

Town of Stillwater Planning Board

Monday June 18, 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); Beverly Frank (BF)

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

Also Present: Daryl Cutler (DC), Attorney for the Town; Sean Doty (SD), Engineer for the Town; Ray Abbey (RA), Code Enforcement Officer; E Kinowski (EK) Town Supervisor

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

Adoption of Minutes:

-May 21st meeting minutes were unanimously approved with no revisions.

AGENDA ITEMS:

#1 Cocozzo Lot Line Adjustment

176 Durham Road

SBL#233.-1-15.211 & 233.-1-55

Duane Rabideau, representing Gil VanGuilder and Associates, spoke on behalf of the Owner.

Additional drawings were presented. 70 acres of the large parcel will be deed restricted.

The deed restriction will not allow development. All items in the Chazen review letter dated June 6, 2012 have been satisfied according to (SD). County approval has been obtained with no County –Wide Impacts.

TOWN OF STILLWATER PLANNING BOARD 2012 RESOLUTION NO. 13

WHEREAS, Joseph Cocozzo has submitted an application for a lot line adjustment regarding property located at 176 Durham Road, more fully identified as Tax Map Numbers 233.-1-12.211 and 233.-1-55; 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, Joseph Cocozzo, for a lot line adjustment regarding property located at 176 Durham Road, more fully identified as Tax Map Numbers 233.-1-12.211 and 233.-1-55, will not have a significant impact on the environment.

A motion by Member Marotta, seconded by Member Frank, to adopt Resolution No. 13.

A roll call vote was taken on Resolution No. 13 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. 13 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 18, 2012.

**TOWN OF STILLWATER
PLANNING BOARD
2012 RESOLUTION NO. 14**

WHEREAS, Joseph Cocozzo has submitted an application for a lot line adjustment regarding property located at 176 Durham Road, more fully described as Tax Map Numbers 233.-1-12.211 and 233.-1-55; 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 lot line adjustment; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 13 of 2012; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Joseph Cocozzo for a lot line adjustment of lands located on 176 Durham Road, more fully identified as Tax Map Numbers 233.-1-12.211 and 233.-1-55, is hereby granted; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the following conditions:

1. It has been confirmed that the County Review approved the application, but if the review contains conditions, the applicant must come back to the Planning Board for further review.

and be it further

RESOLVED, that the applicant must file the approved subdivision map, with all required annotations (a copy of which is annexed hereto), with Saratoga County within 62 days of its execution, or the action by this Board shall become null and void; 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 Murray, to adopt Resolution No. 14.

A roll call vote was taken on Resolution No. 14 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. 14 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 18, 2012.

#2 Price Chopper

Rt 4 & 32 Site Plan Review, Signs

-Mike Kupchick, representing Marchand Jones Architects, spoke on behalf of Price Chopper.

It was mentioned that the ZBA saw no need to consider a variance for landscaping .

The ZBA has issued a variance for signs.

**TOWN OF STILLWATER
PLANNING BOARD
2012 RESOLUTION NO. 15**

WHEREAS, Price Chopper has submitted an application for Site Plan Review regarding property located at Route 4 and 32, more fully described as Tax Map No. 262.-1-4.112; 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 this is a Type II action, no further action is required; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Price Chopper, for a site plan review of lands located on Route 4 and 32, more fully identified as Tax Map Number 262.-1-4.112, is hereby granted; and be it further

RESOLVED, that the application is 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 Murray, seconded by Member Marotta, to adopt Resolution No. 15.

A roll call vote was taken on Resolution No. 15 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. 15 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 18, 2012.

**TOWN OF STILLWATER
PLANNING BOARD
2012 RESOLUTION NO. 16**

WHEREAS, Price Chopper has submitted an application for a sign permit regarding property located at Route 4 and 32, more fully described as Tax Map No. 262.-1-4.112; and

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

WHEREAS, the Planning Board determined this is a Type II action, no further action is required; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Price Chopper, for a sign permit on lands located on Route 4 and 32, more fully identified as Tax Map Number 262.-1-4.112, is hereby granted; and be it further

RESOLVED, that the application is 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 Murray, seconded by Member Buck, to adopt Resolution No. 16.

A roll call vote was taken on Resolution No. 16 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. 16 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 18, 2012.

#3 Tom Bendon, Lot Line Adjustment

SBL#253.0-2-10.11 & 10.12

82 Kellogg Road

Mr. Tom Bendon spoke on his own behalf. Square footages on each side of the adjustment remain the same.

(SD) Asked about water and sewer. Site is served by public water and sewer.

A note shall be placed upon the plan noting the source of water and sewer.

**TOWN OF STILLWATER
PLANNING BOARD
2012 RESOLUTION NO. 17**

WHEREAS, Thomas Bendon has submitted an application for a lot line adjustment regarding property located at 82 Kellogg Road, more fully identified as Tax Map Numbers 253.0-2-10.11 and 253.0-2-10.12; 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, Thomas Bendon, for a lot line adjustment regarding property located at 82 Kellogg Road, more fully identified as Tax Map Numbers 253.0-2-10.11 and 253.0-2-10.12, will not have a significant impact on the environment.

A motion by Member Buck, seconded by Member Murray, to adopt Resolution No. 17.

A roll call vote was taken on Resolution No. 17 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. 17 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 18, 2012.

