

Village of Fort Edward
Zoning Board of Appeals MEETING
December 7, 2022
6:00 pm, Fort Edward Village Hall
(Transcribed from notes taken at meeting)

MEETING CALLED TO ORDER AT 6:00 PM. ROLL CALL TAKEN. CHAIRMAN ROCHE LED THOSE PRESENT IN THE PLEDGE OF ALLEGIANCE.

Roll Call	Absent	Attorney	Public Attendees	Public Attendees
Tom Roche	Matt Fuller		Dave Armando	
Bernie Taylor			Rob Archambault	
Tabitha Fish			Ryan Gilligan	
Tadgh Nealon			Moriah Mathis	
			Gary Hillary	
			Jason Miles	

*Agenda Item

THESE ARE NOT OFFICIALLY ADOPTED MINUTES AND ARE SUBJECT TO BOARD AND STAFF REVISIONS. ANY REVISION WILL APPEAR ON THE FOLLOWING MONTHS MINUTES AND WILL STATE SUCH APPROVAL OF SAID MINUTES.

PUBLIC HEARING

1. Site Plan Review

49 Broadway – Ryan Gilligan, Rob Archambault
 Tax Map No. 171.6-6-29 – Trixie’s Cue and Brew

Chairman Roche asked the applicant to give a brief description of their application.

Ryan Gilligan explained he is looking to open a billiard hall in this location. He is a member of the APA and runs leagues and tournaments all around. There is no billiard hall within 45 minutes of here. Ryan mentioned that they will serve food and follow the guidelines given to him by code enforcement. If they were to serve in a full kitchen with a full menu, he would need to install the proper hood for ventilation. Ryan states he will be serving minimal food to avoid the need for the hood.

Chairman Roche requested that when they get all their approvals and licensing from the state, to contact the office so copies can be included in the application. The pool hall will have a full liquor license as well as approvals to serve food from DOH.

Motion to open the public hearing was made by **Tadgh Nealon**, seconded by **Bernie Taylor**. All ayes. Motion carried.

Board member Tabitha Fish asked the applicant “Why? Why Fort Edward?” The applicant explained that they wanted to invest in Fort Edward because the need is here, and it allows the APA to add Washington County as another county on board in the association.

The board reviewed SEQRA and determined that based on the information and analysis, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Motion to accept the neg dec was made by **Bernie Taylor**, seconded by **Tabitha Fish**. All ayes. Motion carried.

A motion to approve the application and close the public hearing was made by **Bernie Taylor**, seconded by **Tabitha Fish**. All ayes. Motion carried.

2. Site Plan Review

128 Broadway – William King, Christopher Conlon
 Tax Map No. 171.6-1-36 – ADK Graceful Arts

Chairman Roche asked the applicant to give a quick description of their application. William explained that they used to be in the storefront of 128 Broadway and would like to move to the back of the property in the barn. This gives him more room for inventory as well as for building.

Motion to open the public hearing was made by **Tadgh Nealon**, seconded by **Bernie Taylor**.

All ayes. Motion carried.

The board reviewed SEQRA and determined that based on the information and analysis, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Motion to accept the neg dec was made by **Bernie Taylor**, seconded by **Tabitha Fish**.

All ayes. Motion carried.

Motion to approve the application and close the public hearing was made by **Tabitha Fish**, seconded by **Tadgh Nealon**.

All ayes. Motion carried.

NEW BUSINESS

1. Site Plan Review

117 Broadway – Brian Mathis
Tax Map No. 171.5-2-19 – 117 Luxury Apartments

Chairman Roche asked the applicant to give a brief description of their application.

The applicant introduced herself, Moriah Mathis. Brian could not make the meeting, so she sat in for him. We recently purchased the building across the street here and want to do some renovations on the first floor for offices we want to renovate the whole building to make it nicer, esthetically pleasing and have better tenants. Tabitha asked where the building was located, she is new to the board and wanted a better understanding of where this location was. Moriah explained to the board that they own multiple properties and are in real estate as well and have a roofing business. Both businesses would be moved to this building. Moriah also explained they are not changing anything with the apartments above. There are currently 8 and will stay 8 apartments. We are not adding, just renovating.

Tabitha asked what Moriah will do with the tenants that are there currently. Moriah will leave the tenants there that are paying and when tenants leases expire, that is when the renovations to the apartments will be done. Tadgh asked if they would honor the leases that are there now. Yes, they will and when their offices are moved to the building, they will be able to have a much better eye on the tenants. Bernie asked if there was room in there for a gym. Moriah said they want to give the apartments (tenants) some amenities. Just a workout room for the individuals living there. This is not a gym for public, just tenants. Tabitha asked how many offices are in the downstairs and if they are renting them out. Moriah stated no, they are not renting them out, the offices, 7 of them are for their two businesses they plan to move there. There will be a center hallway, a bathroom and 7 offices.

