

## **Planning Board Regular Meeting**

**Town of Fort Ann, NY**

**October 23, 2017**

A regular meeting was held by the Planning Board of the town of Fort Ann, County of Washington, and the state of New York at the Fort Ann Town Hall, 80 George Street, Fort Ann, NY on the 23rd day of October, 2017 at 7:00 pm.

### **PRESENT:**

Don Bedeaux	Chairman
William Hohmann	Vice-Chairman
Richard Winchell	
Matthew Jones	
Brian Mattison	
Chad Wilson	
Ruth Petteys	
Jeff Meyer, Esq.	Attorney
Deborah Fifield	Secretary

**ABSENT:** None

**OTHERS PRESENT:** Jeremy Treadway, Attorney Jonathan Lapper, Lindsay Carte, Claudia Braymer, Tom Jarrett, Dennis Fletcher, Georgia Vanguilder, Harry Treadway

### **OPEN REGULAR MEETING:**

Chairman Don Bedeaux called the meeting to order at 7:00 pm with the pledge of allegiance.

### **APPROVAL OF MINUTES:**

-The board reviewed the 9/25/2017 Meeting Minutes. One correction was made by Brian Mattison. A motion to accept the Meeting Minutes with one change was made by Richard Winchell and seconded by Brian Mattison.

Vote: Ayes-5 Nays-0 Abstain-2

**CORRESPONDENCE: None**

### **NEW BUSINESS:**

**Jarrett Engineers, PLLC for Boats by George, Inc./Site Plan:** Applicant wishes to expand boat storage on existing developed site at 10018 State Route 149, Fort Ann. Richard Winchell asked if this is a conflict because Jarrett Engineers is the Town engineer. Attorney Jeff Myer answered Jarrett Engineers had not been asked by Town yet to review application. If it needs review by Town, it can be sent out. Boats by George has been very successful with 3 storage units previously approved by the Planning Board. Proposing to build a fourth building on the western side. Has applied to the APA for 4 bays. Ungraded the storm water

management. No increase in employees so no need to change the waste water or water supply system. Additional landscaping will be done to shield from Route 149. For dry storage only. Wash bay was previously approved. Chad Wilson questioned #20 of the Short Environmental Assessment form. Question was in regards to remediation. Applicant thinks it has to do with one of the landfill sites to the South. The new building will be 10,000 sq.ft., the same as other 3. Height of building is the same, but elevation is lower than the 3 existing. APA is reviewing the application. Motion made by William Hohmann for a Public Hearing next month November 27, 2017. Seconded by Brian Mattison. Applicant will send application to Washington County for referral.

Vote: Ayes-7 Nays-0 Abstain-0

## **OLD BUSINESS:**

**Andrew for Monolith Solar/Site Plan:** Install solar panels at Boats By George, 10018 State Route 149, #109.-1-32.7. Project is in Adirondack Park. Panels will be placed on 3 buildings to power the facility. Applicant was not present. Application tabled.

**Michael Morrissey/Site Plan/Public Hearing:** Property is located at 10028 State Route 149. Applicant wishes to create spaces to store boats and recreational vehicles and construct two storage unit buildings. Applicant was not present. Application tabled.

At 7:15, the Board adjourned the meeting to confer with counsel for legal advice. The Board entered into the Courts chambers to conference.

At 7:30, the Board reopened Public Session.

**Attorney Jonathan Lapper and Jeremy Treadway/Public Hearing:** ADK MX Motorcross Track. Applicant wishes to make changes to track and amend the conditions placed on the original approval. Based upon discussion at last month's meeting, applicator has cut back on requests. Originally submitted 6 changes, has withdrawn 2. Only asking for 4.

#1- length and width of track. Due to dirt track constantly getting regraded, a new site plan may was submitted with a boxed in perimeter showing the outside limit of the track.

#2- sound. The ANSI test is what the AMA requires.

#3-year round operation 7 days a week from 9:00am till dusk was originally requested. Applicant has revised his request to only 4 days, with 1 floating day in the event of rain. And to only run from 8am until 6:00pm.

#4 -adding ATV'S and UTV'S. Which will be held to the same sound standards has the bikes.

Chairman Bedeaux opened the Public Hearing for questions. No members of the Public had questions.

Motion made by William Hohmann to table the Public Hearing. Seconded by Chad Wilson.

Ayes-7 Nays-0 Abstain-0

## **Public Comment:**

Georgia Vanguilder, Thomas Road: Mr. Treadway has met all the criteria up to this point. In the future if he

has any events that deviate from anything he was approved for, does the Town allow for any temporary permits where he can come forward and say he is going to have a 4-day event and might have up to 15-20 RV'S overnight on his residence. Could he apply for this and be granted a fee that the Town might be able to recoup some of their costs. Do we have a recourse instead of saying no and just shutting him down. Is there an open way of calming this. Attorney Jeff Myer replied anything that would deviate from the site plan approval would require an amendment to the site plan approval from this Board. So it would be possible for him to come back and ask for a variance. It would be the exact process he is going through right now, seeking to amend his previously approved site plan.

Chairman Bedeaux called Mr. Lapper and Mr. Treadway back up and informed them the Board was asking for a formal application as to the 4 requests and the application needed to be sent to the County Planning Board for referral.

A letter was read from David and Robin Gotshall in support of Jeremy.

Attorney Claudia Braymer: Representing some concerned neighbors opposed to the motorcross track's revised application. Thanked the Board for requiring a full application. Will be foiling the site plan handed in tonight so the public understands what is being applied for. Pleased to see it is being referred to the County. Also because it is on a state route, it should be referred to DOT, and also the Town engineer. If the track had been in compliance we might not be here today. Has not complied with conditions to the noise limit. Applicant has been turning in some reports which show he has been over the limit and also he is suppose to be testing every single bike. Also no overnight camping and he has been doing that. Track width, which he is back for because he can't keep it within 15 feet. There are no trees on the berm, which we feel was a requirement. If they had been placed there, we might not be having noise issues. Finally, he is not to be selling fuel on site. It is my understanding the Supervisor was there and he was selling it. Would like the Board to go back through the application and thank you for keeping the Public Hearing open.

Harry Treadway: Had a question for the Board to consider. How many other business's have to report on a weekly basis about their restrictions that were placed on them upon their approval. There are none. Not to mention how many business's have restrictions they are not complying with. Feels there are several. How many other race tracks in the community. He knows for sure at least two. As you move along with this track, remember fair is fair. It can't be one-sided even though a group of people think it can.

Motion made by Richard Winchell to adjourn meeting at 8:00 p.m. Seconded by Brian Mattison.

Ayes-7 Nays-0 Abstain-0

Deborah A. Fifield  
Planning Board Secretary, Town of Fort Ann



