

Town of Stillwater
Stillwater Planning Board

April 21, 2008

Planning Board Meeting
April 21, 2008
7:30 PM

Present: Chairwoman JoAnn Winchell, Carol Marotta, John Murray, Patricia Paduano, Paul Tompkins

Excused: Peter Buck

Also Present: Ray Abbey-Building Department, Joel Bianchi-Town Engineer, Daryl Cutler-Attorney For The Town, Ken Petronis-Councilman, Lisa Bruno, Councilwoman

Chairwoman Winchell called the meeting to order at 7:30 PM and led everyone in the Pledge.

**Michael McBride
25 Brickyard Rd
Mechanicville, NY 12118
(PB2008-23-253.-2-35.1 & 35.2)
Lot Line Adjustment**

Chairwoman Winchell requested Mr. McBride to update the Planning Board on the application for a Lot Line Adjustment. Mr. McBride informed the Board that Mr. Fred Donavon, neighbor to the south at 25 Brickyard Rd. is giving him property directly behind his 27 Brickyard Rd. residence. Once the property is deeded over, Mr. Donavon will be left with one acre with 151 feet of road frontage. Mr. McBride's property will increase to 1.61 acres with 150 feet of road frontage. Both lots are in the Moderate Residential zone and have municipal water and private septic systems.

There was a brief discussion, noting that the application was subject to an Area Variance before the Zoning Board of Appeals. The ZBA approved the variance at their March 2008 meeting. SEQR was addressed with a negative declaration.

Mr. McBride informed the Board that he has no intentions in further subdividing or constructing another residence on the property due to the current wetland condition.

Motion to approve the SEQR for a Lot Line Adjustment Review regarding 27 Brickyard Rd., Mechanicville, NY 12118, noting action will not have significant impact on the environment.

Motion to approve SEQR as prepared
Made by P. Tompkins,
seconded by J. Murray

MOTION CARRIED 5-0

A motion was made to approve Resolution No. 8. of 2008 The Planning Board reviewed the application and the site plan and confirmed that the plan for a Lot Line Adjustment complies with all Town, County and State requirements.

**Motion to approve Resolution #8
For 25 Brickyard Road, Mechanicville
Made by P. Paduano,
seconded by C. Marotta
MOTION CARRIED 5-0**

**David Anunesky
45 Colonial Rd
Stillwater, NY 12170
(PB2008-30-243.-1-45.2)
Minor Subdivision**

Charles Hartnet, area land surveyor, was present representing David and Catherine Anusesky with their request to subdivide one lot from their farm located at 45 Colonial Road. The Anusesky's own 125 acres within the LDR zone. It is their intention to cut out of the north east corner one lot measuring 2 acres with 250 feet of road frontage. The application contains written commitment from the Village of Stillwater to allow for municipal water to the proposed lot.

There was a brief discussion regarding the location, its primary use and proposed use, the termination of an easement on the property and the geography and conditions of the property. Mr. Hartnet answered all the questions of the board using mapping and figures within the application.

Mr. Hartnet stated that it is not the intention of his client to subdivide further at this time, however he will convey to them that the Planning Board would like to see a long-range plan for the property if further subdividing is proposed. Standard Stone has an easement to enter the property and the subdivision will not interfere with that easement, or its expected termination. The Tracey's have a right-of-way from County Route 76 to access the property.

The application and SEQR forms were reviewed. Engineer Bianchi deemed the application complete. A motion was made to approve SEQRA as prepared was in order:

**Motion to approve SEQRA as prepared with the findings
Having no significant impact on the environment
Made by J. Murray, seconded by P. Tompkins
MOTION CARRIES 5-0**

A motion to approve Resolution No. 10 of 2008 for a Minor Subdivision for David and Catherine Anusesky for property they own at 45 Colonial Road with the following conditions: designated 911 numbers are received for both parcels, applicant receive a driveway permit, test pit results are recorded, a copy of the Standard Stone Easement is filed with the Town's Building Department, the driveway design has maximum grade, and plans are stamped prior and filed prior to the issuance of a building permit.

