

MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD PUBLIC HEARINGS & REGULAR MEETING HELD ON WEDNESDAY, FEBRUARY 27, 2019 AT TOWN HALL COMMENCING AT 7:00 P.M.

Chairman Belden called the meeting to order at 7:00pm

PRESENT: Chairman Mark Belden
Valerie Ingersoll
Joseph McMurray
Frank Wells
Zachary Middleton
Max Fruchter

ABSENT: Donald Sanders, Jr.

OTHERS PRESENT: Daniel Harris, Joan Harris, Tom Ellis, Gretchen Steen, Sandy Buxton, Harold Fitzsimmons, Ron Williamson, Caryn Mlodzianowski (Bohler Engineering), Rob Neal (Primax Properties), Supervisor Terry Middleton and Town Engineer Jim Houston.

APPROVAL OF MINUTES:

MOTION by Zachary Middleton, Seconded by Valerie Ingersoll to approve the minutes of the meeting of April 11, 2018 **ALL AYES**

MOTION by Zachary Middleton, Seconded by Joe McMurray to approve the minutes of the meeting of January 23, 2019 **ALL AYES**

MOTION by Frank Wells, Seconded by Valerie Ingersoll to approve the minutes of the meeting of February 13, 2019 **ALL AYES**

BUSINESS:

**Public Hearing – 7:05pm
Primax Properties, LLC
Dollar General
290 Broadway
Site Plan Review
Presenter: Caryn Mlodzianowski (Bohler Engineering)**

Chairman Belden opened the Public Hearing at 7:05pm

The following notice was published in The Post Star on February 20, 2019:

PLEASE TAKE NOTICE, the Town of Fort Edward Planning Board will hold a public hearing on Wednesday, February 27, 2019 at Town Hall, 118 Broadway Fort Edward, NY 12828 at 7:05pm to hear comments regarding the Site Plan application of Primax Properties, LLC located at 290 Broadway in the Town of Fort Edward. The purpose of the application is to construct a 9,100 (+,-)sf retail store (Dollar General) on the 1.7 (+,-) acre parcel. The retail store will have associated parking, lighting & landscaping and is in the C-1 zone of the Town. Tax map #163.14-1-33

At the public hearing anyone who wishes to comment will be heard.

PUBLIC COMMENT:

Sandy Buxton: How far from Family Dollar is it?

Chairman Belden: I am not sure as the Planning Board doesn't have to take that into consideration when reviewing the Site Plan.

Caryn Mlodzianowski: I am here from Bohler Engineering representing Primax Properties, LLC. The proposal is for a redevelopment project in the C-1 District, they would like to construct a 9,100 (+,-) sf Dollar General. The retail space is an allowed use in the district with Site Plan Review according to the Town Code. The buildings that are currently on the property will be removed and the new building will be placed on the front of the lot and meet all the required setbacks. We are proposing 31 parking spaces as well as a truck turn around for deliveries. We have added a new sidewalk connection as well as a full set of site development plans including demolition. We will be keeping the street trees as well as adding landscaping. Since the last meeting I met with the NYSDOT Region 1 office and they granted driveway approval and provided a letter for your file. We will be addressing the C.T. Male comments from the latest memo from Jim Houston as well.

Chairman Belden: We sent the application to the County Planning Dept. and they deemed it a matter of local concern but suggested that we ask for a traffic study.

BOARD COMMENTS:

Max Fruchter: Will the building be sprinklered?

Caryn Mlodzianowski: No, we are not proposing a sprinkler system.

Max Fruchter: Why not?

Caryn Mlodzianowski: It doesn't meet the square footage threshold requiring the building to have a sprinkler system.

Max Fruchter: I am asking that the building have a sprinkler system.

Chairman Belden: To address the earlier question, this store is .7 miles from the existing Family Dollar.

Valerie Ingersoll: In the Site Plan application under requirements, traffic needs to be checked.

Town Engineer Jim Houston submitted the following comment memo:

*Re: 290 Broadway – Primax Properties, LLC - Dollar General
Site Plan Review Comments*

Dear Chairman Belden:

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 Site Development Plans for the above referenced project.

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

- Updated Site Plan Review Application (signature page dated 2/11/19)
- Site Development Plans (last revised 1/24/19)

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

1. Site Plan Review Application

- The revised application addresses all of the comments contained in our prior comment letter dated 1/21/19.
- On Page 7 of the application (D.6.) the height of the building should be shown on the Site Plan. Consideration should be given to providing architectural renderings/elevations of the proposed structure for visualization purposes.

2. Site Plans

- Zoning Analysis Table (4 of 12) – prior comment addressed.
- Site Plan and Utility Plan (4 and 6 of 12) - Features along Route 4 have been added – prior comment addressed.

