

## Planning Board Regular Meeting

Town of Fort Ann, NY

May 23, 2016

A regular meeting 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 Town Hall, 80 George Street, Fort Ann, NY on the 23rd day of May 2016 at 7:00 pm.

**PRESENT:** Donald Bedeaux Chairman  
William Hohmann Vice Chairman (Acting Secretary)  
Brian Mattison  
Butch (Lewis) Barrett  
Chad Wilson  
Mary-Ellen Stockwell, Esq Attorney

**ABSENT:** Charles Sellitti  
Curtis Rehm

**OTHERS PRESENT:** Mark Miller – Town of Fort Ann Code Enforcement Officer  
Bruce Wilson, Kenneth Dekalb, Adam Stoddard, Terilee Stoddard,  
Jeremey Treadway, Jon Lapper, Esq., Lucas Dobie, Deborah A.  
Fifield, Ann M. Williams & Mr. \_\_\_\_\_ Williams

### OPEN REGULAR MEETING:

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

### Prior Months Meeting Minutes:

A motion was made by Brian Mattison and seconded by Butch Barrett to appoint William Hohmann as acting secretary for the May 23, 2016 meeting.

Vote:

Ayes 4

Nays 0

Abstain 1 – William Hohmann

Absent 2—Charlies Sellitti & Curtis Rehm

Motion Carried

Regular Meeting minutes were received and reviewed by the Board from the April 25, 2016 meeting.

A motion was made by Brian Mattison and seconded by Butch Barrett, to accept and approve the regular meeting minutes of April 25, 2016 with no amendments.

Vote:

Ayes 5

Nays 0

Abstain 0

Absent 2—Charlies Sellitti & Curtis Rehm

Motion Carried

**Old Business:**

The Chairman advised that there was no old business.

**New Business:**

**Bruce Wilson & Kenneth DeKalb—Boundary Line Adjustment Application:**

Mr. Wilson and Mr. DeKalb are interested in doing a boundary line adjustment on property located at 11443 State Route 22 in the Town of Fort Ann, Washington County, New York 12287 and a Boundary Line Application was submitted to the Planning Board for review.

The applicants explained that the Boundary Line Adjustment would allow for Mr. Wilson to own the property where his driveway currently sits.

The Applicant provided the board with a hand-drawn map of the proposed boundary line adjustment.

The board asked him to come back with a survey map and a proposed agreement for a boundary line adjustment for review and advised the applicant to communicate with the Town Planning Board Attorney if they had any questions on language to be included on the Mylar.

**Adam Stoddard & Terilee Stoddard—Minor Subdivision Application:**

Mr. & Mrs. Stoddard approached the board with an interest to subdivide property located at 88 County Route 17A which would be a two lot subdivision.

The board reviewed the application and determined that the current proposal would create a land-locked parcel and would be an illegal subdivision. The board asked the applicant what their intent was for the parcel.

The applicants indicated that they were interested in merging the proposed parcel with their currently existing lot. Chairman Bedeaux advised the applicants that this would in-fact be a boundary line adjustment and not a subdivision which would accomplish their intentions. Applicants were told to come back with a boundary line adjustment application and to have their surveyor, John F. Grady, L.S. communicate with the Town Planning Board Attorney if he had any questions.

**Jeremy Treadyway, accompanied by Jon Lapper, Esq. & Lucas Dobie, P.E. ADX MX, 10786 NYS Route 149—Site Plan Review:**

Jeremy Treadway introduced himself to the board.

Lucas Dobie, P.E.: The application is to place a motorcross track on the property which is an existing golf-course. This is outside of the Blue Line and not within the APA jurisdiction. We have presented the board with a storm water plan and a noise study along with all of our proposed materials including a map and diagrams of the proposed project.

Jon Lapper: The restaurant is going to stay put, the parking lot is going to stay and the motrocross track is a very good distance off of the road. The restaurant is going to become a year round restaurant.

Attorney Stockwell: Does your application include that the restaurant is going to become a year round restaurant, because it is seasonal right now, correct?

John Lapper: You are correct, we will modify our application to include this information that we intend to make the current restaurant a year-round restaurant.

Lucas Dobie: The land disturbance would be less than one (1) acre.

Chairman Bedeaux: What do you intend to do with the current house on the property?

Jeremy Treadway: I am planning on buying the entire parcel and I will live on the premises in the house and I will always be around.

Brian Mattison: I would expect that a motocross track would generate a lot of noise. What hours do you plan on operating?

Jeremy Treadway: We plan to operate from Thursday through Sunday from approximately 9 a.m. to dusk. These are four-stroke bikes as opposed to two-stroke bikes which used to be used. There would be a fence in the middle of the driveway blocking off my private residence. I will be living there with the track in front and plan to be there seven days a week and always there while the track is running.

Butch Barrett: What about lighting on the track?

Jeremy Treadway: There will be no illuminating lights at night. When the sun goes down the engines will go off.

Attorney Stockwell: What do you define as dusk? Will you be setting a firm ending time?

Attorney Lapper: That is a good point, as dusk can change.

Jeremy Treadway: I am willing to accommodate what the board wants, but I would propose dusk or no later than 8:00 p.m.

William Hohmann: So the hours would be Thursday through Sunday from 9:00 a.m. to dusk and no later than 8:00 p.m.

Jeremy Treadway: Correct.

Attorney Stockwell: If the board so desires, they have the option to refer the application to the Town Engineer for review and comment. Also, the application needs to go to the County Planning Board under General Municipal Law as it is within 500 feet of New York State Route 149. Also, before any decision is made a public hearing would need to be set by the board when they so desire.

Chairman Bedeaux: I would ask that the applicant update their application to include the information about the restaurant.

Lucas Dobie: We would be happy to do so and send this information in to the Town.

A motion was made by Chad Wilson, seconded by Butch Barrett, to refer the application to the Washington County Planning Board and set a public hearing on the application for the next monthly meeting on June 27, 2016 at 7:00 p.m. and asks that the Secretary preparing a public hearing notice to be published in the newspaper as provided for in the Site Plan Local Law

Vote:

Ayes 5

Nays 0

Absent-- Charles Sellitti, Curtis Rehm

Motion Carried.

#### **Public Comment:**

Ann M. Williams and Deborah Fifield introduced themselves to the board and both expressed their interest in the position of Town of Fort Ann Planning Board Secretary which was advertised and which is currently vacant.

#### **Code Enforcement Update:**

Code Enforcement Officer Miller advised the board that he is researching what he believes to be an illegal mobile home situated on Michigan Lane and will report back to the board in this regard. The Town Board has asked that the Planning Board give input regarding a new Local Law relative to Mobile Homes.

#### **Correspondence and Miscellaneous Items:**

Chairman Bedeaux advised that the Board received correspondence from Attorney Bitter regarding the Fort Ann SuperStop dated May 10, 2016; Correspondence from Attorney Stockwell to Attorney Bitter dated May 11, 2016 and correspondence from the APA regarding Sherry and Brandon LaPan dated May 6, 2016 and asked if the Board had any questions regarding this correspondence. No questions from the Board members were asked.

No further business was discussed by the board.

A motion was made by Butch Barrett and seconded by Brian Mattison to adjourn the meeting at 8:29 p.m.

Vote:

Ayes 5

Nays 0

Abstain 0

Absent-- Charles Sellitti, Curtis Rehm

Motion Carried.

Acting Secretary

William Hohmann

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DRAFT