

**Village Board of Trustees
Special Meeting
Monday, November 7, 2016**

MAYOR TRAVER CALLED THE MEETING TO ORDER AT 6:30PM. AFTER ROLL CALL MAYOR TRAVER LED THOSE PRESENT IN THE PLEDGE OF ALLEGIANCE.

Roll Call	Trustee Williams	Trustee DeVoe	Trustee Carpenter	Trustee Conlon
Clerk	Liann M. Lyons			
Code	Dave Armando			
Public	Scott Stoughton	Mary Cunningham	Carol Moyer	Cheryl Roods Hall
	Ed Saltsman	Joe McCarty	Gladys McCarty	Erin Goodspeed
	Anna Mae Goodspeed	Margaret Woodcock	John Gibson	Jacob Gibson
	George Harrington	Jeanie Mullen	Darleen Lundgren	Jason Miles
	Linda Miles	Peter Miles	Kevin Ireland	Bernie Taylor
	Frank Passaro	Robert Evans	Bob Haley	Paul McCarty
	James Brooks	Tom Roche	Jim Marlow	Claire Marlow
	Hollie Hearl	Frank Burkhardt	Larry Bickford	Ed Amell
	Cathy Keegan	Elizabeth Tholl	Paul Pomainville	Linda Thorpe
	Lois Lippincott-Pino	Steve Davis		

**LOCAL LAW #2 OF 2016- REPLACE CHAPTER 100 OF VILLAGE CODE
LOCAL LAW #3 OF 2016- REPEAL OLD CHAPTER 100 OF VILLAGE CODE**

Mayor Traver addressed the anonymous letter that was sent to targeted residents in the village regarding information on tonight's public hearing. Mayor Traver said that currently the information on the proposed local laws are not on the website and stated that the village will work at utilizing the feature more efficiently.

Clerk Lyons was asked to read the anonymous letter that was sent out to residents as well as the prepared response, a copy of which is attached and made an official part of the minutes.

Mayor Traver stated that written comments on the proposed local laws will be accepted until Friday, November 18th at 4:00pm. At the regular monthly meeting scheduled for Monday, December 5, 2016 the board will review any written feedback and both local laws will be on the agenda.

**Elaine Fuller
96 East Street**

Stated she was unhappy with the mailing. The author of the letter didn't sign their name, provided information that was inaccurate and based on hearsay.

**Scott Stoughton
38 Marion Street**

Can you provide a summary of the actual changes?

Attorney Fuller responded with the following information:

- The Site Plan Review (SPR) allowed uses has been honed in, reducing the impact on residential homes in the commercial district; based on feedback from the Planning Board on how to better improve the process so it won't have such an impact on residential homes.
- No residential apartments on the bottom floor in a commercial district; to encourage development of the commercial zone.
- Created a Marina district to allow for the development of the tip of the Island; currently not allowed.
- Limits large homes from being turned into multiple unit apartments.

- Expands the commercial district from East Street to the railroad tracks; encouraging professional development.
 - R-1 zones not able to convert into multi-family buildings; preserving the character of the neighborhoods.
- He further explained the definition of non-conforming use, what that means and how the codes is applied to homes that fall into this particular situation.
- Further define and detail the Demolition process with the intent to preserve the character of the commercial district.

Frank Burkhardt

11 Notre Dame Street

Will the Site Plan Review process still include a referral to the County? Attorney Fuller stated applications that are within a certain feet of state or county road are legally required to refer the application to the County Planning Board.

Mr. McCarty

6 Bascom Drive

Can you define littering?

Attorney Fuller said that littering isn't being addressed in this section of code being discussed tonight. However, in general, littering would be considered as garbage, refuse, building debris, furniture, T.V's left out on the side of the road. This can be in any district, commercial, residential or industrial.

Paul Pomainville, Landlord

110 Broadway

55/57 Seminary Street

If there is a fire, can I rebuild if I wanted to?

