

**MINUTES OF THE TOWN OF FORT EDWARD ZONING BOARD OF APPEALS
MEETING HELD ON TUESDAY, JULY 18, 2017 AT TOWN HALL COMMENCING AT
6:00PM**

Chairman LaFay called the meeting to order at 6:00pm

Pledge of Allegiance

PRESENT: Chairman Ken LaFay
Michael Suprenant
Jim Maskell
Jim King

OTHERS PRESENT: Greg VanGroew, Jane Collins, Sandra Rourke, Chris Round (Chazen), Stefanie Bitter (Special Counsel) and Town Engineer Jim Houston

APPROVAL OF MINUTES: MOTION by Michael Suprenant, Seconded by Jim King to approve the minutes of the meeting of June 29, 2016 **ALL AYES**

BUSINESS:

**MHW Properties, LLC
Area Variances**

Chris Round: The application is for 2 lots, they are proposing a bank on Lot 1 and Lot 2 will be the balance of the property and no development is proposed on Lot 2. Two Variances are needed due to the following: The Lot width is not met, 125' is required and actual is only 74.3'; also lot coverage is exceeded, 20% is required and actual is only 5.8%. The bank access will be through Lot 2 and we currently have a floating cross easement with Market 32. The project will keep the current property out of foreclosure as well as add to the newly developed area.

Ken LaFay: Lot 2 will have the driveway for Lot 1 only?

Chris Round: Yes, no new development is proposed on Lot 2.

Michael Suprenant: Nothing is going on Lot 2?

Chris Round: No and if so in the future they would have to come back for Site Plan Review and possible Variances.

Stefanie Bitter: The EAF that is in this packet needs to be modified. It needs to be relevant to the Area Variances not the Site Plan. The application needs to be referred to the Washington County Planning Department. I would like to see confirmation of the floating easement with Market 32. Has any remediation work been done? I see a grading easement in the packet but I do not see it on the Site Plan.

The following memo was submitted by Town Engineer Jim Houston regarding the project:

Dear Chairman LaFay:

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 from the Town of Fort Edward for the MHW Properties Area Variance Application. The package of information that we reviewed included the following documents:

- 1.) Area Variance Application, signature page dated May 30, 2017.
- 2.) Short Environmental Assessment Form signed May 12, 2017.
- 3.) Minor Subdivision Sketch Plan / Preliminary Plat prepared by Chazen Engineering, last revised June 6, 2017. Based on our preliminary review of these project related documents, we offer the following comments for consideration by the Zoning Board. Area Variance Application
 1. Page 6 – at the bottom of the page the two variances being requested include: • Minimum lot width – required is 125’, proposed (Lot 2) is 74.3’. A variance of 50.7’ is being requested. • Minimum green space – required 20%, proposed (Lot 2) is 5.8%. A variance of 14.8% is being requested. Short EAF
 2. Page 1 of 3 – Brief Description of Proposed Action – the form is completed for a proposed 2-lot subdivision. The action before the zoning board is an area variance. It may be necessary to edit the SEAF prior to granting approval of the variance. The board should confer with the Town attorney on this point. C.T. MALE ASSOCIATES, D.P.C. July 18, 2017 Mr. Kenneth LaFay – MHW Properties (Agway) – Area Variance Page - 2 Architecture & Building Engineering • Civil Engineering • Energy Services • Environmental Services • Survey & Land Services
 3. Question 2. There are two governmental agencies that will need to issue an approval. One is the Town Planning Board and the other is the Town Zoning Board. This question should be checked “yes”. Plot Plan
 4. The proposed lot widths (per the information in the table) should be shown on this plan.
 5. The plan should clearly show the areas that will be “green” so that it is possible to confirm that the proposed green space percentage can be verified.

Michael Suprenant: From my understanding the property is in foreclosure, can it still be sold?

Stefanie Bitter: When the bank is foreclosing on something they always want to make sure they can get the most value and dividing the property would make it more valuable.

PUBLIC COMMENT:

Sharon Rourke: My concern is the less than 20% greenspace. What is the greenspace along the property line of Lot 2 and coming up Route 4? Is that owned by National Grid or is that owned by your developer?

Chris Round: It is owned by MHW Properties, there is a utility overhead electric line partly on the property that straddles the property line and veers off. There is probably an easement in place.

Greg VanGroew: Lot 2 is the concern. If there is no intention to build then knock down the building and get some greenspace. The building is un-heated and no one will want it. Do it right in the design phase.

Ken LaFay: Will you be adding greenspace?

Chris Round: There is a landscaping plan proposed, this is only a very early sketch plan that you are seeing now.

MOTION by Michael Suprenant, Seconded by Jim Maskell to refer the project to the Washington County Planning Department for their August 10, 2017 meeting **ALL AYES**

UPCOMING MEETINGS FOR THE PROJECT:

August 10, 2017 – Washington County Planning Department

August 15, 2017 – Town Zoning Board of Appeals

August 23, 2017 – Town Planning Board

MOTION by Michael Suprenant, Seconded by Jim Maskell to adjourn the meeting at 6:35pm
ALL AYES

DATED: July 19, 2017

Aimee Mahoney, Clerk