Motion to approve Resolution No. 10
Made by J. Murray seconded
by C. Marotta
MOTION CARRIES 5-0

Crown Communications
2 Radar Road
Stillwater, N Y 12170
Special Use Permit Review
(PB2008-24 207.-1-13.1)

Mr. Stockli and Mr. Stevens were present representing Crown Communications. Mr. Stockli gave a brief overview of his applicants' response to questions within the Town of Stillwater's letter dated March 3, 2008 from Attorney Trainor.

Mr. Stockli stated that he doesn't wish to release a copy of the lease agreement Crown currently has with Saratoga Endeavors at this time, but he has submitted an affidavit from vendor AT&T, and a response letter from the FAA letter to the Board members. The affidavit states an interest in collocating, and the FAA letter states that only government and municipalities will be considered for collocation on the federal tower.

There was a brief discussion on the following: establishing an escrow account to allow for a comprehensive review of the application, what vendors have committed to collocating on the proposed tower, the plan for decommissioning of the two existing towers, and the modified view shed analysis.

Attorney Stockli informed the Planning Board members that an escrow account has been set-up for Crown Communication, there is space for five vendors to be placed on the proposed tower and Mr. Stevens stated that the two current towers could be taken down within one month, and he assured the Board that they can get onto the property to take down the towers.

Mr. Stevens also stated that the 199-foot tall monopole design could be seen from the Saratoga National Park on the following interpretive sites: #4, #5, #6, and #8. Superintendent Finan stated that the National Park would like to be involved in the process of SEQRA and with Environmental Review. He submitted documents relating to the SNHP's view shed analysis, historical significance of existing towers, and findings pertaining to Section 106 of the National Historic Preservation Act.

Landowner Thomas Gorsky stated that the proposed tower site is within the Industrial zone, therefore a permitted use. He further stated the geography of the site, the size of the deciduous trees in the vicinity of the proposed tower, and the antiquated condition of the current towers servicing the public.

Mr. Hauf, owner of the Saratoga Endeavors property, stated that he has information for the Board relating to the current negotiations between landlord/tenant and the misinformation regarding ownership of the two existing towers.

Mr. Hauf was asked to reserve that information until the Public Hearing, and if he wishes the Board review anything prior to the Public Hearing to please put it in writing and forward it to the Stillwater Building Department.

There was a brief discussion relating to the various documents submitted on behalf of the application. It was also reiterated that the applicant has generously waived any time constraints to allow for the review of the project. It was the consensus of the Planning Board members to deem the application complete and schedule a Public Hearing for Monday, May 19, 2008 at 7:40 PM.

A motion was made to review SEQRA as an unlisted action, and forward EAF documentation to involved agencies, including the County Planning Board.

**Motion to approve SEQR as an Unlisted Review
Made by J. Murray, seconded
by C. Marotta
MOTION CARRIES 5-0**

Minutes: A review of the April 7, 2008 Planning Board Meeting was held. It was noted by Carol Marotta that an amendment is necessary. A motion to approve the minutes with one amendment was in order.

**Motion to Accept the PB Minutes
of the April 7, 2008 Meeting
with one amendment
Made by Jack Murray and seconded by Patricia Paduano.
Motion carried 5-0**

New Business: Chairwoman Winchell stated that she received communication on educational land-use workshops if anyone is interested in attending and increasing training hours. She also has minutes from the Malta Planning Board Meeting relating to discussion and action of LFTC and she will be e-mailing those to the members.

Old Business: Chairwoman Winchell inquired of Ray Abbey about Blizzard Road. Ray stated that the resident has a building permit for a detached garage that was issued last fall.

A motion was made to adjourn the Planning Board meeting at 9:50.

MOTION TO ADJOURN
Made by C. Marotta, seconded
by J. Murray
MOTION CARRIES 5-0

Respectfully Submitted,
Sheila Silic
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