

**MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD HELD ON
WEDNESDAY JANUARY 27, 2016 AT TOWN HALL COMMENCING AT 7:00PM**

The meeting was called to order at 7:07pm

Pledge of Allegiance

PRESENT: Chairman Belden
Valerie Ingersoll
Joseph McMurray
Donald Sanders, Jr
Frank Wells
Zack Middleton

ABSENT: Max Fruchter

Chairman Belden is at the meeting but is abstaining from the Verizon Wireless discussion

MOTION by Zack Middleton, Seconded by Joseph McMurray to have Valerie Ingersoll act as Chairman until Chairman Belden returns **4 AYES, 1 ABSTAIN**

OTHERS PRESENT: Michael Moore, Will LaPan, Christopher Mastantuono, Edward Stimpson, Town Attorney Mary-Ellen Stockwell and Town Engineer Jim Houston

APPROVAL OF MINUTES: MOTION by Donald Sanders, Jr., Seconded by Zack Middleton to accept the meeting minutes of January 13, 2016 along with the Resolution and SEQRA declaration. All documents will be part of the meeting minutes and adopted as of January 13, 2016 **ALL AYES**

BUSINESS:

**Verizon Wireless
Wireless Telecommunications Facility
County Route 46**

Mary-Ellen Stockwell: The Board had asked the applicant to come back before the Board to get answers to some questions and also, the Board had directed me to memorialize the resolution and the SEQRA findings which I did and are incorporated in the meeting minutes for approval of the meeting on January 13th.

Jim Houston: Looked pretty thorough but I haven't had time to go through it all yet. I was out of town last week. The EAF revisions have been made and a new long form EAF was submitted. No comment letter on this tonight, I will go through all revisions and get back to the Board.

Mary-Ellen Stockwell: Our approval was conditioned on our Engineer's final review and approval so he can take his time going through the documents. The SWPPP is quite a large document.

Michael Moore: On January 21st a packet was submitted relating to the generator, tank capacity, fuel, pictures, re-fueling process, etc. Also, there was a question about us checking a certain box on the EAF relating to archeological studies, we explained how that came about; it was an automatically generated response by the NYSDEC. We have since followed up with SHPO and there are no archeological historic sites on the property in question.

Mary-Ellen Stockwell: I have given the applicant a copy of the documents that I drafted to be incorporated into the meeting minutes as directed by the Board as well as our SEQRA findings and the resolution.

Michael Moore: What is the status of the escrow account?

Chairman Belden returned to the meeting and will act as Chairman

**The Car Shoppe
276 Broadway
Vehicle Sales**

Chairman Belden: Where does the Town Board stand with this application?

Mary-Ellen Stockwell: The Town Board is aware that the application is before the Planning Board and that both parcels need site plan review.

We need to make clear that this is the same applicant but 2 totally separate applications and properties and site plans, they are not adjacent properties and are separated by a residential property. The applications should be reviewed one at a time for record keeping purposes; Car Shoppe 1: 276 Broadway and Car Shoppe 2: 280 Broadway

Zoning Officer Edward Stimpson is here for questions

Christopher Mastantuono: We have a lot of issues with the lot behind us. We are trying to keep it on the one site plan. We originally wanted to use both lots but we are only going to put cars on 1 lot, cars are out of the driveway to alleviate any issues with the easement.

Ed Stimpson: at 276 we have had complaints that cars couldn't get to the dentist office; an emergency vehicle would have a hard time getting through.

Mary-Ellen Stockwell: The applicant should be addressed any questions and it's also important for the Board since we have had the same visual problem that Lot 1 and Lot 2 are pretty unique; Lot 2 is a flagship lot and a portion of that is where you are visualizing the driveway space.

Jim Houston: There are 2 signs shown on the map.

Christopher Mastantuono: They are existing signs, one for Cohen and one for my business

Jim Houston: If you parked a car in the southern most spot, from that spot to the pavement is 14.5 feet, can't have two way traffic capabilities with that width and if cars were parked in the driveway it wouldn't be enough for a single car.

Mary-Ellen Stockwell: The easement that I have is the one that I pulled off the computer the day we spoke. This is only when it is separate ownership and sold. This is a tenant

Zack Middleton: Since it's not sold there is no easement so the back lot is out of it. With no easement we technically don't have to take the back lot into consideration.