Chairman Roche asked if the application is for the whole building, and yes, it is however their focus right now is renovating the downstairs offices so they can move the business there ASAP. They do not want to do it all at one time. When they are ready to make large improvements after that, they will come before the board. Moriah said they want to give the front of the building a facelift and considering painting the brick. She has a color scheme she can run by the board as well. Chairman Roche asked what their hours of operation are. Moriah said their offices are open 9-5, 5 days a week. They do not have a lot of traffic in and out. Most of their payments are done through the portal. Traffic is basically just the employees. Chairman Roche asked if the driveway is being used by the building next to them. Yes, they are using it as well. They also have a driveway on the other side, but they are using the driveway to 117 Broadway. They would like to adjust that as well. Chairman Roche asked to see the color scheme at the next meeting. Moriah stated its going be very nice with wrought iron and maybe a cream color, it will be very nice. Chairman Roche explained that the board must meet the master plan with color schemes in the village. Tabitha asked Moriah if she did any research to the current tenants. Are they HUD tenants, do they pay? Tabitha is worried about displacing the current tenants through the renovation. Moriah stated she does not displace anyone and would never do that. They do have a couple that does receive HUD, however if any tenant moves out or does not pay, they will renovate that unit.

Dave Armando talked to Brian about a couple of things over there as far as safety. He explained that the building needs more fire safety. It certainly doesn't meet today's code standards, however the property is grandfathered in. He talked to Brian about putting a fire alarm system in there. The code states the necessity for a sprinkler system, but they cannot do that, it is not practical. There is an out in the code, if you put a fire alarm system in, it will pass. Hallways will have the pull-down alarms and alarms in the apartments. This system would be monitored 24/7 by a company like Mahoney Alarms. Moriah told Dave they are open to any suggestions to alleviate liability as well. Dave mentioned the fire escape that will be installed in the back of the building as well which will help the safety.

Chairman Roche asked what the timeline is to get this done. Moriah said they would like to get working as soon as they get the approvals. They sold their office in Glens Falls and in a temporary office for the time being and are ready to renovate.

Tabitha Fish asked the applicant "Why here? Why Fort Edward?" Moriah said that her and Brian are high school sweethearts and went to school here in Fort Edward. Actually, we had a friend who lived in that building and danced on the rooftop of the building in the rain and we just want it to be nice here, we love this town. It is one of the only commercial properties on the Hudson River we can do this with, and she thinks there is a lot that can be done with this for the community. She stated that she hates driving through this community and seeing it run down. We are moving from Glens Falls to Fort Edward.

Bernie asked about the intercom system. Moriah said they are going to be more like a gated community and have an intercom system where tenants have a pass, and they must buzz in their guests. Moriah said it also allows for them to monitor the traffic a little better. Now a days there's more homeless people and would like to keep their tenants safe. Bernie asked about the rooftop garden, which Moriah said yes, that is part of the plan.

Chairman Roche asked how many employees will be working there. Moriah explained that it's just him and her two secretaries. Brian is in and out of the office in meetings and such. So basically, 4 full time employees. Chairman Roche stated that that is 4 more people to buy from the pizzeria, Stumpy's. Chairman Roche explained the process of the application to the new board members as well as the applicant. Typically, what happens is the application is reviewed and if there is any additional information or lack of information, the board cannot act on it until they have what they need to decide. Chairman Roche explained that because they are on Rte 4, the application needs to be referred to the county for review and in most cases, the county planning agency deems the application a matter of essential local concern, meaning that the village ZBA is the lead agency in making the decision for the application. Gary Hillary mentioned that he is a friend of Brian and Moriah's, and he is helping them with their businesses as well. He said that the sooner they get into the offices, the easier it will be to finish the renovations to the apartments and the rest of the building. Chairman Roche said he is going to ask the board if they agree to refer your application to the county. If it comes back as a matter of local concern and everything looks good with the application, you will be good to go.

Bernie Taylor asked about parking and Moriah stated there is a map for parking with 11 spots out back. She said they are looking at other options for back there as well.

Janelle Rose stated the deadline for the county referral is December 12th and will review it on the 20th. If the board wants to have the regular scheduled meeting on the 21st, it will move the application along quickly. The board decided to have the meeting on the 21st so they can get the offices started asap and get in there.

The board asked for the applicant to come back to the clerk with additional information for what the facade of the building is going to look like, color, esthetics, etc. Also, the fire safety plan. The sign for the outside will not meet code with it being more than 15ft from the ground. Moriah stated she will come back later for a variance because they do not want anything to hold up the application for the downstairs offices. Dave Armando mentioned that the sketch of the sign currently is too high but can ask for a variance.

Chairman Roche needs a motion to refer to county and set a public hearing.

A motion was made by **Tadgh Nealon**, seconded by **Bernie Taylor**.

All Ayes. Motion Carried.

Chairman Roche thanked them for coming and will see them on the 21st.

Dave Armando told the applicant that they do not need an actual floor plan layout of the fire system at this point. Until the construction is done, they will not know the square footage. Dave said they only need a fire alarm system monitored by a company like Mahoney Alarms or Foresight.

Motion to adjourn was made by **Tabitha Fish**, seconded by **Tadgh Nealon**.

All ayes. Motion carried.

Respectfully Submitted,



Janelle Rose
Zoning Board of Appeals Clerk