

**MINUTES OF THE TOWN OF FORT EDWARD ZONING BOARD OF APPEALS
MEETING HELD ON THURSDAY, MAY 19, 2016 AT TOWN HALL COMMENCING
AT 6:00PM**

Chairman Suprenant called the meeting to order at 6:00pm

Pledge of Allegiance

PRESENT: Chairman Suprenant
Ken LaFay
Jim King

ABSENT: Jim Maskell

OTHERS PRESENT: Town Attorney Mary-Ellen Stockwell, Town Engineer Jim Houston, Kenneth Brownell, Christopher Boyea, Scott Sanders, Scott Buckley

APPROVAL OF MINUTES: MOTION by Ken LaFay, Seconded by Jim Maskell to approve the minutes of the meeting of April 21, 2016 **ALL AYES**

BUSINESS:

**Kenneth Brownell
126 East Rd
Amendment to Use Variance**

Ken Brownell: My building permit was denied due to a prior variance that I had for an apartment. The Building Inspector is saying it's a carport or a garage and that is not what it is. It is for my equipment so that it doesn't rust. I do not believe that I am in violation of the other variance.

Mike Suprenant: I have been to the site and I do not see a problem with the variance

Mary-Ellen Stockwell: May 16, 2013 variance needs to be amended according to the zoning administrator.

Mary-Ellen went through SEQRA part II:

MOTION by Chairman Suprenant, Seconded by Jim King to declare the Zoning Board lead agency for SEQRA review and to declare a negative declaration for the SEQRA unlisted action review due to no potentially large adverse environmental impacts due to the project **ALL AYES**

MOTION to close the public hearing at 6:09pm **ALL AYES**

MOTION by Ken LaFay, Seconded by Jim King to approve the amendment to the Use Variance that was granted May 16, 2013 to include the existing structure with no changes to the structure **ALL AYES**

MOTION to table The Garden Barn application until after they go to the Washington County Planning Board **ALL AYES**

McDonald's
364 Broadway
Presenter: Chris Boyea (Bohler Engineering)

Chris Boyea: We will be going through site plan review with the Planning Board and we are here tonight for a sign variance and a parking variance. We will have to decide whether green space or parking is more important. People dined in more in the 70's and 80's and now the drive thru is more highly used. Over 60% is drive thru traffic which is typical of restaurants across the northeast. We are proposing a side by side order station. This is why we are asking for reduced parking spaces. The second reason we are here is because of signage. The new building will not have lighted roof beams like it does now. We want to make sure that everyone knows from the back of the building that we are a McDonalds. The new building has less signage than the existing building and is more tastefully done.

Mike Suprenant: How many parking spaces are you eliminating?

Chris Boyea: Nine

Mike Suprenant: I walk by every day and see the parking lot empty and the drive thru full. I don't see an issue with eliminating the spots and as far as signs go I don't have a problem with them.

Jim King: Will there be a Market 32 connection

Chris Boyea: No agreements in place but it has been given some thought

Scott Buckley: Moving the order point back allows for faster service, trying to get the cars off the lot faster. ADA compliance will be well thought out. All lights are LED.

Scott Sanders: 40 year old building, kitchen isn't set up for the increase in the drive thru traffic, remodeling isn't the way to go so the rebuild is the way to go.

Jim Houston submitted the following memo regarding the project:

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, D.P.C.

50 Century Hill Drive, Latham, NY 12110

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**Architecture & Building Systems Engineering · Civil Engineering · Environmental Services
· Survey & Land Information Services**

March 19, 2016 VIA EMAIL ONLY

**Mr. Michael Suprenant, Chairman
Town of Fort Edward Zoning Board of Appeals
118 Broadway
Fort Edward, New York 12828**

***Re: McDonald's – 364 Broadway
Concept Site Plan Review Comments
C.T. Male Project No. 14.4052-057***

Dear Chairman Suprenant:

C.T. Male Associates Engineering, Surveying, Architecture & Landscape Architecture, 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 McDonald's Site Plan Area Variance Application. The package of information that we reviewed included the following documents:

1.) Area Variance Application, signature page not dated.

2.) Site Plan, C-1, dated February 9, 2016 last revised March 30, 2016.