Mary-Ellen Stockwell: You have to take emergency vehicles into consideration because the driveway overlaps for Lot 1 and 2. I understand what you are saying but you have to take into consideration all of the concerns for Lot 1. As far as a site plan for this business in this area for this situation, you are charged with the responsibility of looking at those items as a whole. I understand that as far as easement access and parking goes, no you don't have to consider those things but I think you have to think about other things that are ancillary to the fact that they are next door.

Christopher Mastantuono: What is the size requirement for a driveway?

Jim Houston: Preferably 20 feet of space would be ideal for driveway space

Valerie Ingersoll: The future expansion shown on map, whose expansion is that?

Christopher Mastantuono: Mine but I don't think that will be happening.

Valerie Ingersoll: So do we have to take the expansion area into consideration?

Mary-Ellen Stockwell: The map can be changed for next time if clarification is needed but right now we are looking at the newly submitted map.

Chairman Belden: Map says variance granted by the Planning Board, the Planning Board doesn't grant variances.

Jim Houston: Remove the parking spot in front of the N12 on the map.

Edward Stimpson: How many vehicles allowed on the lot?

Chairman Belden: Nothing stating that in the Code, it only refers to required customer parking

Valerie Ingersoll: He shows 23 spots

Joseph McMurray: Handicapped requirement?

Mary-Ellen Stockwell: I will have to check the Code and confirm with the Code Enforcement Officer

Jim Houston: Are there steps to the building?

Christopher Mastantuono: Yes

Jim Houston: Plans should dedicate the required number of spaces as well as which ones for customer parking.

Mary-Ellen Stockwell: How many employees do you have?

Christopher Mastantuono: 2, do the spots need to be delegated for them?

Mary-Ellen Stockwell: The Board just needs to take it into consideration for site plan review.

Edward Stimpson: What about handicapped access to the building?

Mary-Ellen Stockwell: That is up to state building code.

Valerie Ingersoll: That would drop it down to 20 cars for sale after parking is taken into consideration

Mary-Ellen Stockwell: How many on the lot now?

Christopher Mastantuono: Around 18.

Chairman Belden: The ZBA in 2005 allowed this lot to be constructed; we need to allow access to the second lot as it is currently an approved use.

Zack Middleton: Lot 2 needs to stay on the map so that access is available to lot 2 for emergency vehicles.

Mary-Ellen Stockwell: Make a list of items that you want from the applicant, then send to the Washington County Planning Board after complete and then have a public hearing.

List: 276 Broadway Lot 1

- number of spots for cars for sale
- 4 spot parking lot so no handicapped spot required,
- 22 display and 4 customer/employee
- amount of space from the road to edge of the parking should be on the map
- maintain the setback of the neighbor's property with the cars

- Applicant's Engineer can detail the amount of greenspace between the sidewalk and the car, need 20% greenspace. Applicant engineer can talk to town engineer
- determine whether cars parked on grass are really greenspace
- Designate parking spot dimensions on map
- show lights on the map
- Change variance granted by the PB to the ZBA

Jim Houston: If you had stone over the grass it would allow water to percolate into the ground

Hours of Operation: 9am-6pm Monday-Friday, Saturday 9am-4pm, closed Sunday

Zack Middleton: Any additional lighting?

Christopher Mastantuono: No, same lights that were always on the building we just made them more efficient.

Jim Houston: Additional lights need to be shown on the site plan.

**The Car Shoppe
280 Broadway
Vehicle Maintenance Facility**

Christopher Mastantuono: Everything I have given you will be changed, originally going to be a private garage for our own stuff but the plan is now to be a service center for the public. We will wash cars but it will not be a car wash facility.

Mary-Ellen Stockwell: This isn't really a site plan for your project; this is a map for a prior user.

Chairman Belden: This is a change of use due to it being a gas station prior. He is here for a new use, no gas sales, site plan for an automotive repair shop.

Is all repairing done inside the building? Gas tanks removed? Waste oil? Well and septic?

Christopher Mastantuono: Yes all repair is done inside the building, yes the gas tanks have been removed as far as I know, not sure what I will be doing with waste oil yet and no well and septic it's public water/sewer I'm pretty sure but will check into it

Zack Middleton: Are people living in the house in the back of the property?

Christopher Mastantuono: Yes

Frank Wells: You mentioned washing cars which means you will be using detergent of some sort so where would that be going?

Christopher Mastantuono: Wherever the drain takes it.

