

Town Board Meeting held April 3, 2017 at 6:00 P.M. at the Town Hall in Schroon Lake N.Y.

Present:

Town Supervisor: Michael Marnell

Councilpersons: Clara Phibbs, Roger Friedman, Meg Wood and Don Sage

Town Clerk: Patricia Savarie

Highway Superintendent: Dana Shaughnessy

Also Present: Albert May, Fran and Skip Mahler, Marcia Hartnett, Mark Granger, Steven Kinley, Gail Simon, Steve Cass, David and Alana Clark, Glen Repko, Lori Messing, Denise Paradise, Juliana Carattini, Wally and Shelley Thomas

Supervisor Marnell called the meeting to order at 6:00 P.M. with a salute to the Flag.

Public Participation

Lori Messing stated that there will be a walk to help raise awareness about Suicide and to help to prevent it. October 1, 2017 in Lake Placid Please come out and have a great time and support this important cause. It effects more people than we know. Registration begins at 11:30 am and the walk starts at 1pm and goes till 3pm. Also if you can't make the walk but wish to donate you can do so. Lori stated they would like to raise \$35,000.00 this year toward the Suicide Coalition.

[Welcome to the North Country](#)

[Out of the Darkness Community Walk](#)

[Sunday, October 1, 2017](#)

Event Details

Walk Date: **10/01/2017**

Walk Location: **Olympic Speedskating Oval - Lake Placid, NY**

Check-in/Registration Time: **10/01/2017 at 11:30 am**

Walk Begins: **1:00 pm**

Walk Ends: **3:00 pm**

For more information, please contact:

Contact Name: **Shelby Davis**

Contact Phone: **518-932-1241**

Contact Email: **shelby@mhainessex.org**

Presentation from Stewart's Shop – Steven Kinley

Steven Kinley, a representative from the Stewart's Shop, stated he was here to talk about the proposed project for Stewart's on Route 9 and Dock Street. Currently the store is 2,500 square feet

on .4 acres and we are under contract to purchase the property behind which has .3 acres. We propose to construct a new store of 3,500 square feet, increase parking from 19 spaces to 27 spaces and increase our fuel dispensers from two to three with a Diesel pump that will be installed. Some of bonuses to this will be better traffic flow and the corner will be better defined by Route 9 and Dock Street with tightening up the curb cuts to thirty feet, so the traffic will be flowing in and out of the site with another access unto Taylor Street for traffic flow. This will bring our store up to current standards. We will be offering subs, pizza, more seating and public rest rooms. To give you a little background on Stewart's it started in 1921 as a dairy and in 1945 we opened our first store, now we have 337 stores. We do 1.6 billion in sales and the nice thing is we give back to the community's over 2.5 million dollars a year with the family who owns the company matching that, so literally we put 5 million back into our community. Our existing store in Schroon Lake was open in June of 1980, so it would be nice to have a new store after almost 40 years. The current property is zoned B1, which is a general business and the property behind us is zoned B-2A which is a resort business. The issue we are going to deal with is we need this back property to either be zoned B1 or get a zoning variance. The B-2A does not allow retail stores but does allow a hotel or restaurant to be built on that property. When we look at this property we can build a 3,700 square feet Stewart's Shop or under the current B-2A zoning you could build up to 70% max covered floor area so we could build a 9,000 square foot base floor for a hotel going up 40 feet, that would be 3 stories, that would be an increase parking problem. I would like to figure out our process to move the project forward and answer any questions the Board or public may have. Supervisor Marnell asked what the height of the new building will be? Steven stated 23 feet high, we will level out the ground that is there and we will be shorter then the house that is presently there by 2 feet. We will have a picnic area with a stone facade facing the park. Supervisor Marnell asked if the huge pine trees will be removed? Steven stated yes. Supervisor Marnell stated good I worry about them every time the wind blows. Steven stated we will work with the Town to see how we can get this done, this is a big investment for Stewart's, a 2 million dollar project. Councilwoman Wood asked what the lighting and noise level would be compared to now and as far as delivery's when will they be made? Steven stated that the lighting would be LED lights which are very controlled lights and they will be facing down not up and a back shield will be placed on them to block the light from the neighbors. No delivery's will be going into Taylor Street and there will be more room for the trucks to get in and out. Councilwoman Wood asked if the facade could match the theme of the Adirondacks. Steven stated they are open for any discussion on that. Right now we are getting ready to do the one in North Creek and we are changing the color to more of a brown texture with stone veneer.

