

Village of Fort Edward
 Zoning Board of Appeals MEETING/PUBLIC HEARING
 October 20, 2021
 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
Chairman Tom Roche	Joe Carroll	Matt Fuller	Rasheed Bhatti	
Bernard Taylor	Denise Mayer		Greg Teresi	
James Brooks			Shannon Salazar	
Dave Armando			Adam Salazar	
			Keith Rutbell	

*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.

A MOTION TO APPROVE THE SEPTEMBER 15TH MINUTES WAS MADE BY BERNIE TAYLOR, SECONDED BY DENISE MAYER. ALL AYES. MOTION CARRIED

PUBLIC HEARING

1. **SITE PLAN REVIEW –RASHEED BHATTI**
215 BROADWAY
TAX MAP No. 163.17-2-14

APPLICANT REVIEWED THE APPLICATION FOR THE BOARD. GREG TERESI, ATTORNEY FOR RASHEED BHATTI STATED THAT AFTER THE CONSTRUCTION WAS DONE FOR THE APPROVED 6 MOTEL ROOMS ON THE FIRST FLOOR, IT MADE MORE SENSE TO MAKE 4 DOWNSTAIRS AND TWO UPSTAIRS. THE ISSUE THAT HAS BEEN ONGOING IS WHETHER OR NOT STATE AND VILLAGE CODE REQUIRED A SPRINKLER SYSTEM. AFTER REVIEWING WITH CODE ENFORCEMENT, IT WAS FOUND THAT A SPRINKLER SYSTEM IS NOT NEEDED, HOWEVER A MONITORED FIRE SYSTEM IS REQUIRED. MR. BHATTI HAS MADE THE ARRANGEMENTS TO HAVE THE SYSTEM INSTALLED. THE INSTALLATION IS TO TAKE PLACE ON 10/21/21.

CHAIRMAN ROCHE IS THERE ANY OCCUPANCY IN THEM NOW?

APPLICANT NOT YET. ONCE ALL APPROVALS, INSPECTION AND CO ARE ISSUED, WE WILL THEN PUT PEOPLE BACK IN.

A MOTION TO OPEN THE PUBLIC HEARING WAS MADE BY DENISE MAYER, SECONDED BY BERNIE TAYLOR. ALL AYES. MOTION CARRIED.

SEQRA WAS REVIEWED BY THE BOARD.

A MOTION TO ACCEPT THE NEGATIVE DECLARATION AND APPROVE THE APPLICATION WAS MADE BY BERNIE TAYLOR, SECONDED BY DENISE MAYER.

ALL AYES. MOTION CARRIED.

**2. SITE PLAN REVIEW – ADAM SALAZAR
11-13 BRIDGE STREET
TAX MAP NO. 171.5-1-18**

APPLICANT EXPLAINED HIS APPLICATION TO THE BOARD WANTING A VARIANCE FOR A FENCE TO EXCEED 4FT IN THE LOCATION WHERE ONLY A 4FT FENCE IS ALLOWED ON HIS PROPERTY. APPLICANT EXPLAINED HE IS ALSO PUTTING IN A DRIVEWAY, JUST WAITING FOR DOT TO GET BACK TO HIM. APPLICANT STATED HE WANTS THE FENCE HIGHER DUE TO THE LOCATION ON BRIDGE STREET. WHEN TRAFFIC IS BACKED UP BECAUSE OF THE INTERSECTION LIGHT ON ROUTE 4 AND BRIDGE STREET, TRAFFIC IS AT A STANDSTILL AND PEOPLE JUST BROWSE THEIR PROPERTY AND THERE IS NO PRIVACY. APPLICANT STATED THE FENCE WILL HAVE A GATE AND IS 30FT FROM THE ROAD.

BOARD REVIEWED THE MAP AND PLANS FOR THE APPLICANT.

DENISE MAYER WHAT IS THE REASONING FOR NOT WANTING A 4FT FENCE

APPLICANT FOR PRIVACY MOSTLY. THE KIDS PLAY OUT IN THE YARD AND PEOPLE WALK BY DUE TO THE RIGHT OF WAY AND CAN SEE IN THE YARD. THERE IS NO PRIVACY FOR THEM OR ANYONE OUT THERE.

DAVE ARMANDO ZONING LAW IS FROM THE BACK WALL OF STRUCTURE TO BACKYARD. CODE DOES NOT SAY REASONS, JUST STATE 4FT MAX IF NOT FROM THE BACK OF STRUCTURE TOWARDS BACK YARD.

CHAIRMAN WHAT TYPE OF FENCE WILL YOU BE INSTALLING?

APPLICANT THE FENCE WILL BE A CEDAR DOG EARED FENCE WHICH IS WOOD, PRESSURE TREATED.

CHAIRMAN THE BOARD WILL NEED YOU TO DEMONSTRATE A HARDSHIP IN ORDER TO REQUEST THE 6FT FENCE. WE NEED COMPELLING REASONS AND HARDSHIP. A 4FT FENCE WILL ACT AS A BARRIER AND YOUR YARD IS PROTECTED AS WELL. APPLICATION NEEDS TO DEMONSTRATE HARDSHIP AND WHY THE BOARD SHOULD APPROVE.

ATTORNEY MENTIONED TO THE APPLICANT THAT THIS CAN EITHER BE TABLED AND UPDATE THE APPLICATION AND MOVE FORWARD WITH A PUBLIC HEARING OR WITHDRAWAL THE AREA VARIANCE APPLICATION AND COMPLY WITH THE 4FT FENCE.