Demolition Plan (3 of 12) - The limit of work should be revised to include the fence removal in the northeast corner of the project site.

Grading & Drainage Plan (5 of 12)

○ The proposed drainage swale to the north of the proposed building is shown at 0.5%+/- . This is flatter than what is typically required for positive drainage in a grassed area. The longitudinal slope of the swale is recommended to be at least 1%.

○ The 8" roof drain header transitions to perforated pipe under the heavy duty concrete dumpster pad. Please explain the reason for transitioning to perforated piping at this location. Additionally, there doesn't appear to be enough cover over this pipe and the end section is called out as a 6" diameter; please revise.

○ Most runoff from the proposed parking areas appears to sheet drain into grassed swales and/or directly to the open basins. It is recommended that a stone filter strip/diaphragm is installed off the edge of the pavement in these areas to prevent scouring from occurring.

Utility Plan (6 of 12)

○ Will the proposed building contain a fire suppression system?

○ There are two (2) existing gas lines running in an easterly direction towards the southwest corner of the proposed building but do not appear to connect to anything; please clarify.

○ There appears to be a gap between property lines located toward the southeast corner of the property (off of the property), as well as a stray hatch pattern in the same area.

○ The limit of disturbance callout is not pointing to the limit line.

Soil Erosion & Sediment Control Plan (7 of 12)

○ The proposed stockpile location is shown over the top of one of the proposed infiltration basins, which could compact the soils in this area. This proposed stockpile should be relocated.

○ The plan provided is an "interim" control plan, as final grading is not shown. It is recommended that a final grading/erosion control plan is incorporated or that the final grading and erosion control measures are shown on the Landscape Plan.

Landscape Plan (9 of 12)

○ Plantings at the northwest corner of the property extend into the proposed drainage swale.

○ Landscaping is shown over the proposed sewer lateral.

○ What is the proposed ground cover within the right-of-way on either side of the sidewalk? (i.e., will the grass in this area be protected/remain, seeded, sodded, etc.).

○ The "Prop. Hydroseed over 6" New Topsoil" note in the northeast corner of the site points to areas that are outside of the proposed disturbance limits; please revise.

○ Consideration should be given to providing additional screening to both the north and south of the proposed building, adjacent to the property lines.

Construction Detail Sheet (11 of 12)

- The note on the service ramp detail mentions obtaining a permit from the incorrect county; please revise.
- The drainage swale detail does not match the grading shown on the plans.
- A concrete washout detail should be added to this sheet.
- The perforated pipe in stone detail should specify the type of fabric and manufacturer for the filter fabric.
- Consideration should be given to providing metal end sections in lieu of plastic end sections, even if the pipe is plastic, as metal end sections last longer and aren't prone to cracking and deformation.

Alta Survey (1 of 1) - The first general note on the Alta survey states that the survey was performed while snow/ice was on the ground. The applicant should verify that the surfaces shown on the Alta plan are accurate when able to do so.

Lighting Plan (1 of 1) - The cover sheet lists a lighting plan; however, one was not included with this submission.

3. General Comments

Please provide responses to this letter in comment letter format.

Provide geotechnical information and infiltration test results.

Please provide a Stormwater Pollution Prevention Plan (SWPPP) since the disturbance is greater than 1.0 acre for a commercial development.

Chairman Belden: The County would like us to ask for a traffic study but what do we do after we receive it?

Jim Houston: Review degradation and see if it will require a traffic light or a way to offset the impact.

Zachary Middleton: I don't think we need a traffic study, we didn't do one for the credit union and how many lights can you have in that stretch.

Joe McMurray: I don't think we need one either.

Max Fruchter: I think we should get a traffic study.

Rob Neal: In these other situations where traffic studies were required, did they have letters from NYSDOT.

Caryn Mlodzianowski: We submitted trip counts to NYSDOT as well; it is well below 100 trips/hour.

Max Fruchter: Do you have the trip study?

Caryn Mlodzianowski: I have the application package that was submitted to DOT but I do not have the study with me. I will forward it to Jim Houston. The store is not a traffic generator, it's not a destination they rely on pass through trips.

Harold Fitzsimmons: I live across the street on the corner of Hillview and Route 4. We wait 10-15 minutes to get out onto Broadway now due to the traffic congestion. Also, what is this going to do to my property value? What about the lighting, will that be shining on my house?

Sandy Buxton: It's a 30mph zone; you are going to have congestion with people turning in and out of the store.

Chairman Belden: We are very conscious about lighting in residential areas that are next to commercial. The lighting will not be on your property. As far as your property values, I understand your concern but the Planning Board can't comment on that. How long would a traffic study take?

Jim Houston: It depends on the consultant that does it, probably around 2 weeks.

