

Town of Stillwater
Planning Board Meeting

April 7, 2008

**Town of Stillwater
Planning Board Meeting
Meeting Of 4/7/08**

Present: Chairwoman JoAnn Winchell, Vice-Chairperson Peter Buck, Carol Marotta, John Murray, Patricia Padauno, Paul Tompkins

Also Present: Ray Abbey-Building Department, Joel Bianchi-Town Engineer, Lisa Bruno-Councilwoman, Daryl Cutler ESQ-Attorney for the Town, Ken Petronis-Councilman, William Ritter- ZBA Member

7:30 P.M. Chairwoman Winchell called the meeting to order, and led everyone in the pledge to the flag.

The first order of business was to approve the minutes of March 17, 2008 Planning Board Meeting. A motion was in order.

**Motion to approve the March 17, 2008
Planning Board Meeting Minutes As Prepared.
Made by J. Murray, seconded by P. Tompkins
Motion Carried 5-0-1**

Leland & Sandra Moll
1105 Rte. 32
Stillwater, NY 12170
SBL-233.-1-8
Property Line Adjustment

Lee Moll, representing his parents, informed the members of a long desire to correct a boundary situation between his parents' property and a neighbor. He informed the Board that his parents attempted to donate 5+ acres of riverfront property to the Town of Stillwater in 2006. The property was eventually donated to the land conservancy, Saratoga Plan. Because of the location of the property and its close proximity to the intersection of NY Route 4 & 32, as well as, historical significance, it is too expensive for his parents to survey. The Molls are now seeking to deed a triangular piece of their property measuring approximately 33' x 73' that is directly across the road from their residence, to their neighbors, Thomas and Margo Murphy. They wish to use the mapping created by NYS DOT when they reconfigured the intersection in recent years (2003-2006). This same mapping was utilized for the

Saratoga Plan land transfer. NYS DOT is responsible for splitting the Leland Moll property into four parcels in the early 1920s. In closing, Mr. Moll stated that the property is nonconforming, unbuildable due to the current conditions and slope, and the Murphy's have had a pool on the property for many years.

A brief discussion took place relating to the unique situation created by the highway intersection. Attorney Cutler and Engineer Bianchi examined the map and application. Noting that it did not follow standard procedure in regards to submittals for the Board's review, they both stated that a Boundary Line Amendment would be permissible providing the applicant obtain the deed for the Murphy property and complete a SEQR form.

The Board agreed that if the proper paperwork was filed, the application would be addressed at the April 21, 2008 meeting.

Luther Forest Technology Campus
Site Plan Review
**SBL-242.-1-96.1, 252.-2-3, 8, 15.11,
15.12, 253.-1-36.1, 40.2, 42, 43.31,
43.32, 52, 55.2, 55.11, & 55.122**

Michael Ingersoll was present representing LFTC. For the benefit of the new members, he gave a brief overview of the history before the Stillwater Planning Board. Using mapping, he discussed the path of the power lines, the success of obtaining a tenant, the recently obtained Army Corp of Engineers' Report, recently executed land owners agreements, and submitted new information from the Public Service Commission, NYSEG, and National Grid.

Mr. Ingersoll detailed the 6.2 mile long by 200' corridor route of the proposed power line leading from the Mulberry Street substation to the substation planned for LFTC in Malta (Pod 1). The power lines run along Cold Springs Road, Elmore Robinson, George Thompson, and County Route 75. The power lines turn on a 45 degree angle crossing County Route 75. They also will be crossing properties owned by Mr. Mackey, Mr. Dyer, DA Collins, Mr. Gailor, and Mr. Benson.

The specifics for the 115KV Transmission Line were discussed. The 95 foot high wooden poles would be set 600' apart with wires feathering between poles. Photos of visual impacts before placement and after placement were displayed. A discussion of existing and planned vegetation buffers was held. Applicants have held discussions with DA Collins relating to vegetation buffers. They will be putting in buffers of trees using species such as aspen and spruce that will grow up to 75 feet tall and over time hide much of the power lines.