Councilman Friedman stated he was hoping the retail part of the store could be turned so that it could be in the B1 Zoning and your Food Service could be in B-2A, then that would avoid you changing the zoning. Steven stated that if they did that then they would not be able to change the layout of the store and we would also like to combine the lots and not have two different lots with two different zoning's going through the middle of the store. Councilman Friedman stated he was trying to avoid problems with the neighbors, one of the neighbors is here this evening, I don't know how the other neighbors feel or if they are aware of the project. You try not to change the neighborhood, something that is a nice section of Town. If you look at residential sales, that little area of homes have sold for more than most homes in the area, so it is a very desirable neighborhood and the new store will encroach on that neighborhood. Steve stated that as he had mentioned before the B-2A zoning now states:

- 1) All principal and accessory uses permitted in residential district R-10 provided area, year, height and coverage provisions of residential district R-10 are adhered to for dwellings.
- 2) Guest cottages and/or cabins.
- 3) Inns, motels, motor hotels, lodges, tourist homes similar places offering accommodations to transient guests, tourists and vacationers, including accessory uses such as dining and refreshment areas, swimming pools, beach areas, docks, boats, and limited court and game areas for use of guests or patrons of the establishment.
- 4) Restaurants.
- 5) Marina, excluding boat storage and sales.

Supervisor Marnell stated that under the Zoning for this piece of property you could take that house and take the roof off and put a flat roof on it and have a deck up there and serve food, alcoholic beverages and have entertainment. Steven stated yes the whole neighborhood could do that under the Zoning Ordinance for that area. Right now it's not zoned correctly for our store but based on the traffic and the improvements and the money we are going to spend here I think it is a good project.

Supervisor Marnell stated he didn't think this was news to any of the people in town the last few months we knew there was going to be a new Stewart's and everyone has been very positive about it coming. With the roof lower and the trees out of the way the neighbors will have a better view.

Wally Thomas, one of the neighbors, stated we have no problem with Stewart's but we did not realize they were coming down Taylor Street. I have a boat and can't get out onto Dock Street now and you're going to have traffic going round and round and it is going to be a nightmare. I don't know what the necessity

would be to come out into Taylor Street, but it's going to come out right in front of our house and down the street and when they have a boat trailer they won't be able to get out with cars on both sides of the road parked. Councilman Friedman asked how wide is Taylor Street? Steven stated 12 feet and we propose to make 16 feet. Councilman Friedman asked have you had any dialogue with any of the neighbors? Steven stated no not yet just with Wally Thomas tonight and the neighbors will all be

notified by the Planning Board. Supervisor Marnell stated I think this project warrants changing the zoning if it needs to be done and I would support it. We will try to do what we can do to expedite this so you can get ready to build in September. Councilman Sage stated he supports the project.

Supervisor Marnell stated to Steven you do what you need to do and if it doesn't fall around our Board Meeting we can call a Special Town Board Meeting.

Resolution #92 Audit of Claim

Councilman Sage moved a resolution to pay the bills as reviewed, seconded by Councilman Friedman; carried.

General Fund \$24,620.68 Sewer \$14,971.17 Highway \$15,509.02 Water \$550.55

Town Hall Project \$49,799.00

Resolution #93 Approval of Minutes

Councilman Friedman moved a resolution to accept the minutes for March 13, 2017 for the Regular Town Board Meeting at 6:00 P.M., seconded by Councilwoman Phibbs; carried.

Resolution #94 Transfer of Seasonal Employee

Councilwoman Wood moved a resolution to transfer Lance Gould from Highway to Parks at \$19.48 an hour effective April 5, 2017, seconded by Councilman Sage; carried.

