

**MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD MEETING  
HELD ON WEDNESDAY, FEBRUARY 13, 2019 AT TOWN HALL COMMENCING AT  
7:00 P.M.**

Chairman Belden called the meeting to order at 7:05pm

**PRESENT:** Chairman Mark Belden  
Valerie Ingersoll  
Joseph McMurray  
Frank Wells

**ABSENT:** Max Fruchter  
Zachary Middleton  
Donald Sanders, Jr.

**OTHERS PRESENT:** Daniel Harris, John Harris, Joan Harris, Tom Ellis, Gretchen Steen and  
Town Engineer Jim Houston.

**APPROVAL OF MINUTES:**

Minutes of the April 11<sup>th</sup> 2018 meeting were tabled until the 4 members that were present at that meeting are present. (Valerie, Zack, Frank & Max)

Minutes of the January 23, 2019 meeting were tabled until the 4 members that were present at that meeting are present. (Mark, Val, Joe, Don and Zack)

**BUSINESS:**

**John Harris Family Subdivision  
County Rte. 46  
180.-2-14.3**

**Daniel Harris:** I received the Engineer's comment letter today and was able to have DEC clear up some of the comments pertaining to archeological sensitivity, wetlands and threatened and endangered species. No investigation is needed as far as archeology is concerned, we are on the boundary of the Important Bird Area (IBA), the utilities are shown on the map and a contour map has been provided for the file.

The following memo was submitted by Town Engineer Jim Houston:

C.T. Male Associates Engineering, Surveying, Architecture, Landscape Architecture & Geology, 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 Sketch Plan for the above referenced project.

The package of information that we reviewed included the following documents:

- Family Subdivision Application Fee Waiver, dated 1/15 / 2018.
- Agricultural Data Statement. • Misc Aerial Imagery with Tax and Property Information (not dated).
- Map of Proposed Subdivision (Plat), H&H Farms, Inc., Prepared by Charles Nacy, dated January 11, 2019.
- Short EAF Part 1, signed 1/15/2019.

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

1. Subdivision Review Application – missing from application materials.
2. Misc Aerial Imagery – Per Section 87-60 of the Town Code
  - Paragraph B – topographic conditions are significant, please provide contour map.
  - Paragraphs E and F – show existing/proposed utilities in the area.
3. Map of Proposed Subdivision (Plat) – Per Section 87-61 of the Town Code
  - Paragraph B – needs to be certified by a licensed land surveyor.
4. Regarding the Short EAF
  - The answers to the following questions differ from the DEC EAF Mapper information: 12b, 13a, 15.

**Jim Houston:** Do you know the location of the well/septic on the adjoining property?

**Daniel Harris:** We will comply with that when we reach that step with the Building Inspector.

**BOARD COMMENTS:**

**Valerie Ingersoll:** What is the road frontage?

**Daniel Harris:** 125'

**Valerie Ingersoll:** The following questions on the EAF need to be changed:

- #1 answer is yes
- #5a answer is yes

Grasslands notes should be added to the map as well as the Family Subdivision 5 year restriction note.

**Chairman Belden:** Find out from Grant's where the well/septic are located. Also, what is the soil?

**Daniel Harris:** Its rocks on top and clay/shale on the bottom.

**MOTION** by Valerie Ingersoll, Seconded by Joseph McMurray to set a public hearing for Wednesday, February 27, 2019 at 7:10pm **ALL EYES**

**Steen/Ellis  
Boundary Line Adjustment  
2266 County Rte. 46**

**Tom Ellis:** We are looking to expand the property to sell it and we had to go this large to include the well and get setbacks around the barn.

The following memo was submitted by Town Engineer Jim Houston:

The package of information that we reviewed included the following documents:

- Boundary Line Adjustment Application, signed 2/4/2019.
- Sketch Plan on Aerial Imagery – not dated.
- Warranty Deed with Lien Covenant, Book 3145
- Short EAF Part 1, signed 2/4/2019.

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

1. Per Section 87-3.1.A.(2) of the Town Code – “The boundary line adjustment area is of a size and configuration that could not reasonably accommodate the construction of a single family dwelling, barn, garage, commercial building or similar structure”. The proposed boundary line adjustment does not comply with this section of the code. Consideration should be given to having the applicant apply for a Minor Subdivision (Family Subdivision Fee Waiver) versus a Boundary Line Adjustment.

2. Sketch Plan on aerial imagery

- Additional information should be provided as required in Sections 87-60 and Section 87-61 of the Town Code. Of particular interest is an overall map showing the entirety of the parcels affected by the project along with information about adjacent properties.

### 3. Regarding the Short EAF

• The information provided is for the smaller parcel (180.-2-12.1) that will receive the benefit from the property line adjustment. The results of the EAF Mapper for the larger parcel (180.-2-12.3) was not included in the application. Reviewing the Mapper results from the larger parcel reveals that the answer to questions 12b (wetlands) and 13a (threatened or endangered species) are both “yes” versus “no” for the smaller parcel.

#### **BOARD COMMENTS:**

**Joseph McMurray:** Shouldn't this be a minor subdivision not a boundary line adjustment due to the size?

**Chairman Belden:** I see what you are saying but seeing as it is the same property owner and the well is causing it to be this large they can do a boundary line adjustment. My question is why the extra 138' on the other side?

**Gretchen Steen:** We wanted it to be just 2 acres but they made it 2.4 acres.

**Chairman Belden:** I feel if you cut it down to 2 acres then the Board would agree, you have 138' now so if you cut it down to 50' that will get you closer to 2 acres, also get 15' from the well to any property line and locate the septic on the map. **Board Agrees**

**MOTION** by Frank Wells, Seconded by Valerie Ingersoll to set a public hearing for Wednesday, February 27, 2019 at 7:15pm **ALL AYES**

#### **ADJOURNMENT:**

**MOTION** by Joe McMurray, Seconded by Valerie Ingersoll and carried to adjourn the meeting at 8:00pm **ALL AYES**

DATED: February 20, 2019

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Aimee Mahoney, Clerk

