

**TOWN OF STILLWATER  
PLANNING BOARD MEETING MINUTES**

**August 15, 2011 @ 7:00 PM  
STILLWATER TOWN HALL**

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

**Absent: N/A**

**Also Present: Daryl Cutler (DC) Attorney for the Town, Sean Doty (SD) Engineer for the Town; Richard Butler (RB) Acting Secretary for the Planning Board. Ray Abbey (RA) Code Enforcement Officer.**

There was no one present in the audience except those in support of the applicants.

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

**Adoption of July 11, 2011 Minutes:**

Motion to adopt by (JM) seconded by (CM) Unanimous approval

**Applicants**

**Chris Wickes 252.-1.4.11**

Lot Line Adjustment

Non scheduled discussion of Lot Line Adjustment Application requiring a Zoning Variance in order to proceed to the Planning Board. The application procedure and history of this application was discussed in detail. Setbacks of the Zoning Ordinance need to be met. It was decided that this application be postponed till after the ZBA acts on the setback variance.

**LFTC 252.2-8**

Lot Line Adjustment

LA Group represented by Mike Ingersoll RLA described the parcel as the former Benson Property and Wright Property. Approval of this Lot Line Adjustment would allow the parcel containing the house to be place for sale on the market.

**TOWN OF STILLWATER  
PLANNING BOARD  
2011 RESOLUTION NO. 20**

WHEREAS, Luther Forest Technology Campus EDC has submitted an application for a Lot Line Adjustment regarding property located at 150 County Route 75 in the Town of Stillwater, more fully identified as Tax Map Number 252.00-2-8; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is an Unlisted action requiring SEQRA review; and

WHEREAS, pursuant to 6 NYCRR §617.6, the Stillwater Planning Board is the lead agency for SEQRA review; and

WHEREAS, the Applicant has submitted a fully completed Short Environmental Assessment Form (EAF); and

WHEREAS, the Planning Board has duly reviewed the EAF and has considered the criteria contained in 6 NYCRR §617.7(c), to determine if the proposed action will have a significant impact on the environment;

Now, therefore, be it

RESOLVED, that the application of Luther Forest Technology Campus EDC for a Lot Line Adjustment regarding property located at 150 County Route 75 in the Town of Stillwater, more fully identified as Tax Map Number 252.00-2-8, is an Unlisted action and will not have a significant impact on the environment.

A motion by Member Murray, seconded by Member Buck, to adopt Resolution No. 20 of 2011.

A roll call vote was taken on Resolution No. 20 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. 20 of 2011 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 15, 2011.

**TOWN OF STILLWATER  
PLANNING BOARD  
2011 RESOLUTION NO. 21**

WHEREAS, Luther Forest Technology Campus EDC has submitted an application for Lot Line Adjustment regarding property located at 150 County Route 75 in the Town of Stillwater, more fully identified as Tax Map Number 252.00-2-8; and

WHEREAS, pursuant to the Stillwater Zoning Law, a public hearing is not required to be held for this type of application; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 20 of 2011; and

WHEREAS, the Town Engineer has reviewed the application and the proposed site plan and confirms that the plan complies with all Town, County and State requirements; and

WHEREAS, the Planning Board has reviewed the application and has duly considered the criteria for Lot Line Adjustments;

Now, therefore, be it

RESOLVED, that the application of Luther Forest Technology Campus EDC for Lot Line Adjustment regarding property located at 150 County Route 75 in the Town of Stillwater, more fully identified as Tax Map Number 252.00-2-8, is hereby GRANTED; 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 Marotta, seconded by Member Frank, to adopt Resolution No. 21 of 2011.

A roll call vote was taken on Resolution No. 21 of 2011 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. 21 of 2011 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 15, 2011.

#### **-D. A. Collins**

##### **Informal Presentation / Discussion**

The LA Group was represented by Mike Ingersoll RLA and Jeff Cintula (JC) for D. A Collins. This is the first potential project to be located in the Rt 67 Overlay District. A general and informal presentation was made for a building to be located in the NW corner of the upper-tiered cleared site. Deep test pits have been completed. The Applicant wishes to return in a month for a more formal presentation and discussion. The Project is a 22,000sf+/- one-story office and

warehousing storage and distribution flex space building. There is no tenant at present. 20-30 employees are anticipated. The existing buildings are intended to stay at present. There will be a temporary septic system, in anticipation of a future county sewer connection. Mechanicville water is anticipated. A Special Use Permit is required for all Projects within the Overly District. Special Use Permit (SUP) and Site Plan Review may be anticipated by Town as a simultaneous submittal process according to (DC). The septic system is determining the size of the building. The Applicant will be applying for a Permanent SUP. Traffic is expected to be less than the prior business was at its full capacity. The older existing buildings will eventually be demolished. The Applicant stated strongly that this is a stand-alone project. The October Planning Board meeting is their target date for a formal application and presentation to the PB. The Board recommends, as specifically expressed by (JM), that a public hearing be held on the Project.

