

## Town of Stillwater Planning Board

Monday, April 2, 2012 at 7:00 PM

**Present:** Chariman Bob Barshied (BB); Co-Chairman John Murray (JM); Carol Marotta (CM); Peter Buck (PB); Randy DeBacco (RD); Paul Tompkins (PT); Beverly Frank (BF)

**Absent:** Richard Butler (RB), Director of Building, Planning & Development

**Also Present:** Daryl Cutler (DC), Attorney for the Town; Sean Doty (SD), Engineer for the Town; Joe Lanaro (JL), Engineer for the Town; Ray Abbey (RA), Code Enforcement Officer; Deanna Stickney (DS) Acting Secretary for the Planning Board

**Pledge:** Chairperson Barshied called the meeting to order at 7:00 PM and led everyone in the Pledge to the Flag.

### **AGENDA ITEMS:**

#### **I ) Wickes Lot Line Adjustment & Site Plan Review for Storage Building (2 separate issues)**

##### **Issue # 1: Lot Line Adjustment-request for 90 day Extension**

- A request was made by Mr Wickes via his attorney, Kevin Caslin, to extend the time for filing with the County of a Lot Line Adjustment previously approved by the Board. It has not been filed because of a dispute with an uncle over terms with the will governing this land. (BB) verified that Conditional Approval was granted approx 180 days ago and would expire if not extended.
- Motion to extend: (BB) entertained a motion for a 180 day extension. A motion was made by (RD) and seconded by (PB). The motion carried unanimously.
- Attorney Cutler did advise that if the map is not filed with the County within the 180 day extension, the Board cannot extend it again. He also advised he would notify Attorney Caslin of the extension.

##### **Issue # 2: Site Plan Review for Storage Building;**

Mr. Wickes is before for the Board for a Site Plan Review of his storage building related to a home occupation. (SD) stated Mr. Wickes needs to put up a silt fence during construction. Mr. Wickes verified the proposed use is to keep his equipment out of the weather. The building will be architecturally coordinated with the house and mostly would be hidden due to existing trees and a berm. He stated he is not planning on having a sign and that power to the building will be run underground. He also verified the width of the existing shale and gravel driveway is approximately 40 ft.

**TOWN OF STILLWATER  
PLANNING BOARD  
2012 RESOLUTION NO. 6**

WHEREAS, Chris Wickes has submitted an application for a site plan review of a home occupation and an associated accessory structure regarding property located at 10 McDermott Road, more fully described as Tax Map No. 252.-1-20; and

WHEREAS, the Town Zoning Law does not require that a public hearing be held in order for the Planning Board to act on an application for a site plan review; and

WHEREAS, the Planning Board determined that this was a Type II SEQRA action and no review was necessary; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Chris Wickes, for a site plan review of a home occupation and an associated accessory structure regarding property located at 10 McDermott Road, more fully described as Tax Map No. 252.-1-20 is hereby granted; and be it further

RESOLVED, that the application is GRANTED, with the understanding that, pursuant to the Town Local Law and Zoning Code:

1. The business use of the property be conducted inside or off premises; and
  2. That the home occupation shall not occupy more than 30% of the gross floor area of the combined total of the dwelling unit and all current or future accessory buildings, including detached garage, on the parcel, which calculates out to allow 144 square foot home occupation use in the dwelling and 80% home occupation use of the proposed accessory building.
- and be it further

RESOLVED, that the Secretary is authorized and directed to transmit a copy of this Resolution to the Applicant, the Town Clerk and the Building Inspector-Code Enforcement Officer.

A motion by Member Frank, seconded by Member DeBacco, to adopt Resolution No. 6.

A roll call vote was taken on Resolution No. 6 as follows:

Chairman Barshied	Yes
Member Buck	Yes
Member DeBacco	Yes
Member Frank	Yes
Member Marotta	Yes
Member Murray	Yes

Member Tompkins    Yes

Resolution No. 6 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on April 2, 2012.

