The proposed signage consists of (3) three wall mounted externally illuminated signs totaling 68.5 SF and will require a sign variance from the Zoning Board of Appeals. Tax Map #163.10-1-45

At the Public Hearing anyone that wishes to comment will be heard

**PUBLIC COMMENT: None**

**MOTION** by Joseph McMurray, Seconded by Zachary Middleton to close the public hearing at 7:10pm **ALL AYES**

Jim Houston went over his January 8<sup>th</sup> comment memo:

C.T. Male Associates Engineering, Surveying, Architecture & Landscape Architecture, D.P.C. (C. T. Male) has completed a review of the latest project documents that we received for MHW Properties - Great Meadow Federal Credit Union. The latest documents that we reviewed for this project include the following (italics are used to identify prior submittals):

- 1.) Site Plan Review Application – Great Meadow Federal Credit Union, signature page dated October 16, 2017.
- 2.) Short Environmental Assessment Form, Part 1, signature page dated December 27, 2017.
- 3.) Plans – “Site Development Plans – Great Meadow Federal Credit Union”, prepared by Bohler Engineering, Sheet 1 of 2, Site & Landscape Plan, dated December 21, 2017, Sheet 2 of 2, Grading, Drainage & Utilities Plan, dated October 18, 2017.
- 4.) Plans – Architectural plans for “New Branch Office for Great Meadow Federal Credit Union”, prepared by Rucinski Hall Architecture, Sheets A-1 through A-4 not dated.
- 5.) Area Variance Application (building sign area and quantity) – application agent Bohler Engineering MA, LLC, application not signed or dated.

Site Plan Review Application

1. The zoning table entries need to be coordinated with the Site Development Plans. Short Environmental Assessment Form
2. No comments. Site Development Plans

3. The proposed site plan should be submitted to the NYSDOT for their review and acceptance of the proposed features that affect their right-of way or easement. At a minimum, these features shall include: • Light pole base in the NYSDOT drainage easement.

• Left turn exit lane. C.T. MALE ASSOCIATES, D.P.C. January 8, 2018 Mr. Mark Belden – MHW Properties – Great Meadow Federal Credit Union, 344 Broadway Page - 2 Architecture & Building Engineering • Civil Engineering • Energy Services • Environmental Services • Survey & Land Services • Third exit lane with no markings (lane furthest north).

4. The size and details of the proposed freestanding sign should be included on the plans.

5. Regarding the monitoring wells, the applicant shall check with NYSDEC that the monitoring well(s) are no longer required, and if not, properly decommission them in accordance with NYSDEC CP-43, Groundwater Monitoring Well Decommissioning Policy. A note indicating this procedure should be added to the Site Development Plans.

6. Existing topography and proposed grading or spot elevations should be added to the plans.

7. Additional information about the existing drainage system - including at least a rudimentary condition assessment and where it ultimately drains to.

8. Show the location of the fencing around the former Agway garden center and identify any plans to demolish/improve this area on the former Agway site to gain access to the parking spaces along the east property line. Architectural Plans

9. The size of the proposed building signage should be included on the plans. This information is included in the Area Variance Application. Area Variance Application

10. Page 6 – Top of page – TOFE Subdivision, TOFE Site Plan Review, TOFE Area Variance should be checked/filled in.

**Chris Boyea:** There are monitoring wells and that will be addressed at final sale.

**Stefanie Bitter:** Great Meadow is not yet the property owner, MHW Properties is. The application needs to be amended and the subdivision applicant needs to sign off.

**Chris Boyea:** Ryan Roberts, the President of Great Meadow Federal Credit Union is here tonight so we can take care of that.

**Erika Sellar-Ryan:** We will sign as owner but we are not responsible for any fees associated with site plan.

**Ownership has been identified and signed**

**Dolores Cogan:** Is there a reason that the proposed signage can't be smaller so that less relief is needed?

**Chris Boyea:** If we make them smaller they will be hard to see from the road, they fit the building well and are small and well placed. McDonalds has 5 wall mounted signs so it fits well in the area.

**MOTION** by Jim Maskell, Seconded by Jim King to approve the area variance request for signage for the three (3) building mounted signs based on the area variance criteria and the free standing sign meeting code requirements, relief totaling 18.5 sf code 108-12.2 (j) sec. 2 contingent on payment of fees before any permits are issued **ALL AYES**

**Chris Boyea:** Regarding the fence removal, the applicant will remove 200 feet of chain link fence.

**MOTION** by Zachary Middleton, Seconded by Frank Wells to approve the site plan contingent on the following: NYSDOT review, show free standing sign on the plan, coordinate with NYSDEC as needed for the monitoring wells, all other improvements added to the plan, drainage easement shown on the plan, removal of 200 feet of chain link fence, size of building signage on plan, reciprocal easement and parking easement and all payment of fees before signing of mylar or issuance of any permits **ALL AYES**

**Chairman Belden:** The Engineer will check over the mylars and they will be signed after payment is received.

**Zoning Board Adjournment:**

**MOTION** by Jim Maskell, Seconded by Jim King to adjourn the Zoning Board of Appeals meeting at 7:42pm **ALL AYES**

**Next Planning Board meeting is January 24<sup>th</sup> at 7:00pm**

**OTHER BUSINESS:**

**Supervisor Middleton:** The Town Board has a new draft Master Plan and would like any input the Planning Board may have.

**Chairman Belden:** There seems to be some confusion to whether everything is Commercial Plaza or is it all C-1 as far as zoning. Also, we would like to have some training done here on topics of importance instead of all the repetitive training we are receiving now.

**Supervisor Middleton:** Write down a list of topics you would like to see and we will see about getting someone here to do it, maybe solar would be a good one.

**The Planning Board congratulated Supervisor Middleton on his newly elected position with the Town**

**MOTION** by Zachary Middleton, Seconded by Joseph McMurray to adjourn the meeting at 7:56pm **ALL AYES**

DATED: January 12, 2018

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Aimee Mahoney, Clerk