

**Planning Board Public Hearing**  
**Primax Properties, LLC**  
**Site Plan – Proposed Dollar General Retail Store**  
**Town of Fort Ann, NY**  
**February 22, 2016**

A Public Hearing was held by the Planning Board of the town of Fort Ann, County of Washington, and the state of New York was held at the Fort Ann Volunteer Fire Company, 11350 State Rte 149, Fort Ann, NY on the 22nd day of February 2016 at 7:00 pm.

**PRESENT:** Donald Bedeaux                      Chairman  
                    Brian Mattison  
                    Butch (Lewis) Barrett  
                    Curt Rehm  
                    Chad Wilson  
                    Mary-Ellen Stockwell, Esq      Attorney  
                    Anne Wilcox                              Secretary

**ABSENT:** William Hohman  
                    Charlie Sellitti

**OTHERS PRESENT:**

Mark Miller – Code Enforcement Officer  
Richard Moore  
Phoebe Jackson                      Linda Richardson  
James Black  
Jessica Graves                      Martin Graves Jr  
Milly Baldwin                      Ken Baldwin  
Ruth Esperti                      Diane Langlois  
Glenda Graves                      John Graves  
Deborah Foran                      Margaret Clark  
Susan Hafner                      Bill Knapp  
Roy Steves                      Maryann Cadella Dodge  
Joyce LaChaunce                      Joe Wright  
Jane Sexton                      Eva Mattison

Gretchen Stark

Maureen Barber

Margaret Clark

Mary Taylor

Andrew Winchell

Claudia Braymer, Caffry & Flower Attorney at Law

Chris Boyea, P.E. – Bohler Engineering – Dollar General/Primax Properties, LLC – Site Plan Application.

**OPEN PUBLIC HEARING:**

Chairman, Donald Bedeaux called the public hearing to order at 7:00 pm with a pledge of allegiance.

**Chris Boyea, P.E., Bohler Engineering**, presented a site plan application on behalf of Primax Properties, LLC.

Primax Properties, LLC is proposing the redevelopment of a 10+/- acre parcel located at 11350 State Rte. 149, Fort Ann, NY and build a 9100 +/- square foot retail store. This plan proposes the residential home and barn would be removed from the property to make room for the Dollar General Store.

The Retail store would be located approximately 112 feet away from the highway. The retail store would have 37 parking spaces to accommodate customers, for a store this size.

An aerial map was presented by Chris Boyea, P.E., Bohler Engineering. Also presented was a revised design of the building which included the addition of shutters, a gabled roof, also an example of the parking lot lighting was presented.

Comments from the public were heard by the board:

Pheobe Jackson – 29 Sunset Rd, asked Mr. Boyea how the Fort Ann Store will differ from the Schuylerville Dollar General Store? Ms. Jackson advised that store took over a year to work out the specifications etc. Mr. Boyea – The FA store size, and looks are a little different from the Schuylerville Store, the residents did have some comments and Primax Properties, LLC is working with them addressing those comments.

Claudia Braymer, Esq, Caffry and Flower Attorney at law – representing Andrew Winchell, who resides on Sunset Rd, across the street from the proposed Dollar General Store.

Ms. Braymer asked the board to “take a look at the application submitted by Primax Properties, LLC and compare that with what the town has outlined in the Site Plan Ordinance, and based on our review of that, it is our position that this should be disapproved because it does not meet the site plan review ordinance, it is lacking in proper vehicle access as the County Planning Board has already recommended to you. You should be looking at moving the access location to be directly across from Mountain View Dr. So in the current proposal it is not positioned to meet your ordinance. No traffic control was proposed, that I am aware of, nor I there any proposal for turning lanes into the facility or out of the facility or deceleration or accelerations especially coming down the hill from the West, people are going pretty fast at that location and there is not going to be any way for the traffic to slow down without turning lanes. Additionally, it is lacking any kind of pedestrian access, there are sidewalks proposed for this even though it is not that far from the edge of the village an could be walkable for people. One of our reasons why we think this is not an appropriate location, however, we understand there is no zoning in this particular town. To get to his argument about aesthetics and this being a reuse of the building, my point is, it is not a reuse of the building, this is not a reuse of the site, this plan is to demolish everything that is there, that does not show an Adirondack Style or something that is consistent with what is in the village right now. If they want to reuse the site, they should have redone the barn. Additionally, it does not meet the setback requirements, however, as there are no setback requirements. In the Community Plan it does talk about ensuring the buildings are setback far enough so that there is preservation of the views, the natural landscapes. This should be setback farther to be at least

as far back as the garage or the trucking facility. While he has some plans for landscaping they are not adequate to provide the same type of landscaping or view as what is there right now. Sod and grass is not the same as providing native plants and the evergreen trees that are on the site now.

In addition, looking at the potential significant traffic impact, and Environmental Impact Statement should be prepared for this site to make sure that everyone understands what the current traffic issues are and to be able to mitigate them if that is even possible and the County Planning Board also did recommend that you take a very close look at the traffic and in this situation an Environmental Impact Statement would be appropriate.