**II ) Jib Drive Subdivison (7:23); Peter Lynch, representing applicant; & Jaime Easton; project engineer**

Attorney Lynch advised that they are before the Board to provide details of the proposed sub-division and respond to engineering questions raised by (SD). He stated that the project is basically the same since they were last before the Planning Board. The project previously obtained approval as a Planned Development District .

Attorney Lynch; Jamie, their Project Engineer; our Board; and our Town Engineer, Sean Doty had general discussions regarding the following: wetland mitigations and need to respond to a recent letter from the Army Corp indicating previous approval has expired, water supply (which is privately owned) and tying into the system, the upgrade of the Saratoga County Sewer for them to connect to, and the need to form a drainage district.

Attorney Lynch explained that there have been some engineering issues raised by Chazen that Jamie, Mark Jacobson and Sean have been working on. They gave Mr. Cutler a letter which they received from the Dept. of State Code Interpretation Bureau advising that the emergency exit road does not need to be 20 ft. wide and that 14 ft as proposed is acceptable. Another issue discussed was a conversation with Wendy Cimino, of Creighton Manning Engineering, confirming that they do not need an additional traffic study. Sean agreed with this determination.

Mr. Lynch also wanted to make the Board aware of the fact that the Army Corp. Jurisdiction letter that expired was not the fault of the Board. The project has been delayed by the owner basically due the slow economy. His engineer is in contact with the Army Corp. They are working with North Country Ecological Services and some additional wetland mitigation may be required. However, this is not going to change the overall configuration of the project.

Jaime stated that they had a Homeowner's Association Plan with common areas to be dedicated to the Homeowner's Association. The roads and stormwater detention ponds were proposed to be dedicated to the Town of Stillwater. The Board advised that a drainage district would need to be formed. Mr Lynch stated he needs to set up a meeting with the Highway Superintendent and potentially with the Supervisor to discuss this issue. Mr. Lynch verified that the drainage district concept is within the scope of the PDD.

A summary of conditions of approval would include the following topics:

- 1)        Water supply
- 2)        Sewerage disposal
- 3)        Resolution of Army Corp. letter;
- 4)        Stormwater Drainage District
- 5)        911 address
- 6)        DOT highway issues

A public hearing on the project will be required and is scheduled for May 7 .

### **III) 911, Code Enforcement Informational Presentation by Peter Hughes; Town of Stillwater Fire Marshall**

Mr. Hughes gave a brief presentation in respect to what duties he does as part of Code Enforcement. He explained the training process, and advised that Ray Abbey is a Code Enforcement Officer and he supports Rays work as a Code Compliance Technician.

#### **Adoption of Minutes March 5<sup>th</sup>:**

(JM) made motion to approve to March 5<sup>th</sup> minutes, (CM) seconded. Motion passed unanimously.

#### **NEW BUSINESS:**

- An informational discussion was held regarding a Proposal for Turning Point Sub-division. (RA) Stated there is a builder who is interested in subdividing some of the previously combined lots. (SD) advised if they give the map to Chazen of what they would like to do, they can look at the PDD language and find out what the process would be.

-There was a brief conversation regarding complaints about Wolff's residence on Route 76. The issue involves people living behind the house where the carnival equipment is located.

-(CM) explained the information she received from the Global Foundries Neighborhood Quarterly Meeting she attended, letting the Board know that the Global Foundries Neighborhood committee is aware that there is a problem with noise. She also attended the Malta Community Response Meeting which is held quarterly. She advised that they realize the problem is not the decibels but the frequencies, and relayed the information of what they are planning to do in the future to take care of this.

-(JM) wanted to let the Board know that on Wednesday there is to be a Public Hearing at Stillwater Town Hall regarding the Pilot Lawsuit Agreement for Global Foundries on Assessments.

#### **OLD BUSINESS**

-General conversation on DA Collins project and a reminder that they will be coming back for a Public Hearing on the 7<sup>th</sup> of May.

-The Stewart's issue with the PDD is being reviewed by Jim Trainor, Esq., Town Attorney.

#### **ADJOURNMENT**

(JM) Motion to adjourn; (PT) seconded the motion.

NEXT MEETINGS: April 16<sup>th</sup>, 2012, and May 7<sup>th</sup>, 2012