**TOWN OF STILLWATER
PLANNING BOARD
2012 RESOLUTION NO. 18**

WHEREAS, Thomas Bendon has submitted an application for a lot line adjustment regarding property located at 82 Kellogg Road, more fully described as Tax Map Numbers 253.0-2-10.11 and 253.0-2-10.12; 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 lot line adjustment; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 17 of 2012; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Thomas Bendon for a lot line adjustment of lands located on 82 Kellogg Road, more fully identified as Tax Map Numbers 253.0-2-10.11 and 253.0-2-10.12, is hereby granted; and be it further

RESOLVED, that the application is 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 Frank, seconded by Member Marotta, to adopt Resolution No. 18.

A roll call vote was taken on Resolution No. 18 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. 18 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 18, 2012.

#4 Starr Lot Line Adjustment & Site Plan Review

#5 & #21 State Route 67

SBL# 261.2-1 & 261.2-1-51

(SD) gave a history of the properties at the request of (BB)

Joe Starr spoke on his own behalf.

(SD) made two comments, one regarding the septic and one relating to the Town's approval block.

The issue of the slope of the septic systems has been resolved.

TOWN OF STILLWATER PLANNING BOARD 2012 RESOLUTION NO. 19

WHEREAS, Joseph Starr has submitted an application for a lot line adjustment and site plan review regarding property located at County Route 67, more fully identified as Tax Map Numbers 261.2-1-30 and 261.2-1-51; 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, Joseph Starr, for a lot line adjustment and a site plan review regarding property located at County Route 67, more fully identified as Tax Map Numbers 261.2-1-30 and 261.2-1-51 will not have a significant impact on the environment.

A motion by Member Murray, seconded by Member Marotta, to adopt Resolution No. 19.

A roll call vote was taken on Resolution No. 19 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. 19 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 18, 2012.

**TOWN OF STILLWATER
PLANNING BOARD
2012 RESOLUTION NO. 20**

WHEREAS, Joseph Starr has submitted an application for a lot line adjustment regarding property located at County Route 67, more fully described as Tax Map Numbers 261.2-1-30 and 261.2-1-51; 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 lot line adjustment; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 19 of 2012; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Joseph Starr, for a lot line adjustment on lands located on County Route 67, more fully identified as Tax Map Numbers 261.2-1-30 and 261.2-1-51, is hereby granted; and be it further

RESOLVED, that the application is 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 Tompkins, seconded by Member Frank, to adopt Resolution No. 20.

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 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 18, 2012.

**TOWN OF STILLWATER
PLANNING BOARD
2012 RESOLUTION NO. 21**

WHEREAS, Joseph Starr has submitted an application for a site plan review regarding property located at County Route 67, more fully described as Tax Map Numbers 261.2-1-30 and 261.2-1-51; 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 completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 19 of 2012; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Joseph Starr, for a site plan review on lands located on County Route 67, more fully identified as Tax Map Numbers 261.2-1-30 and 261.2-1-51, is hereby granted; and be it further

RESOLVED, that the application is 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 Frank, seconded by Member DeBacco, to adopt Resolution No. 21.

A roll call vote was taken on Resolution No. 21 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 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 18, 2012.

#5 Cellco / Verizon Cell Tower

Radar Road

SBL#207.-1-13.1

Atty. Scott Olsen spoke on behalf of the Owner. He gave a history of the proposal. Mr. Olsen mentioned that reputedly the Town wrote a letter to the land owner. He requested a copy. (BB) mentioned that the letter may have been an e-mail between himself and Mr. Huff.

Mr. Olsen mentioned that Verizon has offered to pay for the existing tower's removal.

(BB) suggested that the Chazen review letter and the Applicant's responses be referred to a future meeting.

The Town does not want a forth tower.

(JM) requested the applicant share correspondence with the landlord prior to the next meeting.

Mr. Olsen repeatedly mentioned the importance of this site to the service of the entire area.

The Applicant may be back in July.

#6 DeCrescente Distributing Warehouse expansion

Rt 4 & 32, Brief Preliminary discussion, no package sent in advance.

Tom Turcotte, VP Operations at DeCrescente Distributing Company spoke on behalf of the Applicant. The Company is growing. The Company has already met and exceeded its goal of handling 10,000,000 cases annually.

Demolition of the existing conference center building is the first next step of the company's plans within the Town. A demolition permit will soon be applied for.

Additionally the proposed project includes a 69,000sf addition to the east face of the existing warehouse, removal of an existing cooler building, a proposed new cooler and related sitework.

C. T. Male will be the project designer.

The previously permitted Wellness Center in the Town will be abandoned and the space may well be leased to another tenant.

The Board mentioned that the need for any variances needs to be researched.

(CM) Asked if there was a need for a traffic study. Ch #8 [Environmental and Performance Standards] of the Zoning Ordinance needs to be researched by the Applicant as it applies to the planned Project..

It is the Applicant's intention to be back with a formal application at the July meeting. *[Recent communication, with the Applicant, subsequent to the meeting, tells us that they will be back in August]*

NEW BUSINESS:

-(JM) made a motion to go into executive session, seconded by (BB), to discuss litigation.

OLD BUSINESS

None

ADJOURNMENT

-(JM) made a motion to adjourn; (PB) seconded the motion at approximately 9PM. All approved the motion.

NEXT MEETINGS: July 16, 2012 & August 20, 2012