Chairman Belden: Our engineer and the applicants engineer can figure that out.

Zack Middleton: Waste oil?

Christopher Mastantuono: There are companies that take waste oil.

Donald Sanders, Jr.: We will need to see where repaired cars will be parked etc.

Joseph McMurray: No cars parked for sale?

Christopher Mastantuono: cars for prep but not for sale and not on display

Valerie Ingersoll: Cars from 276 Broadway are parked up there now.

Christopher Mastantuono: Yes for prep before sale.

Valerie Ingersoll: Right now it looks like a used car lot.

Valerie Ingersoll: How many cars for prep on the lot at one time?

Christopher Mastantuono: I don't know it depends.

Mary-Ellen Stockwell: We need to see how many spots can fit on that lot.

Valerie Ingersoll: We need bulk requirements on the map under zoning information.

Mary-Ellen Stockwell: We would need to see what the proposed sign would look like

Christopher Mastantuono: We are using existing lighting

Mary-Ellen Stockwell: Lighting needs to be shown on the map.

Chairman Belden: Mixed use is allowed in this zone correct?

Mary-Ellen Stockwell: Yes commercial and residential are allowed on the same parcel. I am going to look into it for clarification.

Valerie Ingersoll: Guardrail is shown on the map next to the neighbor, is it still there and how far does it go back?

Christopher Mastantuono: I can find out

Valerie Ingersoll: What is the plan for snow removal?

Chairman Belden: We can look at his plan and address it then and have it designated on the map.

Jim Houston: No comment letter yet, we need a proposed site plan; we have an existing one here.

Jim Houston addressed the site plan review requirements:

- address of owner
- date of plan
- location proposed use
- site improvements: water, how served as well as sewage disposal
- signs
- grading plan
- lighting
- landscape plan
- storm water plan if over 1 acre of disturbance
- buried fuel tanks and cleanup history from previous owner (Lemilt petroleum)

Joseph McMurray: Where is the driveway for the house in the back?

Christopher Mastantuono: We can show it on the map

Mary-Ellen Stockwell: Any easements or restrictions on the property? If so, can they be provided for review. Hours of operation, days of operation, number of employees, parking designations, delivery trucks, treatment of oil on or off site, signage on front of the building, NYS motor vehicle permits to perform that work on the property.

Put 276 Broadway on for Feb 24th, deadline Feb 15th

RESOLUTION NUMBER 1 OF 2016

MOTION by Joseph McMurray, Seconded by Zack Middleton to adopt the Washington County Planning Board's Resolution exempting matters of local concern from county planning review
ALL AYES

**Delores Cogan
39 Duer Road
Subdivision**

Don Sanders recused himself

Will LaPan: The applicant owns 9-10 acres in the area of Blodgett Road, Duer Rd and Route 4. She wants to divide it into 3 lots. Lot 3 is around 3 acres, lot 2 is around 3 acres and the remainder is 3.8 acres. We need to change one of the lines slightly. We showed a proposed house on lot 2 and 3. Contour interval is 10 feet on these; the houses will have to be built above the base flood elevation. DEC has no wetlands on site but Army Corp does. Haven't surveyed yet and we have 900-950 feet of road frontage according to the county. We haven't done perk tests yet, soil is Kingsbury, will check with neighbors regarding wells and septic locations. Existing laneway going into lot 3 as well as lot 1 but will need a highway permit for lot 2.

BOARD:

Valerie Ingersoll: Driveway permits needs to be checked on the EAF

Jim Houston: Memo given to the applicant, several questions have been answered already as a result of the discussion.

Mary-Ellen Stockwell: Deem major or minor, within 500 feet of State Route 4 so we need to call and ask that it doesn't need to be sent. (get e-mail for the file), set a public hearing if the Board desires.

MOTION by Zack Middleton, Seconded by Joseph McMurray to deem the subdivision minor
ALL AYES

MOTION by Valerie Ingersoll, Seconded by Zack Middleton to accept the sketch plan and look at the final drawing on February 24th and to set a public hearing on the 24th of February at 7:05pm **ALL AYES**

Don Sanders, Jr. has joined the meeting

ADJOURNMENT:

MOTION by Zack Middleton, Seconded by Joseph McMurray to adjourn the meeting at 9:35pm
ALL AYES

DATED: January 28, 2016

Aimee Mahoney, Clerk

