

**Village of Fort Edward  
 Planning / Zoning Board of Appeals MEETING  
 October 18, 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
Tom Roche	Tabitha Fish	Matt Fuller	Christine Miles	
Bernie Taylor	Amy St. John		Jay & Pam Jablonski	
Dan Boucher			Linda Miles	
Tadgh Nealon			Greg Van Grouw	
			Kyle Cozzens	
			Abubakr Muflahi	
			Dave Cutler	
			Melanie Dickinson	
			Mike Dickinson	
			PL MacAlpine	

\*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 open the public hearing with the first item up, Ruland, Area Variance was made by **Tadgh Nealon**, seconded by **Bernie Taylor**. All ayes. Motion carried.

**PUBLIC HEARING**

- Area Variance  
 RULAND – STATE RTE 197  
 Tax Map No.**

The applicant explained the variance request by stating they want to have livestock, lambs, and poultry.

Tom Roche asked the applicants if there is any change to the application from last month. The applicants said no. Everything is still the same.

Dan Boucher asked the applicant to confirm the variance request. The Ruland’s confirmed that they would like to have a relief of 300ft which means their animals would be 200 ft from the property line.

Tom Roche also asked if it would be fenced. They did reassure the board there is still a fence there and that there have been cows on that land for over 100 years.

Dave Armando said he has no issues with this request, and they meet all requirements except the 500 ft set back.

**SEQRA**

SEQRA was reviewed by the board.

**PL MacAlpine – 5 Frederick Drive**

I do not border this property but there is a ravine there and has there been an environmental impact statement done on this to ensure there is no farm animal waste run off?

The applicant explained that the farm animals will graze, and it will be used for fertilizer.

**Linda Miles – 1 Frederick Drive**

How many animals do you plan to have on the property?

The applicant said around 50 sheep would only be using half of the acreage. With the 200ft buffer, we will only have 13 acres to work with.

A motion to close the public hearing was made by **Bernie Taylor**, seconded by **Tadgh Nealon**.

All ayes. Motion carried.

A motion was made to accept the SEQRA as a negative declaration and approve the application. The motion was made by **Bernie Taylor**, seconded by **Tadgh Nealon**.

All ayes. Motion carried.

**2. Area Variance**

**Cinnamond – State Route 197 Lot 2B  
Tax Map No. 171.11-1-3.1**

This application was tabled until November as the applicants were not present for the meeting.

**3. Site Plan Review**

**Reifenheiser– 192 Broadway  
Tax Map No. 163.18-1-58**

This application was tabled until November as the applicant was not present for the meeting.

**PUBLIC HEARING**

**4. Site Plan Review**

**Cigar Shop– 128 Broadway  
Tax Map No.**

The applicant explained his application to the board and stated that he wants to open a cigar shop with accessories, CBD, hookah, etc. The complete list is in the application. There will be snacks from all over the country.

Tom Roche explained that the application states a cigar shop but out of all the items listed, cigars are only one. The application is misleading. Tom asked if they even have a humidor.

The applicant explained that he has a humidor next to the fridge which is 7ft tall and 4ft wide.

Tom Roche said he sees that there are cigars listed on the items to sell, however CBD is not on the list.

The applicant explained that the state just approved him, and he now has a license to sell CBD which is for pain management, anxiety, etc.

Tom Roche told the applicant that they cannot approve the application because there are things, he is selling that are not listed in his application. He sees water pipes, brightly lit signs which look like a smoke shop and not a cigar shop.

The applicant said if people see the smoke shop, they will know that there are other multiple things to purchase.

Dan Boucher asked “so you are not selling cigars only? I thought you were opening a cigar shop, it’s not”

Bernie Taylor asked if there was smoking allowed in the store.

The applicant said no, it’s not a lounge, just a shop.

Dan Boucher asked the applicant if he was aware of what they were asking and if he understood that the application was incomplete.

Tom Roche also explained that stocking shelves, signs and lights before an approval should not have happened.

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

**Mike Dickinson – East Road (town)**

Mike has concerns and said that to him it sounds like a head shop.

**Kyle Cozzens – Evergreen Bicycle Works at the Train Station**

Kyle asked if there were baked goods in there and if there were products with marijuana graphics on them.

The applicant said nicotine and CBD.

Dan Boucher asked if there would be vapes in the store.

The applicant said yes, vapes, CB, cigars.

**Therese Gillis – East Road (town)**

Therese Gillis said it’s not her vision for downtown Fort Edward but knows it is happening in other areas and she is against it. She said maybe revisit the name.

**Linda Miles – 1 Frederick Drive**

Linda asked if there was notification of this application. Janelle explained that it’s a 500ft radius for notifications and with being on Broadway, the only ones to receive notice are going to be business owners.

A motion to close the public hearing was made by **Bernie Taylor**, seconded by **Dan Boucher**. All ayes. Motion carried.

A motion to deny the application as it is incomplete and misleading was made by **Tadgh Nealon**, seconded by **Bernie Taylor**.

All ayes. Motion carried.

**NEW BUSINESS**

- 1. Site Plan Review**  
**Irving Consumer Products– Cumberland Farms**  
**Tax Map No. 163.17-4-37**

Greg Van Grouw opened his application by explaining that he’s been here before the board many times in his 23 years with 8 years at Decora. He has a lot of time invested in Irving and he wouldn’t be here unless he believed in it. The paperwork put together is a pre demo asbestos application and a demo application. We would like to do it pending approval. We do not know what we want to do with the lot yet, but we do know we will do something.

Tom Roche asked Greg what the plan was after demolition. Greg explained that once they finish the sidewalk and curb on Church Street, they will most likely make it like the entrance to Eddy Street on the other side. Green space, widen the turn

coming in. By the time we are finished with the demo, the asphalt companies will be closed so we will have to put down crushed compacted stone until spring.

Bernie Taylor asked about the landscaping. Greg informed the board that they will follow the existing landscape design they have now along Broadway.

Dan Boucher asked why this application was rushed and handed in at the last minute. When the Villager was taken down to widen the turn, not only was landscaping discussed but building downtown back up again. We are losing a lot of downtown Broadway.

Greg explained that they do not have a plan just yet. He doesn't even know if they build back there. Today's application is strictly just asking for a demo permit.

Tom Roche asked Greg if in the future, they can keep in mind that the applications need to get into the office sooner. Greg will convey that information to the appropriate party.

A motion to accept the application and refer to Washington County Planning was made by **Bernie Taylor**, seconded by **Dan Boucher**. All ayes. Motion carried.

A motion to set the public hearing on Wednesday, November 15<sup>th</sup> at 6:00 p.m. was made by **Bernie Taylor**, seconded by **Dan Boucher**. All ayes. Motion carried.

**PUBLIC COMMENT**

**Kyle Cozzens – Evergreen Bicycle Works**

Kyle is concerned with losing business locations downtown by demolishing buildings.

**Melanie and Mike Dickinson – East Road**

Melanie Dickinson asked if it could be used for public, like a small park. – Greg will convey to Irving.  
Mike Dickinson asked if trucks would be parked there. – Greg said no, no trucks will be parked there.

**TABLED APPLICATIONS**

Cinnamond – State Route 197 Area Variance  
Reifenheizer – 192 Broadway – Used clothing store

Motion to adjourn was made by **Tadgh Nealon**, seconded by **Dan Boucher**.

All ayes. Motion carried.

Respectfully Submitted,



Janelle Rose  
Planning /Zoning Board of Appeals Clerk