

MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD MEETING HELD ON WEDNESDAY, APRIL 23, 2025 AT TOWN HALL COMMENCING AT 7:00 P.M.

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

Pledge of Allegiance

PRESENT: Chairman Belden
Valerie Ingersoll
Donald Sanders, Jr.
Max Fruchter
Joseph McMurray

ABSENT: Zachary Middleton
Dolores Cogan

OTHERS PRESENT: Tim Schuler, Nancy Creaser and Planning Board Clerk Aimee Ives

APPROVAL OF MINUTES: MOTION by Valerie Ingersoll, Seconded by Joseph McMurray to approve the minutes of the meeting of March 12, 2025 **ALL AYES**

BUSINESS:

**Boundary Line Adjustment
37 Ethan Allen St.
163.10-3-21,163.10-3-20,163.10-3-11,163.10-3-12
Creaser/Urso – D’Angelico Estate**

Tim Schuler: I represent the Estate of Gregg D’Angelico, Lester LaPan is the administrator and signed a contract to sell the property last June. We received the Title Report in September. In 1949 there was a deed to this property and the 50’ parcel to the left was 146’ deep and the 50’ lot to the right was just 100’ and there was a map attached to that deed as well. The first deed I saw was from 2006 and I thought it was a mistake, but it matched the 1949 deed. Fences, tree lines, etc. are all consistent with what is there now which is correcting it back to 100’ x 130’. The eastern boundary of the property has surveyor’s pins, but nothing had been done to put it into effect. What we are trying to do is match the tax map which has a notation that the frontage is 107’ by survey from a prior survey. The neighbors to the back of each property are fine with this, one neighbor doesn’t want the pool, and the other neighbor would like their 16’ which is how they have all treated it to this point. The title company on the buyer’s side is requiring this adjustment.

Nancy Creaser: I am fine with the 7’ difference but the boundary on the east side of D’Angelico’s curves.

Tim Schuler: Yes, it curves back and runs parallel to the pool, but that pin was already in the ground. I can get clarification from Russ Howard.

**Chairman Belden read the email from Town Engineer Chris Koenig regarding the project:
(Copy given to applicant's Attorney)**

4/23/25 Comments

- Survey map should list existing and proposed acreages of all sending and receiving parcels, for those lots that will be changed. Either as a note, table, or call outs.
- On the survey map, correct notation of Urso conveyance to 0.03 ac., currently reads 0.30 ac.
- Question: Is the quit claim to Mischko Trustees and from Kasare due only to the presence of the wire fence which has historically been a presumptive boundary? Is this a clarification and no lot line adjustment is actually occurring on the northern boundary of the subject property?
- Review the property descriptions on the draft Boundary Line Agreement so that they align with the survey map bearings and distances as it pertains to each parcel.
- Can the new eastern lot line be drawn so that the swimming pool and appurtenant sheds or structures along this boundary meet the 10-foot side line setback requirement? In any event, pre-existing non-conformities may continue or be improved.

SEQR

Our opinion is that this LLA is a SEQR Type II Action under 6 NYCRR 617.5 (c)(16) *granting of individual setback and lot line variances and adjustments*. This action is not subject to SEQR. Recommend the Planning Board make a motion to declare this action a Type II action.

County Referral

This action is not subject to Washington County Planning referral under GML-239, based on previous correspondence with Washington County for single family residential LLAs in the Town of Fort Edward

Public Hearing

A public hearing may be scheduled or waived at the discretion of the Planning Board.

MOTION by Max Fruchter, Seconded by Joe McMurray to declare the Boundary Line Adjustment Application a Type II action not requiring SEQR Review **ALL AYES**

No County Planning referral required

MOTION by Valerie Ingersoll, Seconded by Max Fruchter to set a public hearing on May 14, 2025 at 7:05pm **ALL AYES**

ADJOURNMENT:

MOTION by Max Fruchter, Seconded by Donald Sanders, Jr. to adjourn the meeting at 7:29pm
ALL AYES

Dated: April 24, 2025

Aimee Ives, Clerk