Attorney Fuller responded that a home can be rebuilt within the guidelines that are in place. If it's a non-conforming residential use in a commercial district and a home isn't rebuilt and several years later someone wanted to re-establish a non-conforming use, that would not be allowed without going before the Zoning Board of Appeals.

A question from the public was asked. Please define what is meant by "absentee landlord". Attorney Fuller said that he would consider it as someone who could not reasonable be located. If the police department, clerk's office, code enforcement officer of attorney is unable to locate a landlord, they would then be considered as an absentee landlord.

Scott Stoughton

38 Marion Street

Will the code address Irving Tissue expanding the industrial use all the way to McCrea Street?

Mayor Traver stated that the committee has worked on a creating setbacks that will balance resident's needs along with needs of Irving Tissue.

A question from the public was asked. Please tell us about the Nuisance Law. Mayor Traver said that this was put in place to address activities and patterns of behavior that negatively impacts or threatens a surrounding homeowner's quality of life. Violations are assessed points and once a property has accumulated a certain number of points, they are in danger of losing the certificate of occupancy (CO). To date, the board has only used this process twice. The board isn't looking to suspend or revoke anyone's CO, but rather needs a way to deal with owners that are not cooperating to remedy the issues.

A resident asked if points that are accumulated under the Nuisance Law ever re-set? Mayor Traver said yes, the law allow for an accumulation of points over a period of 6 month period and a 12 month period.

Ed Saltsman

96 East Street

Mr. Saltsman asked if village code is able to deal with landlords that don't live in the village.

Mayor Traver respond that village codes will handle this.

Robert Haley

110 McCrea Street

Will Dave get more hours?

Mayor Traver said that currently Dave splits his time between the village and the County. Beginning January 1, 2017, Dave will no longer be working for the County. He is currently budgeted work up to 15 hours/week and on average works about seven hours a week for the village. As this moves forward, he will be able to focus exclusively on the village.

Mary Cunningham
15 Moon Street

Complained about the tenants living in buildings located in the commercial zone.

Robin Amell
McCrea Street

Asked the board to consider truck traffic on McCrea Street?

Trustee DeVoe stated that the zoning on McCrea Street isn't being changed to commercial. Truck traffic shouldn't be on McCrea Street.

John Gibson
84 East Street

Asked the Board how they can dictate an owner to paint a house?

Attorney Fuller responded and State Fire & Prevention along with Property Maintenance codes outline painting. This isn't covered under the proposed replacement of Chapter 100, which is only dealing with zoning.

Linda Miles
1 Frederick Drive

Is there a Land Use District Map?

Yes

What will the residential areas be?

R-1 or R-2. R-3 is going away.

Has a fee scheduled been set?

Not yet. This will be addressed at the December meeting.

Has the Master Plan been updated?

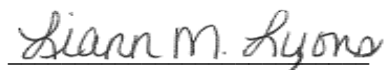
This has not been updated but it is something that needs to be done. The Village has made significant progress on completing the goals outlined in the Master Plan. In addition the Downtown Renaissance Plan was recently completed.

Trustee Conlon stated that he would like to clarify the statement from the "anonymous letter" that referenced the village forcing a homeowner to cut their grass. Attorney Fuller stated that village grass that is 10" or higher is in violation of the code. Grass that is higher than the 10" has the potential to be a fire hazard, thereby putting surrounding homeowners at risk.

Trustee Conlon addressed the public by saying that as a Board it's our goal to make Fort Edward a great place to live. Working on updating codes is a way to help to improve our community.

There being no further public comments or board discussion, a motion to leave the public comment portion of the meeting open until Friday, November 18th at 4:00 to accept written comments on the proposed local laws, was made by Trustee Carpenter, seconded by Trustee Conlon. All ayes. Motion carried.