As an overview, the applicant is requesting a variance with regards to the number of parking spaces provided and a sign variance (both number of signs and size). Based on our review of the project related documents, we offer the following comments for consideration by the Zoning Board.

Parking Variance

1. Per the zoning analysis table provided on plan C-1, the required number of spaces is 78 (Chapter 108-12.2.K. page 13 of 14). The existing number of spaces is 41 which is an existing non-conforming condition. The proposed condition further reduces the number of parking spaces down to 32, a variance of 9 spaces from the existing condition. The loss of spaces is due to the introduction of an additional parallel menu-board. Consideration could be given to providing the two menu board/ordering locations in series versus in parallel which would not require the elimination of the rear parking spaces.

C.T. MALE ASSOCIATES, D.P.C.

May 19, 2016

Mr. Michael Suprenant – McDonald's 364 Broadway

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Sign Variances**

2. There is a variance required for the number of wall signs. Chapter 108-12.2.J.(2) indicates that such signs are limited to one such sign that is no more than 50 square feet. The plan shows four (4) wall mounted signs having a total square footage of 94 sf. A variance of three (3) signs and 44 square footage of total area is what is being asked for.

3. The existing freestanding sign is non-conforming with respect to area and setback (Chapter 108-12.2.J.(3)(a) and (b)). The plan shows this sign to remain in its existing non-conforming condition.

4. The directional signage proposed shall be of a size not to exceed three (3) square feet (Chapter 108-12.2.J.(5)(f)). The plan shows four (4) directional signs each having an area of approximately six (6) square feet. A variance of three (3) square feet per sign is what is being asked for.

Please contact me directly at 518-786-7463 should you have any questions or comments regarding this correspondence.

**Respectfully submitted,
C.T. MALE ASSOCIATES
Engineering, Surveying, Architecture & Landscape Architecture, D.P.C.
T. James Houston, PE
Senior Civil Engineer**

**c: A. Mahoney, Town Clerk
M. Stockwell, Planning Board Attorney**

Chris Boyea: If the pick up windows are in series the stack of cars doesn't have a chance to shift, we don't have the luxury of being able to have a long stack, this way we pick up 3 to 4 more cars and faster service.

Mary-Ellen: Need a variance of 9 parking spaces from the current and 46 spaces from the Code. Site currently only has 41 spaces and secondly the amount of signs. 1 is allowed, they are requesting 4. Direction signs should be 3sf and they are proposing 6sf. 20% greenspace is allowed and 25% greenspace is proposed which is compliant.

Chris: The plan you see here is complaint with greenspace. The thought process here is that if we need more parking, reducing the greenspace we will need that variance. Do we want to do that now or come back?

Mary-Ellen: We need to have 1 agency handle SEQRA. I recommend that this Board note that they have no objection to the Planning Board handling SEQRA. I recommend that the Zoning Board keep the hearing open until Planning Board completes SEQRA review.

Chris Boyea: We have a redevelopment project here not a new use, no new water/sewer demands, less energy used. The only thing we need to change is at this Board so this Board could easily do SEQRA. We aren't asking for anything from the Planning Board. This application is

for signs and parking and without the 2 of those there is no need for us to even go to the Planning Board. I would like to do a short SEQRA form related to the variances requested tonight if the Board agrees.

Mary-Ellen went through the Short SEQRA form:

MOTION by Ken LaFay, Seconded by Jim King to declare a negative declaration for SEQRA review for the variance application unlisted action due to no potentially large adverse environmental impacts due to the project **ALL AYES**

MOTION by Ken LaFay, Seconded by Jim King to close the public hearing at 6:51pm **ALL AYES**

MOTION by Ken LaFay, Seconded by Jim King to accept and approve the application and the following 4 variances are approved: 1) relief of 46 parking spaces for a total of 32 spaces proposed 2) 4 directional signs require relief of 3sf for each sign 3) Amount of building signs, 2 McDonald's and 2 arches for a relief of 3 signs and signage must remain as shown on the proposed plan 4) Size of the signs on the building need a variance of a total of 44sf of relief **ALL AYES**

ADJOURNMENT:

MOTION by Ken LaFay, Seconded by Jim King to adjourn the meeting at 7:02pm **ALL AYES**

DATED: May 20, 2016

Aimee Mahoney, Clerk