

## Town of Stillwater Planning Board

Monday July 16, 2012 at 7:00 PM

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

**Absent:** Beverly Frank (BF)

**Also Present:** Daryl Cutler (DC), Attorney for the Town; Joel Bianchi (JB), Engineer for the Town; Ray Abbey (RA), Code Enforcement Officer, Richard Butler (RB), Director of Building Planning and Development

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

### **Adoption of Minutes:**

-June 18th meeting minutes were unanimously approved with no revisions. Motion made by (CM) seconded by (JM).

### **AGENDA ITEMS:**

#### **#1 Donald Rychcik**

SBL#242.00-1-30

Lot Line Adjustment

-Donald Rychcik spoke on his own behalf.

-He has received a variance from the ZBA allowing him to proceed with a Lot Line Adjustment.

-(BB) asked if he has received comments from Chazen's approval letter. He answered yes.

-(CM) mentioned that a few standard notes need to be placed upon the plat subsequent to signing by the Board chair.

## **TOWN OF STILLWATER PLANNING BOARD 2012 RESOLUTION NO. 22**

WHEREAS, Donald Rychcik has submitted an application for a lot line adjustment regarding property located at County Route 75, more fully identified as Tax Map Number 242.00-1-30; 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 Planning Board hereby determines that the proposed action by the applicant, Donald Rychcik, for a lot line adjustment regarding property located at County Route 75, more fully identified as Tax Map Number 242.00-1-30, will not have a significant impact on the environment.

A motion by Member Murray, seconded by Member Tompkins, to adopt Resolution No. 22.

A roll call vote was taken on Resolution No. 22 as follows:

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

Resolution No. 22 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 16, 2012.

**TOWN OF STILLWATER  
PLANNING BOARD  
2012 RESOLUTION NO. 23**

WHEREAS, Donald Rychcik has submitted an application for a lot line adjustment regarding property located at County Route 75, more fully described as Tax Map No. 242.00-1-30; 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 minor subdivision; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 22 of 2012; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Donald Rychcik, for a lot line adjustment regarding property located at County Route 75, more fully identified as Tax Map Number 242.00-1-30, is hereby granted; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the conditions, which were included in the July 11, 2012 Memorandums from The Chazen Companies, and that these conditions be met prior to approval of the application; 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 Buck, seconded by Marotta, to adopt Resolution No. 23.

A roll call vote was taken on Resolution No. 23 as follows:

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

Resolution No. 23 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 16, 2012.

## **#2 Gerald and Lisa Noirot**

SBL# 261.44-1-24.14

3 lot Minor Sub-Division, Informal Presentation

- Lisa Noirot and Nancy Hewitt Atty spoke regarding their proposed minor sub-division.
- This was a preliminary discussion to address any concerns prior to the Applicant proceeding to the ZBA public hearing dated July 23<sup>rd</sup> 2012.
- (CM) asked about the “paper streets” identified on the submitted site plan. The Applicant was asked to determine the status of the paper streets and report back to the Board.
- The easternmost lot is the potential parcel subject to variances for lot size and lot width at the building line.
- (JM) mentioned that the paper street issue needs to be resolved before proceeding to the ZBA hearing.
- The Applicant will be back to this Board potentially at the next meeting in August should the variances be granted. *[The ZBA did not grant the requested variances at its July meeting, the hearing was left open]*

#### **#4 Global Foundries FAB 8 Campus Temporary Lot E (parking lot improvements)**

-Matthew Jones Atty. spoke on the Applicant's behalf. Ed Garrigan VP of C. T. Male and Steve Grosch representing Global Foundries were also present.

-A general overview was presented via a Power Point presentation explaining the present and near future expansions on the Global Foundries site. Mr. Jones mentioned approvals are always being sought before the Owners formally give authorization for construction to proceed.

-Parking Lot E is located within the Town of Stillwater. The lot is still being considered as a temporary lot even though it is being improved with paving, revised storm drainage and site lighting.