MOTION by Zachary Middleton, Seconded by Joseph McMurray not to require a traffic study **Board Vote: Max Fruchter - NAY**

Joseph McMurray - AYE

Valerie Ingersoll - NAY

Zachary Middleton - AYE

Frank Wells - NAY

Chairman Belden - NAY

Caryn Mlodzianowski: Can we hire our own consultant?

Chairman Belden: Yes

Max Fruchter: Did they contact the Fire Chief regarding sprinklers?

Zachary Middleton: We as a Board cannot request that.

Max Fruchter: We are responsible for the safety of the residents and I would like the Attorney to look into it.

Caryn Mlodzianowski: That falls under building permit not site plan review.

MOTION by Zachary Middleton, Seconded by Joe McMurray to close the public hearing at 7:32pm **Board Vote: Max Fruchter – NAY**

Joseph McMurray – AYE

Valerie Ingersoll – AYE

Zachary Middleton – AYE

Frank Wells – AYE

Chairman Belden – AYE

For the next meeting:

- **Soil boring test results**
- **Sprinkler discussion answer**
- **Traffic Study Results**
- **SEQRA Review**

Public Hearing – 7:10pm
John Harris Family Subdivision
County Rte. 46
180.-2-14.3

Chairman Belden opened the public hearing at 7:37pm

The following notice was published in The Post Star on February 20, 2019:

PLEASE TAKE NOTICE, the Town of Fort Edward Planning Board will hold a public hearing on Wednesday, February 27, 2019 at Town Hall, 118 Broadway Fort Edward, NY 12828 at 7:10pm to hear comments regarding the Family Subdivision application of John Harris, H&H Farms, Inc. located on County Rte. 46 in the Town of Fort Edward. The purpose of the application is to subdivide one 2.93 acre parcel out of a 30.56 acre parcel to be conveyed to John Harris who is the son of Daniel & Joan Harris. Tax map #180.-2-14.3

At the public hearing anyone who wishes to comment will be heard.

PUBLIC COMMENT: None

Chairman Belden: Do you have any idea where you will be locating your well and septic?

BOARD COMMENTS:

- **Fix the Family Subdivision Note on the map to reflect the restriction on further subdivision for 5 years.**

The Board went through the short SEQR form:

MOTION by Joe McMurray, Seconded by Zachary Middleton to declare a negative declaration for SEQR review due to no potentially large adverse environmental impacts **ALL AYES**

MOTION by Max Fruchter, Seconded by Zachary Middleton to close the public hearing at 7:40pm **ALL AYES**

MOTION by Zachary Middleton, Seconded by Valerie Ingersoll to approve the family subdivision contingent on the map being updated to show proposed well/septic placement, well and septic placement of all adjoining properties, family subdivision note changed to 5 year subdivision restriction and payment of fees **ALL AYES**

- **Submit revised map to Jim Houston for review before preparing the mylar.**

**Public Hearing – 7:15pm
Steen/Ellis
Boundary Line Adjustment
2266 County Rte. 46**

Chairman Belden opened the public hearing at 7:50pm

The following notice was published in The Post Star on February 20, 2019:

PLEASE TAKE NOTICE, the Town of Fort Edward Planning Board will hold a public hearing on Wednesday, February 27, 2019 at Town Hall, 118 Broadway Fort Edward, NY 12828 at 7:15pm to hear comments regarding the Boundary Line Adjustment application of Thomas Ellis & Gretchen Steen located at 2266 County Rte. 46 in the Town of Fort Edward. The application is a residential boundary line adjustment with the applicant receiving the parcel. Total acreage of granting parcel is 231.8 acres, total proposed acreage of granting parcel is 230 (+,-) acres, total acreage of receiving parcel is 1 acre and total proposed acreage of receiving parcel is 3 (+,-) acres. Tax map #180.-2-12.1

At the public hearing anyone who wishes to comment will be heard.

Gretchen Steen: The new map shows the lot size change to 1.89 acres as well as the septic and distance from the well.

BOARD COMMENTS: None

MOTION by Max Fruchter, Seconded by Zachary Middleton to close the public hearing at 7:55pm **ALL AYES**

MOTION by Max Fruchter, Seconded by Zachary Middleton to wave SEQR due to no new construction or proposed changes to the parcel **ALL AYES**

MOTION by Zachary Middleton, Seconded by Frank Wells to approve the boundary line adjustment contingent on payment of fees **ALL AYES**

OTHER BUSINESS:

- The County is having training on Monday, March 18th
- New Application for Mike & Melanie Dickinson for the next meeting (March 13th), the Board looked at the submission packet and it looks like they will be creating a land locked parcel, need to talk with surveyor Bruce Agard for clarification.

ADJOURNMENT:

MOTION by Max Fruchter, Seconded by Joe McMurray and carried to adjourn the meeting at 8:19pm **ALL AYES**

DATED: March 5, 2019

Aimee Mahoney, Clerk