

**MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD MEETING  
HELD ON WEDNESDAY, MAY 24, 2017 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  
Frank Wells  
Zachary Middleton  
Max Fruchter

**OTHERS PRESENT:** Ryan Roberts – CEO Great Meadow FCU, Andy Rymph – Chazen, Erika Sellar-Ryan, Chris Boyea, Town Engineer Jim Houston and Town Attorney Mary-Ellen Stockwell

**APPROVAL OF MINUTES: MOTION** by Frank Wells, Seconded by Zachary Middleton to approve the minutes of the meeting of May 10, 2017 **ALL AYES**

**BUSINESS:**

**MHW Properties (Agway)  
Subdivision**

Town Attorney Mary-Ellen Stockwell recused herself due to a conflict of interest

**Andy Rymph:** I am working with MHW Properties; it is a 3 acre parcel of land. The intent is to subdivide ½ acre at the front of the parcel for retail business. It is located in the C-1 zone. They did the site plan so the Board could see their intent, but we are here for subdivision only. Road access off Broadway to cross connect with Market 32, there will be an agreement between lot 1 and lot 2 with an access easement through Market 32. They are looking at a shared use parking lot. The bulk requirements are on the map. When someone comes in for site plan on lot 2 the Board can look at parking. There is a permanent drainage easement on lot 1.

**Chairman Belden:** Does green space meet our code today?

**Andy Rymph:** They did not run the calculations but their paperwork says it does.

**Chairman Belden:** I don't think it is. It is non-conforming at this time.

**Erika Sellar-Ryan:** The Bank has filed foreclosure on the property. The idea is for subdivision is to maximize with 2 commercial properties. This should help stop foreclosure.

**Chairman Belden:** This is a good area for growth with the Market 32, new McDonalds and Pizza Hut.

**Zachary Middleton:** Where is the easement for the access road?

**Chris Boyea:** The easement is filed and is with the deed, it is a floating easement.

**Zachary Middleton:** The permanent drains for state – is that a dry well? Is the building going on a dry well?

**Andy Rymph:** The building is going in front of it, but the traffic may be driving on it.

**Zachary Middleton:** Are you going to relocate or take the present sign down.

**Andy Rymph:** The exiting sign is going and they are going to relocate a new sign. They are going to use a combined business marker which is in the site plan.

**Joseph McMurray:** Who owns the property?

**Andy Rymph:** MHW Properties

**Erika Sellar-Ryan:** I have authority of bank; the bank has signed off on it.

**Valerie Ingersoll:** Is the current commercial building staying or being replaced?

**Andy Rymph:** That would depend on the new business.

**Valerie Ingersoll:** Is there going to be any shrubbery or boundary?

**Andy Rymph:** No

**Max Fruchter:** Is there 100 feet of road access in the front?

**Chairman Belden:** No, front lot width is in commercial zone.

**Zachary Middleton:** This is Commercial Plaza.

**Max Fruchter:** Is there egress on the back side?

**Andy Rymph:** Not on the back, but it has a floating easement with Market 32.

**Joseph McMurray:** There is no access from Broadway to the bank lot.

**Andy Rymph:** No because of the signal light.

**Chairman Belden:** There is more than adequate parking, with snow removal it could fill up spots by Pizza Hut, as long as easements are done properly.

**Erika Sellar-Ryan:** How does the Board want easements written into the deeds?

**Chairman Belden:** That would be up to the County.

**Erika Sellar-Ryan:** Is it ok to put reciprocal easement on the map or does the Board need to see the language?

**Chairman Belden:** The Board needs to see the language.

**Chris Boyea:** It becomes common with higher traffic; the signal light with Market 32 had to be signed off by neighbors. Cumberland Farms cross access easements are standard in urban areas. The wording needs to be worked out.

**Jim Houston:** Access is site plan not subdivision code.

**Chairman Belden:** The shared parking is not a concern at this moment, easements are.

**Zachary Middleton:** What are the lot dimensions?

**Andy Rymph:** They are on the map tables, it does not have meets and bounds on lot 1 yet, but they have exceeded requirements.

**Chairman Belden:** SEQRA is done at the public hearing.

**Max Fruchter:** Do we need paperwork for hazardous area?

**Erika Sellar-Ryan:** It has Phase 2 remediation paperwork.

**Jim Houston went over his comment letter:**

- **Lots conforming, plan should include utilities, water and sewer on Route 4.**

**Andy Rymph:** They have FOILED for information

**Jim Houston:** 3) Sewer and water drainage, storm water managed on site plan?

**Andy Rymph:** It will be worked out in the site plan.

**Jim Houston:** 5) Bulk Tables – both lots meet requirements, lot 2 is less than 125', lot 1 is more than 125'.

- 6) Must go by DOT setback on front.

**Chairman Belden:** 108-12-2D Commercial Plaza includes all areas of C-1, there is no longer C-1; it is now Commercial Plaza.

**Jim Houston:** 8) Short EAF

**Chairman Belden:** Road frontage issue rear lot and road, 66.93'.

**Andy Rymph:** It is about 70', rear is approximately 186', lot 1 is roughly 160' of road frontage making it 258' of total frontage.

**Chairman Belden:** Minimal lot width 125' but code does not say at road.

**Max Fruchter:** I would like a legal interpretation.

**Chris Boyea:** To resolve this they can access parking easement by moving the line to divide frontage in half and then extend the back line.

**Chairman Belden:** Applicants best bet is to go to the Zoning Board for a variance, minimum lot width at its narrowest point less than 125'.

**BOARD:** Refer to the Zoning Board of Appeals (ZBA)

**Zachary Middleton:** The property needs to be surveyed before going to the ZBA.

**Erika Sellar-Ryan:** It has already been surveyed, just need to acquire information.

**Chairman Belden:** Subdivision doesn't go to the County but Site Plan does.

**Erika Sellar-Ryan:** We need the subdivision to complete the sale.

**Chairman Belden:** The Board is okay with the easement for lot 1, it is not okay with the minimum lot width. Applicant can follow up with Jim Houston by e-mail. Also follow up with the Town Clerk for the ZBA.

### **Bohler Engineering**

**Chris Boyea:** McDonald's redevelopment complete, Market 32 redevelopment complete. The next phase is Great Meadow Federal Credit Union. It is a local credit union. Ryan Roberts is the CEO. They are looking to purchase and redevelop the lot under 1 acre. The disturbance is under ½ acre. 1300sf building, no SWPPP required. The building will have a 2 floor appearance with drive through lanes. Would like the Boards opinion if it is worth pursuing at this location. They will be adding landscaping. They will have their own free standing sign. No hours on limit of operation.

**Chairman Belden:** It is a permitted use in our code.

**ADJOURNMENT:**

**MOTION** by Max Fruchter, Seconded by Joseph McMurray to adjourn the meeting at 9:43pm  
**ALL AYES**

DATED: June 13, 2017

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Valerie Ingersoll – Board Member