-(CM) asked and was given, an explanation of the revised storm drainage plans and wet land considerations.

-A temporary approval for a gravel-surfaced lot was previously granted for this same area by the Planning Board.

-875 parking spaces are anticipated along with an area for storage and staging of construction equipment. Emergency call stations will be incorporated.

-The existing concrete batch plant has been dismantled, but its future use is still being considered.

-A pedestrian access walk is being incorporated. This lot is now planned for employees not construction workers as previously proposed.

-(BB) asked (JB) to give an overview of Chazen's review letter, which had not yet been distributed to the Board. An oral summary was given.

-Matt Jones requested that the landscaping provisions of the PDD not be required / provided due to the temporary status of the lot and a letter of credit of \$150,000+/- be provided in its place. A three-year period stemming from September 16<sup>th</sup> 2012 is being requested prior to the installation of landscaping. In three years the Applicant expects to know more clearly on a larger scale the plans for Global Foundries' expansions. An accurate cost estimate for the landscaping work was mentioned by (BB) as being necessary in order to verify the amount of the letter of credit.

-(BB&CM) asked if the lighting will be seen from Cold Springs Road. Mr. Garrigan stated that he thought that visibility of the lighting from Cold Springs Road would be minimal, if seen at all.

-Ed Garrigan mentioned that the main electrical distribution to the lot is planned to be on poles rather than underground due to the temporary nature of the Project.

-(CM) asked for clarification of the planned construction period of the Project. Mr. Garrigan responded that it is anticipated to have this Project, (i.e : the lot), completed by late fall of this year.

-(BB) mentioned that the size of the parking lot appears to have changed somewhat from what was approved previously. Mr. Garrigan agreed.

-In regards to SEQR, this application appears to be consistent with the prior SEQR findings of the Town Board. (JB) agreed.

-(CM) expressed concern over the lack of landscaping. She is of the opinion that a three-year period is more than a temporary project. Mr. Jones mentioned that the entire Global Foundries site will be a construction site for the next 18 months or more.

-It was suggested by (BB) that the three-year period be changed to two-years, in consideration of the interest by the Board in ensuring that landscaping is not excluded from the Project should longer range plans change and the need to extend the parking lot's life to a longer time frame be necessary. The following resolution passed which did not change the three-year provision to two years.

**TOWN OF STILLWATER  
PLANNING BOARD  
2012 RESOLUTION NO. 24**

WHEREAS, Global Foundries has submitted an application for site plan approval of a temporary parking lot E regarding property located at Fab 8 Campus; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is consistent with the prior SEQRA findings by the Town Board; and

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Global Foundries, for a temporary parking lot regarding property located at Fab 8 Campus will not have a significant impact on the environment.

A motion by Member Murray, seconded by Member DeBacco, to adopt Resolution No. 24.

A roll call vote was taken on Resolution No. 24 as follows:

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

Resolution No. 24 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 16, 2012.

**TOWN OF STILLWATER  
PLANNING BOARD  
PROPOSED RESOLUTION (Lost)**

WHEREAS, Global Foundries has submitted an application for Site Plan Review regarding property located at Fab 8 Campus; 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 site plan approval; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 24 of 2012; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Global Foundries, for site plan approval for a temporary parking lot on property located at Fab 8 Campus, is hereby granted; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the following conditions, which were included in the July 14, 2012 Memorandums from The Chazen Companies, and the additional conditions set forth below, and that these conditions be met prior to approval of the application:

1. That a \$150,000.00 letter of credit for the cost of landscaping will cover the landscaping requirements until September 15, 2014, at which time such landscape must be installed unless the parking lot has been removed.

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 Murray, to adopt the Resolution, and the matter was discussed, including the duration of time to allow the temporary parking lot, the members discussed the fact that the application was requesting 3 years before they would be required to install landscaping. The proposed Resolution only granted two years before the landscaping must be installed.

