

**MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD MEETING
HELD ON WEDNESDAY, AUGUST 12, 2020 VIA ZOOM COMMENCING AT 7:00 P.M.**

Chairman Belden called the meeting to order at 7:02pm

Pledge of Allegiance

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

OTHERS PRESENT: Dave O'Brien, Kara Lais, Matt Steves, JD (?), Town Engineer Jim Houston and Town Clerk Aimee Mahoney

BUSINESS:

**WWIDA
Subdivision Application
Access Road**

Chairman Belden: The only thing I wanted to clarify because the maps we got stretched so far, the applicant that's with us has ownership for the property that we are dealing with tonight or do they have some other agreement in place? That was the only question that myself and the Town Attorney had before I turn it over to you.

Kara Lais: The only other property owner is WCC and they have executed the authorization and they remain agreeable to this transaction.

Chairman Belden: So you are acting as agent for WCC.

Kara Lais: Correct, their authorization is in the submittal.

Chairman Belden: Do you have to go to Kingsbury yet?

Kara Lais: No

Chairman Belden: On that very northern end, that piece where you come south of the bridge and there is a Kingsbury line there?

Dave O'Brien: No, the only subdivision that is taking place is from that turn in, there are 2 pieces of property owned by WCC that small triangle plus the run from the triangle to be turned

over from Canal Corp. from there to the entry to the gate and then there is that tiny slice that is owned by Fort Edward that has got to be turned over to complete the durable access from start to finish.

Chairman Belden: Right but as far as to have road frontage.

Kara Lais: If you are talking about the triangle piece, the Mary Webb piece, that's already been subdivided off and that's in the ownership of WCC as a stand-alone lot.

Chairman Belden: So then WCC is going to take care of that?

Kara Lais: They will convey that to us.

Dave O'Brien: I have a question Mark about the process from here on in. We submitted this stand-alone subdivision application on 4/28 and it was my understanding and Kara's understanding please correct me if I'm wrong that we have been through a series of meetings on this including public hearings and I was a little surprised yesterday when we got this letter from CT Male talking about some not big issues. What I was surprised about was that this wasn't caught in the initial review and now we are re-doing the review again. Are we starting from scratch again?

Chairman Belden: As far as me having gone down to walk the property with Matt I don't think so, I think we are in great shape there. I'm not going to second guess Mr. Houston, I will let him address his letter, he does a great job for us and I don't think there is anything that he did intentional. I will let him address that right now but as far as starting from scratch no I don't think we are starting from scratch. Does the rest of the Board want to start from scratch on this?

Board Consensus: No

Dave O'Brien: I heard you talk about Schachner and a public hearing, are we going to have to have another public hearing after we have been through 3 or 4 so far?

Chairman Belden: We normally do a public hearing before we subdivide anything and when this came to us originally it was tied in with a bunch of other stuff all at the same time.

Dave O'Brien: No it wasn't, ours was a stand-alone application.

Chairman Belden: We were under the impression that your application was dependent on having something to put there.

Kara Lais: No we had indicated at the outset that we were prepared to move forward with or without the WL project.

Chairman Belden: Because when I wanted to continue this process at our last meeting, Mr. Fuller the Attorney that we were sharing with the Village made it very clear to me that we couldn't move forward.

Kara Lais: We did not want to move forward with any of the site plan application. WL had offered to sign that portion of the application to us if we wanted to proceed with their site plan application but after discussions with the IDA we did not want to pursue that particular application. We just wanted to pursue our original application under the subdivision.

Dave O'Brien: In all fairness I think everyone is in shock quite frankly I know I was.

Chairman Belden: I don't mean to be cruel but nothing surprises me after March 12th, as a school teacher my world has been upside down.

Dave O'Brien: I just want to see our path forward and not repeat things that were already done.

Chairman Belden: Understandable I will let Jim address his letter and then I will let any of my Board members speak and then we will figure out where we are headed.

Jim Houston: Just as a response to that, we have never written a comment letter on the subdivision plans themselves. The subdivisions we have reviewed were in relation to supporting the site plans for the WL Plastics. Whether that worked out logistically with what was in the Town vs. what was in the Village but never have we written a comment letter on the subdivision plans themselves.

Dave O'Brien: So you have reviewed this and not reviewed our subdivision application in all this time?

Jim Houston: Yes, we definitely looked at it in relation to the site plan approval for WL Plastics.

Dave O'Brien: But ours was a stand-alone application, I'm not sure how this got merged and I am a little frustrated with the process here. We have had this application since 4/28, we've been through the process, had several public hearings.

Chairman Belden: Dave, I am going to stop you there. We are not trying to be argumentative, we were always under the impression that these 2 things were happening together. When I went down there with Matt and we walked through the whole subdivision everything we talked about was based on WL Plastics happening. Don't worry about the process; we will move through it tonight, as long as we can get Jim's questions answered we can keep moving forward but if there was some kind of miscommunication with the previous Attorney that we were using gave me the impression that everything was happening at the same time and without one the other wouldn't happen. At the end of the last meeting that's what I left with, I'm sorry that's not what you guys were looking for but we will proceed. This is a lot cleaner as far as I'm concerned and that's why I asked at the last meeting if we could just finish the subdivision.

Dave O'Brien: Fair enough

Town Engineer Jim Houston went through his comment letter:

Re: WWIDA – Minor Subdivision Application (Towpath Lane)
CTM Review Comments
C.T. Male Project No. 14.4052-082

Dear Chairman Belden:

C.T. Male Associates Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C. (C. T. Male) has reviewed the project documents for the WWIDA Subdivision Application (Counties of Warren and Washington Industrial Development Agency). The documents that we reviewed included the following:

- Cover Letter - dated 8/5/2020 prepared by FitzGerald Morris Baker Firth.
- Subdivision of Land Application, signature page dated 4/28/2020.
- SEAF – Part I, signature page dated 4/28/2020.
- Subdivision Plans, S-1 through S-4, PDF's not readable (former plans dated 4/24/2020 – 4/28/2020 were reviewed).

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

Subdivision of Land Application (4/28/2020)

1. The following subdivisions are packaged into this one application:

- Tax Map 163.-2-20, current owner - WCC, 0.14 acres.
- Tax Map 163.-2-15.1, current owner - New York State, 0.40 acres.
- Tax Map 163.-2-20, current owner - WCC, 1.54 acres.
- Tax Map 163.-2-19.1, current owner – Town of Ft Edward, 0.06 acres. C.T. MALE ASSOCIATES A

2. Page 9, last question regarding proposed easements – the response indicates that a permanent easement will be granted to Fort Edward Local Property Development Corporation as well as WCC, LLC. Reference to this easement should be noted on the Subdivision Plans, if is not already noted. The applicant should explain why the easement should not also be granted to the Canal Corporation.

SEAF – Part I

3. No Comment.

Subdivision Plans

4. The plans that accompanied the 8/5/2020 cover letter were not readable. Based on the prior set of plans that were dated 4/28/2020, the plans show a proposed bike path. This should possibly be labeled “future” or removed from the subdivision plans.

5. The width of the proposed road right of way should be labeled at key locations to more clearly convey the width of the road corridor.