Brief discussions relating to health concerns, electrical magnet fields, and property values was held. Peter Buck questioned Mr. Ingersoll on a previous request made to representative Jack Kelly from the Planning Board to hire an independent company to confirm the health and safety of the transmission lines.

National Grid representative Michael King stated that he is unaware of any health concerns due to living near the power lines, because the electrical magnetic fields are well below the Federal and State EMF standards. Normal winter load is 236 milicals, PSC requires maximum full build-out for both lines running full capacity as part of their franchise application. He also stated that he has no information on the power lines depreciating property values, but he will research it and provide any information for the Board.

A brief discussion took place clarifying the height of the poles, the view of the residents living along and traveling County Route 75, and the potential questions that may surface at the Public Hearing.

C.T. Male Associates' representative, Ray Liuzzo (surveyor) stated that they would look at the poles on a pole-by-pole basis that are close to residents' homes. They may be able to put in 75 foot high poles instead of the 95 foot poles. He also stated that the Army Corp. of Engineers is the agency that routed the power lines. LFTC mapped three possible paths for review. There are wetland problems to contend with, as well as the topography of the land.

TRC Engineers' representative, Joseph Procopio stated that if they use 75 foot poles in height, instead of the requested 95 foot poles, then they will have to use more poles. The impact would be greater.

Luther Forest Technology Campus representatives Jon Dawes and Michael Relyea inquired about the Public Hearing. The Hearing was set for May 5, 2008 at 7:45 P.M. at the Stillwater Town Hall. Michael Ingersoll inquired if there would be a vote after the Public Hearing. The Board informed Mr. Ingersoll that typically a vote does not come on the same evening as the Public Hearing. Jon Dawes stated that they will have the reports on the economic impact, pole heights, and on property values submitted as soon as possible. They will also make certain the Board has the updated documents from PSC and Army Corps of Engineers.

New Business: Jim Bosolini of Amadore Homes on 9P and Route 423 contacted Chairwoman Winchell requesting to introduce a new proposal for residential housing on property adjoining the PDD - Stillwater Woods. Engineer Bianchi informed the Board that any applicant wishing to amend a PDD must first approach the Town Board. Chairwoman Winchell will communicate that process to Mr. Bosolini.

Engineer Bianchi stated that after consideration of the Elmore Robinson Knolls Subdivision, it was noted that due to the septic systems being within the Reservoir

Overlay the application must first obtain a variance from the Zoning Board of Appeals. A letter stating such was forwarded to the applicant. Out of courtesy, Joel will inform Mechanicville Supervisor Richardson of the status of the application

Communication from Saratoga County Clerk's Office revealed that mapping for John Shook Sr. was filed on March 25, 2008.

Carol Marotta attended the last series of Planning Board Meetings in Malta. She reminded the Board that mitigation fees of \$950,000 are being paid to Malta to offset the impact of the transmission lines for the project. The bidding for the transmission lines are due June 2008. Councilman Petronis requested suggestions from the Board as to what they may desire for mitigation of the transmission lines in Stillwater.

Old Business: Crown Communication has not forwarded the information that was requested by Attorney Trainor, on the needs impact, height, rental agreement, documentation on collocating on the existing FAA tower. Joel Bianchi will forward to the applicant the potential fee for an independent evaluation of the impacts for their review.

There was a brief discussion relating to the status of having members of the Malta Planning Board attend meetings in Stillwater when LFTC discussions are on the agenda. It was noted that the Joint Commission has been approved. It was suggested that Engineer Bianchi relay meeting agenda information back and forth.

Hearing no other business before the Board a motion was in order.

**MOTION to adjourn the 4/7/08
Planning Board Meeting at 9:00PM
Made by J. Murray, seconded by P. Tompkins
Motion Carried 6-0**

The meeting adjourned at 9:00 P.M.

Respectfully Submitted,

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