Resolution #95 Approve Scrap Metal Contract

Councilman Sage moved a resolution to approve the Scrap Metal Contract with New England Quality Service, Inc. seconded by Councilman Friedman; carried.

1. SCOPE OF SERVICES/WORK:

- a. Processor shall supply two (2) metal roll-off containers for the collection of scrap metal at the Town's site. NEQS shall pick up, transport, unload and return the containers or process the scrap metal at the Town's site from time to time, upon notification from the Town ("Service").
- b. Any and all damages to Processors' containers shall be documented and repaired at a fair value at the Town's expense.
- c. Upon completion of Contract (or in the event of termination) all Processor containers will be picked up by Processor.
- d. NEQS shall accept most types of scrap metal from the Town including items which are made of metal but may have non-metal components attached, e.g., metal lawn chairs with plastic webbing. White goods and appliances must be free of capacitors and CFC's. All propane cylinders must have the valves removed. NEQS will not accept flammable, combustible, contaminated or otherwise hazardous material of any kind. See Exhibit A for a list of prohibited items.
- e. The Town shall inform NEQS when Service is needed and will notify NEQS via facsimile forty-eight (48) hours in advance of the performance of Service excluding weekends and holidays. Access to the site shall be provided to NEQS as needed and in a reasonable manner

2. PAYMENTS:

- a. There will be \$100.00 pull fee or transportation fee associated with this Contract. The

transportation costs are for two containers being pulled at the same time. There will also be no rental fee associated with this Contract. Packing boxes with heavy equipment is prohibited.

- b. Payment for scrap metal picked up or processed at Town's site shall be equal to the number of tons removed from the site multiplied by fifty percent (50%) of the low price for white goods (New York Market) as published in the most current issue of Waste News Magazine. Scrap metal payments shall be based on the actual tons of scrap metal hauled from the site and weighted at a State certified scale.
3. TERM: The term of this agreement shall be for three (3) years beginning on _____, 2015 and shall end on _____, 2018. Following the Initial Term, if NEQS is not in default of any terms of the Contract beyond the applicable cure period, and this Contract has not been terminated by NEQS, the Contract shall be extended automatically for another three (3) year term unless terminated sooner by the Town sending notice to NEQS thirty (30) days prior to the expiration of the preceding Contract term. If extended, all of the terms of this Contract shall remain in full force and effect during all Contract extension terms except as otherwise expressly provided for in this Contract.

Discussion on the Sprint Tower Request

Supervisor Marnell stated that Sprint has requested a Tower and that there was room for it. Councilman Friedman stated that we need to negotiate a price with them and to make sure with David Clark that there is plenty of room for the tower.

Resolution #96 Adirondack Artists and Crafters Group Request

Councilwoman Phibbs moved a resolution to allow the Adirondack Artists and Crafters Group to set up at the top of the beach with Farmers Market joining in on Thursdays, seconded by Councilman Sage; carried.

Resolution #97 Declare Loader as Surplus

Councilwoman Phibbs moved a resolution to declare the 2000 John Deere 624H loader as surplus and to advertise with a minim bid of \$40,000.00, seconded by Councilman Sage; carried.

Resolution #98 Approve Purchase of Loader on State Contract

Councilman Sage moved a resolution to purchase a John Deere 624K-14WD Loader on State contract for \$165,546.00 for the Highway Department to come out of the Highway Budget, seconded by Councilman Friedman; carried.

Set Date for Special Town Board Meeting on Wage Statement

Councilman Sage made a motion to have a Special Town Board Meeting to discuss the Wage Statement for Thursday, April 27, 2017 at 4:00 P.M., seconded by Councilman Friedman; carried.

Resolution #99 Accept Quarterly Codes Report

Councilman Friedman moved a resolution to approve the Quarterly Report for Zoning/Building Fire Codes Department, seconded by Councilwoman Wood; carried.

Resolution # 100 Road Closure for Craft Fair

Councilwoman Wood moved a resolution to close Leland Avenue from Dock Street to Fairfield Avenue closed 10 am to 4 pm with parking only allowed for Craft Fair Vendors on July 15, 2017, seconded by Councilman Friedman; carried.