A roll call vote was taken on the Resolution as follows:

Chairman Barshied	No
Member Buck	No
Member DeBacco	No
Member Frank	Absent
Member Marotta	Yes
Member Murray	No
Member Tompkins	No

Resolution **Lost** at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 16, 2012, and said resolution was not assigned a number.

**TOWN OF STILLWATER  
PLANNING BOARD  
2012 RESOLUTION NO. 25**

WHEREAS, Global Foundries has submitted an application for Site Plan Review regarding property located at Fab 8 Campus; 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 site plan approval; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 24 of 2012; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Global Foundries, for site plan approval for a temporary parking lot on property located at Fab 8 Campus, is hereby granted; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the following conditions, which were included in the July 14, 2012 Memorandums from The Chazen Companies, and the additional conditions set forth below, and that these conditions be met prior to approval of the application:

1. That a \$150,000.00 letter of credit for the cost of landscaping will cover the landscaping requirements until September 15, 2015, at which time such landscape must be installed unless the parking lot has been removed.

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 Buck, seconded by Member Tompkins, to adopt Resolution No. 25.

A roll call vote was taken on Resolution No. 25 as follows:

Chairman Barshied	Yes
Member Buck	Yes
Member DeBacco	Yes
Member Frank	Absent
Member Marotta	No
Member Murray	Yes
Member Tompkins	Yes

Resolution No. 25 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 16, 2012

### **#3 Saratoga Pointe PDD Sub-Division Review**

-John Gay, of Northeast Consultants, spoke on behalf of the Owner. He made reference to the Chazen Companies' latest review letter dated May 4, 2012, including a GEIS fee resolution, drainage district description and hydrant spacing on Rt 9P, among other items. All items mentioned in the review letter were discussed.

-Water service to Mr. Nick D'Agostino's neighboring parcel will be provided.

-Mr. Gay requested that the Planning Board set a date for a public hearing.

-(BB) asked for an update on the intended construction start of the project. Mr. Gay responded stating later this year or in early spring of 2013. A 3-phase project, as previously presented, is still anticipated.

-(JM) asked about the status of the sewer district upgrades, which ultimately control the start of the work of this Project.

-Considerable concern was expressed by the Board over the incorporation and development of the commercial phase of the Project. Mr. Gay stated that the residential phases probably have to reach a certain density in order to make commercial development of interest to developers.

-There was general consensus that a public hearing for the project will be scheduled for the August 20<sup>th</sup> 2012 meeting.

### **NEW BUSINESS:**

-Two town residents requested information of a residential nature, regarding the rezoning that has established the West Rt. 67 District. (BB) stated that the newly established district basically excludes new residential development, except for the possibility of obtaining a "use variance" or establishing residences as part of a Planned Development District (PDD). The residents were very appreciative of the information given.

-(JM) mentioned that it was his opinion that the Global Foundries Project as a whole, is a continual work in progress, which has to be viewed in conjunction with the approved PDD.

-(BB) mentioned that the Town Board is developing new standards for the payment of the formulated GEIS fee structure.

-(RB) mentioned the potential Town enactment of the Gen. Code Company's "e-code" on-line services, which basically place all the Town Codes accessible and searchable via the world wide web.



- The need for a Noirot Public Hearing concerning a minor three lot subdivision was approved by the Board, assuming the ZBA approves the variances requested of the ZBA.

### **OLD BUSINESS**

-(RB) stated the Zoning Sub-Committee will be meeting after the scheduled ZBA meeting date of July 23<sup>rd</sup>, 2012. Among many other items, and of high priority, are the Rt 67 West District items that need to be added as revisions.

### **ADJOURNMENT**

(RD) made a motion to adjourn; (PB) seconded the motion at approximately 8:45 PM. All approved the motion.

NEXT MEETINGS: August 20, 2012 & September 17<sup>th</sup>, 2012