

**Village of Fort Edward
Zoning Board of Appeals MEETING
July 19, 2023
5:00 pm, Fort Edward Village Hall
(Transcribed from notes taken at meeting)**

MEETING CALLED TO ORDER AT 5:00 PM. ROLL CALL TAKEN. CHAIRMAN ROCHE LED THOSE PRESENT IN THE PLEDGE OF ALLEGIANCE.

Roll Call	Absent	Attorney	Public Attendees	Public Attendees
Chairman Roche	James Brooks		Zach Roland	
Bernie Taylor			Linda Miles	
Dan Boucher			William Rourke	
			Thomas Reifenheiser	
			Megan Cinnamond	

*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.

Chairman Roche asked to table the minutes from the May meeting until the entire board had a chance to read them.

Chairman Roche asked to table the two public hearings:

1. 13 Notre Dame Street
2. Irving Tissue

A motion to table the minutes and both applications for the August meeting was made by **Bernie Taylor**, seconded by **Dan Boucher**.

All ayes. Motion carried.

NEW BUSINESS

1. Area Variance

STATE ROUTE 197 – Dan Roland

Tax Map No. 171.11-1-3.1 – Agricultural land for sheep and chickens

The applicant explained to the board that he is purchasing this piece of property from Rourke to have sheep, chickens and produce. Chairman Roche asked if he owns it yet. Mr. Roland explained they were in the process and waiting for the closing date. The board reviewed the map with Bill Rourke, and they do not feel it up to scale for what they are requesting. Attorney Fuller asked for clarity on what they were asking for. According to the map, they are looking for 100% variance. Dan Boucher asked what kind of land was in between the two properties and Rourke explained it is a ravine. Attorney Fuller stated that they need an accurate number for the variance requested within the land boundaries. Attorney Fuller said that accurate maps to scale needed to be submitted to the clerk. The applicant thought with it being a greater piece property that he would be able to have livestock, which is what he was told. The applicant also mentioned that he would like to be able to move around his fencing for his livestock. Attorney Fuller explained to the applicant that this board did not create zoning and that the Village Board of Trustees did. A 100% variance is a tough ask and is a significant request. The village has setbacks for reasons. The applicant asked how it will work. If he comes and asks for a 200-foot variance, and the board says no, does he have to keep coming back. No, it can be discussed at the present meeting until an agreement has been made.

A motion to table the application for the next meeting on August 16, 2023 was made by **Bernie Taylor**, seconded by **Dan Boucher**.

All ayes. Motion carried.

2. Area Variance

State Route 197 – Cinnamond

Tax Map No. 171.11-1-3.1 – Agricultural land for sheep and chickens

The applicant explained that they were purchasing this parcel contingent on the approvals from the Zoning Board of Appeals. The applicant said she would like to have a garden, chickens, ducks, and goats. The applicant highlighted and drew out the variance she was looking for. She is looking for 450 ft variance, which would give only a 50 ft no cut zone around her property on three sides. The back side of her property butts up against the previous applicant looking to have a variance as well for the same purpose. Therefore, she is asking for 100% variance on that one side of the property. They only want to clear about an acre of the property for her barn dominium. They will have a well and septic and they would also like to be able to move the animals around the property in different sections to save on the land conditions. They want to have animals to provide their own food for their family. Chairman Roche asked why they were asking for a variance and the applicant explained that putting them 500ft from all boundary lines does not give them enough room. She explained that if they are buying this property, they want to utilize as much of it as they can. The variance requested would give a nice distance between with the least amount of disturbance. They would like to have approx. 5-10 goats, 20 chickens and ducks. The board reviewed the map and asked the applicant to submit a map to scale showing what they are asking for. Chairman Roche is concerned that it will impact the other homes in the Knolls. Dave Armando also told the applicant to ask for the area you would like the fence to be as well.

A motion to table the application for next month's meeting on August 16, 2023, was made by **Bernie Taylor**, seconded by **Dan Boucher**.

All ayes. Motion carried.

3. Site Plan Review

Tom Reifenheiser – 192 Broadway (Old bakery)

Tax Map No. 163.18-1-58 – Used items store.

The applicant explained to the board that he would like to open a different retail business. The bakery has been there forever and another one won't make it. He wants retail as well as office space. He explained to the board that he cannot believe he has to come before them to open a business in his own building. He feels it is a free country and there is a lot of bureaucracy going on. The village attorney explained that the property is subject to zoning laws of the village of Fort Edward. The applicant said that maybe if there were a little more business friendly place the streets wouldn't be empty. He cannot understand why he needs to fill out a 15-page application to ask to do something at a property that belongs to him. Chairman Roche explained to the applicant that he needs to submit a business plan with what exactly he wants to do in that property. Chairman Roche gave just a few examples of things they need included in the application. Signage, hours, lighting, parking, etc. Be specific as well. Is it a clothing store or office space? Dan Boucher asked what else was in that building. Tom explained that there are three apartments and one storefront. Chairman Roche explained that because it has been vacant for 5 years, it needs board approval to open it back up again. Chairman Roche said to come back with a specific plan with all the things just discussed. Dan Boucher explained that just because the board is asking for more information doesn't mean it is a no, just write it down, draw it, give us a clear picture of what your desired. Take our advice and do it the right way. Dan Boucher explained that there are different laws enforced by different boards, we just enforce them. The chairman asked Janelle to get a list together of things needed for the next meeting and asked Tom to stop into the office to pick it up. The additional information was asked to be submitted to Janelle as soon as possible for board review before the next meeting.

A motion to table the application was made by **Dan Boucher**, seconded by **Bernie Taylor**.

All ayes. Motion carried.

PUBLIC COMMENT

Linda Miles
King Edward Knolls

Linda asked if the variances go with the property, or the person and attorney Fuller explained that they do stay with the property and are entitled to the next person owning it. Attorney Fuller explained that this also is very standard to make a contract contingent on the approvals from the board.

Motion to adjourn was made by **Dan Boucher**, seconded by **Bernie Taylor**.

All ayes. Motion carried.

Respectfully Submitted,



Janelle Rose
Zoning Board of Appeals Clerk

DRAFT