Finally, I just want to make one point about the proposal to give the Town the left over land they do not need, I think that this sounds like a way to avoid future taxes on the property parcel and I am not sure why the Planning Board would not have some sort of plan for a more recreational use of that additional land that they have been saying they don't need. The town should be able to reap some benefit from that. If they are going to dump it back on the town."

Written correspondence was submitted by Attorney Claudia Braymer, Attorney to Andrew Winchell, to the Town of Fort Ann Planning Board dated February 22, 2016 and is on file in the Town of Fort Ann Planning Board file.

Written correspondence was submitted by Andrew Winchell dated, February 22 2016 and is on file with the Town of Fort Ann Planning Board.

Maureen Barber, 37 Sunset Rd. - Is this the only site Dollar General looked at in Fort Ann? The Martindale property located across from the Super Stop is for sale and available.

Chris Boyea – Yes other properties were looked at, this is the property that has a signed contract on and is deemed feasible for this project.

Richard Burch, Deweys Bridge Rd – "I would think that the Planning Board would hire a parade, when a new business wants to come to town and hire 10 – 12 people and create jobs and create a place where folks could go and pick up needed items. Some people are concerned their taxes are going to be effected, in 10 years if the property does not sell, it will negatively affect your assessment. I think you people (Planning Board) should vote and let them get building."

Maureen Barber, 37 Sunset Rd – I don't think any of us at all object the company coming here. Suggested again the Martindale Property would have been a better choice for this project, and there would be no one objecting to this project.

Joe Wright, St. Rte 149 – If the guy that owns the Martindale property and his family were not asking such a high price for that property, it may have been considered for this project.

Jessica Graves, 7309 St. Rte 4 – I just want to reiterate what I stated at the last meeting regarding the economic support this project would provide to the community. I am very impressed with the revised design. I travel all through Washington County and noticed that Fort Ann is one of the very few the only community that does not have some type of retail store type that people could go to. We are forgetting about those people who do not have transportation and seeing as how Fort Ann has no public transportation, it is hard for those people to travel to Hudson Falls or other surrounding towns to shop, it would be very convenient for these people to stay in Fort Ann and do their shopping. The board should come together and make a decision to bring Dollar General to Fort Ann.

Chris Boyea, P.E, stated to the board when you get a company like Dollar General and/or a national development, we started looking at this months and months ago, there is a lot of due diligence. We've hired professionals to go out and drill hole in the ground for GEOTECH, we've hired Wetland Investigation

professionals to go out and look at this. There are all done before we sign on the dotted line to make sure we have a viable site. Nobody wants to waste money and time, unless we are sure we have a viable site, so the wetlands were delineated, there's 2 water forces there, they are shown as part of the criteria for site plan design, there is a check list the town has, we show those on the plans. They were done by Ecological Solutions, LLC, an environmental company that would either flag or delineate the wetlands. The wetlands on the property are Federal wetlands not State wetlands. State wetlands are governed by DEC, Federal wetlands have no buffer associated with them. Federal wetlands have no buffers associated with them. Federal wetlands are smaller in nature. Dollar General/Primax Properties, LLC met all required setbacks to any of this associated with both wetlands as well as any water bodies, as there is a stream on the site as well.

There is an ample amount of land around the site, we could actually move it around more if we wanted to. The site, as laid out right now, is compliant. Mr. Boyea offered to get additional information if the board wants.

Chairman Bedeaux advised the applicant the board would prefer to have the wetland information in writing.

Attorney Stockwell advised the board she has spoken with DOT Regional Engineer, Mark Kennedy, and he advised her to forward any concerns the board has relative to traffic concerns. In turn, DOT will respond to those concerns in writing back to the board.

The board asked attorney Stockwell to draft the letter to DOT outlining the concerns of the board regarding the traffic issues raised by the residents.

Chris Boyea, P.E , advised DOT is aware of Dollar General Plans across New York including upstate New York. Chris also advised there are no sidewalk plans included with this project.

Pheobe Jackson, 29 Sunset Rd – questioned the plan for the roadside sign, what is the sign going to look like, height, size, lighting effects, etc.

Chris Boyea, P.E. advised there is no information being provided to the Planning Board at this time. He did advise the board that the sign design would be submitted to the board at the March 28, 2016 meeting.

Board member, Brian Mattison asked what/if Primax Properties plans were for the remaining property not included with the store.

Chris Boyea, at this time there are no other development plans for the remaining property by Primax Properties, LLC.

A motion was made by Brian Mattison, seconded by Chad Wilson, to table the Public Hearing and leave it open until the March 28, 2016 meeting, which will be held at the Fort Ann Fire House, Fort Ann Volunteer Fire Company, 11350 State Rte 149, Fort Ann, NY.

At the March 28, 2016 meeting the board is requesting the following:

- A response to the letter to DOT concerning the traffic study.
- The applicant provide a copy of the wetlands review report.
- The applicant provide information and photos of the proposed free standing road sign.

Vote: 5 ayes 0 Nays 0 Abstains

Anne S Wilcox  
Planning Board Secretary  
Town of Fort Ann

