

**MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD MEETING
HELD ON WEDNESDAY, OCTOBER 12, 2016 AT TOWN HALL COMMENCING AT
7:00PM**

Chairman Belden called the meeting to order at 7:04pm

Pledge of Allegiance

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

ABSENT: Zachary Middleton

OTHERS PRESENT: Jacob Gibson, John Gibson, Christopher Mastantuono, Jim Thatcher (CT Male), Town Engineer Jim Edwards and Town Attorney Mary-Ellen Stockwell

APPROVAL OF MINUTES: MOTION by Max Fruchter, Seconded by Joseph McMurray to approve the minutes of the meeting of September 28, 2016 **ALL AYES**

BUSINESS:

**The Car Shoppe
280 Broadway**

Chairman Belden read the following conditions from the County:

- 1) Applicant to put planter boxes at front of property to landscape property line
- 2) Applicant to construct fencing at side and rear of property
- 3) Require storm water management for new impervious area

Chairman Belden opened the public hearing at 7:05pm

Board Comments: None

Mary-Ellen Stockwell: The County also made a recommendation in addition to their conditions. This recommendation was related to phasing of the parking. What did the County recommend as to phasing?

Christopher Mastantuono: They recommended to put gravel as needed.

Mary-Ellen Stockwell: The Board could interpret that as we could put a limitation on the amount of surface used.

Max Fruchter: The Board should have a super majority.

Chairman Belden: How do we put a number of spaces? Half crushed stone now and half next spring?

Mary-Ellen Stockwell: I would recommend that we go over Condition #2 further.

Christopher Mastantuono: The intention is to put a wooden stockade fence up and the guard rail is to be removed and replaced by the fence.

Chairman Belden: Southeastern front corner to the southwestern corner back, Mercurio entire property line back to Cohen and entire eastern property line should have a wooden stockade privacy fence built height to Code. The northern property line has a chain link fence.

Mary-Ellen Stockwell: #1 and #3 applicants Engineer to confer with the Town Engineer on storm water management.

Chairman Belden: How big are the planters at The Car Shoppe?

Christopher Mastantuono: 100' long x 18" high x 2' deep, I am thinking of using the same size

Mary-Ellen Stockwell: If the Board is recommending that the condition of the planters be met, that they make sure to keep the exit and entrance lanes in to and out of the property as designated on the site plan are kept open

Joseph McMurray: Keep this consistent with the property at 276 Broadway

Chairman Belden: Asked the Board if they want to approve condition on storm water or wait for the engineered plans.

BOARD: Approve conditionally

Mary-Ellen Stockwell: It is typical for this board based on prior practices to condition on payment of fees. Board should go through SEQRA, close public hearing, engineering final approval, chairman's final approval of map, SEQRA Part I has been submitted, Board has asked the Engineer to review storm water.

Mary-Ellen Stockwell went through the Short EAF with the Board:

- The board answered small to no impact on all Part Two Questions
- Considered an unlisted action and upon review, it would be recommended that as little to no impact was answered on all questions that the Board consider adopting a negative declaration as appropriate

MOTION by Joseph McMurray, Seconded by Donald Sanders, Jr. to declare the matter an Unlisted Action for SEQRA and to adopt a negative declaration for SEQRA review due to no potentially adverse environmental impacts as a result of the project **ALL AYES**

MOTION by Max Fruchter, Seconded by Donald Sanders, Jr. to close the public hearing at 7:27pm **ALL AYES**

Chairman Belden: To do storm water do they have to transit?

Jim Edwards: No they will probably treat on site with any dry wells; it would be the best way.

Mary-Ellen Stockwell: The next step would be a motion by the Board. It appears from our discussions that the board has discussed the following conditions: payment of fees, storm water approval from Engineer, review by Chairman, planter boxes at front of property, fence on property line, discuss and define, authorize Chairman to review and sign map outside of Planning Board.

Jim Edwards: The map shows guardrail at backside of sidewalk.

Christopher Mastantuono: No, it was switched out with planter boxes.

MOTION by Donald Sanders, Jr, Seconded by Frank Wells to approve the Site Plan contingent on the following:

- (1) Storm water plans shall be submitted to and approved by the Town Engineer,
- (2) Site plan shall be updated to include the following:
 - (a) Applicant shall install planter boxes along the front of the property on State Route (4) to be of size and shape as those matching the 276 property and shall not be situated in the entrance or exit lanes of the property as defined on the site plan map; and
 - (b) Applicant shall install a fence on side and rear property lines as discussed and agreed upon with applicant. That is, along the south side line of property abutting neighboring parcel to the south which shall continue from the south west corner of the lot to the north easterly most corner of neighbor's parcel and also along the entire back side of property line). Fencing to be constructed of stockade fence and shall be in conformance with the Town Code relative to fencing.
- (3) The applicant was directed that the site plan shall be modified to include the above and shall be sent to Planning Board Chairman for final review approval and signature by the Planning Board Chairman and payment of fees. Applicant can bring the storm water plan and map to the Town Clerk's Office, the applicant has 30 days from the signing of the drawing to submit Storm water Plans for approval and final Site Plan to the Chairman. We should see something from the applicant by November 1st. If the applicant does not submit and have approval within thirty (30) days the applicant will not be in compliance and will not be able to operate and should come back to the Planning Board at their next regularly scheduled meeting.

ALL AYES

Roll Call Vote: Chairman Belden – AYE
Valerie Ingersoll – AYE
Joseph McMurray – AYE
Donald Sanders, Jr – AYE
Frank Wells – AYE
Max Fruchter – AYE
Zachary Middleton – ABSENT

Chairman Belden explained how the Planning Board works to Fort Edward High School student Jacob Gibson

Jim Thatcher: CT Male gave a presentation on SEQRA as the dewatering facility will be going away and changed into Industrial Park East. The Town of Fort Edward knowing this area is ripe for development went to New York State to get a BOA Grant to do a Draft GIF so major industry can be planned before it comes in. This is a Type 1 action so the Town Board and Planning Board should determine who will be Lead Agency for the project. The Town Attorney has made a recommendation that the Town Board they should be Lead Agency as there have been no plans submitted to the Planning Board for a specific application on this point and that the Town Board work with the Town Planning Board to review the grant SEQRA plans and to make recommendations to the Town Board as lead agency.

Chairman Belden: The Planning Board agrees with the Town Attorney that the Town Board should be Lead Agency with the Planning Board reviewing and making recommendations.

MOTION by Max Fruchter, Seconded by Donald Sanders, Jr to adjourn the meeting at 7:55pm
ALL AYES

DATED: October 24, 2016

Valerie Ingersoll, Planning Board Member