-(JM) mentioned that Donnelly construction has not replied to the Planning Board's request that their construction yard be cleaned up. (JC) stated that some trailers will be relocated. Trailers are being used for storage according to (JC). (JC) acknowledged receipt of Town letter.

### **Old Business**

-Complaints, dilapidated buildings and violations update

(RB) stated the history of the demolition (by Owner) of the Ligiecki property. This is the first parcel taken on by the Town to force an Owner to demolish an unsafe structure. (RB) stated there are limited resources and budget to pursue other dilapidated properties, of which there are many. Letters have been sent to several dilapidated properties notifying them that their properties are in violation of Town Law. It was mentioned that there are several parcels in more serious violation of the Zoning Law than others.

-(RB) Stated that BP&D has been preparing a list of budget items for the Town Board to act on for next year. The Board expressed concern that Planning initiatives, that the Town has undertaken, are in jeopardy if budget issues limit or severely limit the application and follow through of progressive issues and actions. The driving factor for budget planning is a declining sales tax income and the new State 2% tax cap. (BB) requests a higher priority be placed on dilapidated properties and requested that more letters be sent to property owners.

--Sign and name change discussion regarding Stillwater Woods PDD: The PDD name is proposed to change to Winding Brook. (RB) has sent a letter on July 20<sup>th</sup> 2011 to Amedore Homes requesting that they proceed to request a name change to the PDD from the Town Board. The Applicant does not agree that the process is necessary, nor required in their response letter dated July 26<sup>th</sup> 2011. The Board has decided to place a memo in the file regarding the name change.

### **NEW BUSINESS:**

- Brown's Beach: Parcel has been sold. A brief discussion ensued relating to the Town's familiarity with the prior history of the property. Nothing is known presently about the purchaser's plans to develop the parcel. (CM) requested the Board determine what the Town would like to see for the property's future.

- (BB) mentioned that the presently allowed uses in LDR zone appears to be limited in its allowed uses and needs to be revised to allow professional offices and perhaps other uses, all subject to site plan review. He asked what process would it take to change the summary of allowed uses and also asked board members to make note and distribute their recommendations

for changes to other board members. (DC) responded that it would take a public hearing by the Town Board.

- A discussion took place regarding the Village of Stillwater's water line that is presently under construction across the Town, and that it is reputedly not allowing water taps. It is reputed to be a transmission line only. "Out of District" service connections/contracts are possible according to (JL), at an extra charge to users.

#### **NEW DEVELOPMENTS, DEPT OF BUILDING, PLANNING & DEVELOPMENT**

-Fee Schedule revision status is still being reviewed by the Department and the Supervisor. It will be referred to the Town Board in the very near future.

-Web-site update: (RB) mentioned that significant changes to the Town Web-site are underway by the Department and the Supervisor.

-Rt 67 Overlay District: (RB) mentioned that there have been inquiries by realtors relating to parcel purchases in the new district.

-(CM) mentioned that significant changes have happened in the Town since the Generic Environmental Impact Statement was accepted in February 2009 and it should be reviewed and revised accounting for changes that have taken place since that date. (JL) stated that the Town's Comprehensive Plan needs to be reviewed as well, especially since it has been mentioned also at several Capital Project monthly meetings.

-(RB) mentioned that the Town has paid for the Codification of the Town's regulations, but the process has never been implemented. It would be a desirable and efficient tool for the Building Planning and Development Department to use in its daily operations.

-(BB) mentioned that the process of SUP's and Site Plan Review processes happening simultaneously or separately need to be reviewed more thoroughly. A meeting should be scheduled to review the proper process necessary.

-(CM) recommended that the Town's Comprehensive Plan needs revisiting due to the significant changes presently occurring in the Town.

-(BB) Stated that it is imperative to him that enforcement of zoning violations take a high priority.

-(RB) Mentioned that the Day Care Center's landscaping plan has been accomplished and the Owner's Bond Deposit will be returned.

**Motion** by (JM) and seconded by (BF) to adjourn the Planning Board Meeting at approximately 8:50 PM.

#### **Next Meetings (September 19th and October 3<sup>rd</sup>)**

Respectfully submitted by:

Richard R. Butler Secretary for the Planning Board