Respectfully Submitted,


Clerk/Treasurer

Dated: 11/10/2016

MEMO

To: Mayor Traver
From: Liann Lyons, Clerk/Treasurer
Date: November 3, 2016
Re: Response to Letter

In response to a letter that has apparently been circulated to targeted homes in the village, I offer the following information.

1. The village went through the process of coming up with Master Plan in 2006. This committee was comprised of the following: Larry Moffitt, Darlene DeVoe, Keith Griffen, James Donahue, Ella Collins, John Boucher, Sr., Robert Schiavoni, William Cutler, Peter Smith and Matthew Fuller.

During this process there was significant community outreach and involvement. Stakeholders identified several potential areas of development, specifically Code Enforcement needed improvement. As a result of community feedback, the stakeholders determined that 1.) the village code book needs to be updated 2) update zoning to curb absentee landlords and to enforce current zoning and 3) hire a full time code enforcement officer.

Reference section "Community Outreach Process" and "Economic Development" from the Master Plan (attached).

2. Between 2006 and present day, the Board of Trustees has continued to develop village codes. The Board has added Local Laws to deal with Synthetic Marijuana, Nuisance Properties, Social Host Law, Outdoor Wood Furnaces, Stormwater Management, and Site Plan Review. In addition, several local laws received updates: Peddling/Soliciting, Vehicle & Traffic, Brush, Grass and Weeds, Subdivision, and Littering.
3. Beginning in 2013, the village began taking a detailed look at existing codes. Resolution 72 of 2013 was passed on February 4, 2013 at the monthly village board meeting. A committee was formed and included: Chief Derway, Police Department, John Miller, Water Department, Trustee DeVoe, Trustee Conlon, Patricia Ives, Retired Clerk, Larry Moffitt, a representative from Irving Tissue, Dave Armando, Code Enforcement Officer and Matthew Fuller and Mary Ellen Stockwell, Village Attorneys. In addition members of the Planning Board &/or Zoning Board were in attendance at several meetings. The meetings were open to the public. A joint meeting of the Village Board and Code Committee took place four times during this process.
4. Historically, I update meeting information on the website only when a meeting takes place outside of the regular monthly meeting date. (i.e. If there is a special meeting or a date change). I am more than willing to make a procedural change as it relates to public notification of upcoming meetings. Please note that it was published in the Post Star on October 23, 2016. In addition, a hard copy has been available in the office. It is located on the counter so customers may see it when they pay water rents.

5. We are not hiring a full time Zoning officer. Dave Armando is currently budgeted for up to 15 hours per week at \$15.00/hour. This is the same number of hours and rate of pay that Dave has received for the last several years. In light of this information, bringing code enforcement and building inspection back under local control, will have no impact on village taxes.
6. The village has a process called Site Plan Review. This has been in place since 2007 and deals with exterior changes in the commercial and industrial zones. This is in place to promote the health, safety and welfare for those in the Village. And to ensure the conservation, protection, preservation, development and use of natural resources in the village (promote economy, minimize traffic congestion, adequate water supply, protect open space, ensure access for emergency vehicles).
7. The village has a section of code that deals with Brush, Grass and Weeds (§26). That section of code is not being updated at this time. However, if the committee sees room for improvement, revisions will be made.
8. The village has a section of code that deals with Property Maintenance (§65). That section of code is not being updated at this time. However, if the committee sees room for improvement, revisions will be made.
9. OLD- Section 100-20 (E) addresses the restoration of non-conforming buildings. NEW- Section 100-8-5 (D) also addresses the restoration of non-conforming buildings as well. In both cases a building can be restored. REFERENCE the attached.
10. I'm not sure what is meant by "and many more will be going to the Planning Board", therefore, I have no response.

To summarize, the Village Board has been and continues to be proactive as it relates to complying with the Master Plan. They have taken significant steps to improve the community by addressing outdated codes that aren't effective and during this process, as I've state above, they have worked to include our residents. Thank you for your time and attention to this memo. Should you have any questions, please let me know.

Respectfully,
Liann Lyons
Clerk/Treasurer