WHEREAS: The 48th annual Schroon Lake Association Craft Fair is scheduled for Saturday July 15, 2017

WHEREAS: For public safety certain roads need to be closed or restricted during this event

WHEREFORE: The Town Board orders the following use and traffic restrictions on the following roads, during the following times on Saturday July 15, 2017:

Closed to all but emergency vehicles:

Leland Avenue from Dock Street to Fairfield Avenue closed 10 am to 4 pm with parking only allowed for Craft Fair Vendors

By order of the Town Board this 3rd Day of April 2017

Resolution #101 Road Closure for Adirondack Marathon

Councilman Sage moved a resolution to close roads for the Adirondack Marathon being held September 24, 2017, seconded by Councilwoman Phibbs; carried.

WHEREAS: The 21st running of the Adirondack Marathon is scheduled for Sunday September 24, 2017

WHEREAS: For public safety certain roads need to be closed or restricted during this event

WHEREFORE: The Town Board orders the following use and traffic restrictions on the following roads, to the extent that they are located in the Town of Schroon, during the following times on Sunday September 24, 2017: closed to all but emergency vehicles, police escorted vehicles and Official Marathon Vehicles and no parking allowed: Leland Avenue: closed 6 am - 3pm.

Dock Street: closed 8:40 am - 9:10 am and from 10 am - 2:45 pm

Route 9 from Hoffman Road to Alder Meadow Road: closed from 8:40 AM to 9:45 am

Alder Meadow Rd, Tyrrell Rd, Severance Rd, & Adirondack Rd: closed from 8:55am - 9:45am

Adirondack Rd, Red Wing Rd to Adirondack: closed from 8:55AM - 11:45AM.

East Shore Drive (from Adirondack) to Shaw Hill Road: closed from 9:10 am - 1 pm.

Route 9 (Pottersville) from Old Schroon Rd. to Leland St. Schroon Lake Village: closed from 10 am - 2:30 pm.

By order of the Town Board this 3rd Day of April 2017

Resolution #102 To Support Second Boat Contamination Station

Councilman Friedman moved a resolution to support the second boat contamination station, seconded unanimously; carried.

WHEREAS: The Town of Schroon believes that there is a real threat to the safety and enjoyment of the lakes, ponds and rivers in our Town from invasive species.

WHEREAS: The establishment of a second boat decontamination station north an east of Schroon Lake would greatly reduce that threat

WHEREAS: The SLA, PLA and ESSLA have passed a joint resolution together to create such a boat decontamination station

WHEREFORE: The Town Board supports and endorses the attached resolution

By order of the Town Board this 3rd Day of April 2017

Change Regular Board Meeting in May

The next Town Board Meeting will be **Monday, May 1, 2017 at 6:00 P.M.**

Public Participation

Supervisor Marnell stated that Levi Williams would like to perform a marriage for his sister in Schroon Lake and can do so with Board approval as soon as he turns 18. Supervisor Marnell will have him send a letter to the Board for approval when he reaches the age of 18.

Marcia Hartnett stated the Paradox Lake Association will be reimbursing the Town for the unemployment amount. Marcia would like to know who puts the boards in and out at the Paradox Dam on Route 74. Supervisor Marnell will ask Roger Meade if he would take care of that, since he lives right near it and helped with the dam project.

Glen Repko stated that at Schroon Lake Central on April 4, 2017 at 7:00 PM the Lions Club will be inducting students into the Leo Club and also they will be matching a Grant from the Randal Murphy Foundation for \$2000.00, to help with the back pack program, for a total of \$4000.00 for the 2017 – 2018 school year.

Councilman Friedman handed out the comments from the Town Attorney on the SLIC contract for the Board to look over.

Supervisor Marnell moved to adjourn at 7:23 PM, seconded by Councilman Sage; carried.

I, Patricia J. Savarie, do hereby certify the foregoing to be a true and correct transcript from the minutes now on file in my office and of the whole such original minutes.

Dated: April 10, 2017 _____ Town Clerk