APPLICANT WE WILL WITHDRAWAL THE AREA VARIANCE REQUEST AND STAY WITHIN THE CODE OF A 4FT FENCE.

CHAIRMAN MOVING ON TO SITE PLAN.

APPLICANT WE ARE UNDER THE UNDERSTANDING WE NEED SITE PLAN REVIEW BECAUSE WE ARE IN THE COMMERCIAL ZONE. WE WILL BE PUTTING THE DRIVEWAY IN AND IT IS A ONE LANE DRIVEWAY. WE ARE JUST WAITING FOR THE PERMIT FROM DOT. THE GATE WILL BE A POWERED GATE TO THE FENCE WITH A 10FT SWING.

DENISE MAYER WILL THE DRIVEWAY BE PAVED, OR GRAVEL?

APPLICANT THE DRIVEWAY WILL BE 10FT WIDE AND WILL EXPAND TO TWO (2) CAR DRIVEWAY AT THE END.

DAVE ARMANDO EVERYTHING THE SALAZAR'S WANT TO DO MEETS ALL REQUIREMENTS OF THE VILLAGE CODE.

A MOTION TO REFER THE APPLICATION TO THE COUNTY WAS MADE BY BERNIE TAYLOR, SECONDED BY DENISE MAYER.

ALL AYES. MOTION CARRIED.

A MOTION TO SET A PUBLIC HEARING WAS MADE BY BERNIE TAYLOR, SECONDED BY DENISE MAYER.

ALL AYES. MOTION CARRIED.

**3. SITE PLAN REVIEW – EDWIN RIVERA / KEITH RUTBELL
13-15 EAST STREET
TAX MAP NO. 163.18-1-38**

APPLICANT EXPLAINED THE SCOPE OF THE PROJECT. THEY WANT TO KEEP THE BUILDING THE SAME AS IT WAS WHEN IT WAS OPERATING LAST. A TAVERN WITH TWO APARTMENTS UPSTAIRS. RIGHT NOW, THEIR MAIN FOCUS IS TO GET THE BUILDING UP TO CODE. IT IS NOT OUT OF COMPLIANCE; HOWEVER, THEY WANT TO GET IT FIXED UP. ROOF, NEW WINDOWS, DOORS AND SIDING. THE GOAL IS TO REINFORCE WHAT IS CURRENTLY THERE FOR STABILITY. APPLICANT STATED THERE IS NO ISSUE WITH THE JOISTS. HE STATED THAT ONCE HE IS DONE, IT WILL LOOK LIKE ONE BUILDING.

DENISE MAYER WHAT KIND OF FOUNDATION IS IT?

APPLICANT IT HAS A PARTIAL SLAB AND RED BRICK.

DAVE ARMANDO IT HAS A SMALL CELLAR WHERE THE BAR WAS. THAT IS WHERE THE KEPT THE KEGS AND THE PLUMBING IS DOWN THERE. IT HAS THREE GAS METERS DOWN THERE.

DENISE MAYER THE ENGINEER THOUGHT THE FOUNDATION WAS FINE?

APPLICANT YES, EXCEPT FOR THE SILL PLATE. THAT NEEDS REPLACING.

DAVE ARMANDO THE EXTERIOR CAN BE REPAIRED WITHOUT APPROVAL. YOU WILL NEED EGRESS WINDOWS UPSTAIRS.

CHAIRMAN YOU WILL NEED A BEER AND LIQUOR LICENSE.

APPLICANT THE HOURS OF OPERATION WILL BE 7:00 AM – 2:00 AM. 7 DAYS A WEEK, OCCASIONAL GAME NIGHTS, SOME MUSIC. THE EXTERIOR OF THE BUILDING WILL HAVE GRAY SIDING, THE WINDOWS ARE PER THE DRAWING. GRAY AND WHITE TRIM ON SOFFIT. DECK STAINED AND NEW STEPS. THE SIGN WILL BE JUST LIKE THE SIGN AT THE DELI, ABOVE THE DOOR. THE TAVERN WILL HAVE THE NYS QUICKDRAW. THE OUTSIDE SHOULD BE DONE BY THE END OF NOVEMBER.

DAVE ARMANDO NO OTHER ISSUES WITH ANYTHING AS LONG AS THE ENGINEER STAYS INVOLVED. IF THE WATER MAIN IS NOT SUFFICIENT, A FIRE ALARM SYSTEM WILL BE NEEDED IN THE BUILDING.

A MOTION TO REFER TO COUNTY AND SET A PUBLIC HEARING FOR NOVEMBER 17TH WAS MADE BY DENISE MAYER, SECONDED BY BERNIE TAYLOR.

ALL AYES. MOTION CARRIED.

A RESOLUTION WAS PASSED BY THE BOARD THAT ALL APPLICATIONS AS WELL AS ANY ADDITION MATERIAL FOR APPLICATIONS BE BROUGHT TO THE ZONING BOARD CLERK NO LATER THAN THE 1ST OF EACH MONTH IN ORDER TO BE ADDED TO THE AGENDA FOR THAT MONTH'S MEETING. **MOTION MADE BY BERNIE TAYLOR, SECONDED BY DENISE MAYER.**

ALL AYES. MOTION CARRIED

A MOTION TO ADJOURN WAS MADE BY BERNIE TAYLOR, SECONDED BY DENISE MAYER.

ALL AYES. MOTION CARRIED

Respectfully Submitted,



Janelle Rose
Zoning Board of Appeals Clerk