

TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES
March 5th, 2012 @ 7:00 PM
STILLWATER TOWN HALL

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

Also Present: Daryl Cutler (DC), Attorney for the Town; Sean Doty (SD), Engineer for the Town; Ray Abbey (RA), Code Enforcement Officer; Deanna Stickney (DS) Acting Secretary for the Planning Board; Supervisor Ed Kinowski (EK)

Absent: Chairman, Bob Barshied (BB); Richard Butler (RB), Director of Building, Planning & Development

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

Adoption of February 6th Minutes:

(JM) Stated they were not ready and they will be reviewed and approved at the next meeting.

1st Agenda Item

**-Michael McBride, Minor Sub-Division; 72 West St., SBL #: 253.17-2-33
Fred Metzger; Surveyor representing Michael McBride (7:02 PM)
2 Lot Subdivision; 2 Single Family Homes**

Mr. Metzger stated he has received approval from the Zoning Board in which he needed side and front setbacks and front width for 2 two-single family homes. (JM) verified for the record this is for 2 two-family homes. (JM) asked that the Board go over the comments on (SD) letter. Mr. Metzger was advised he can receive the resolutions that he needs from (RB) and or (RA) office. He stated that he can update the map with a red and a blue line for water and sewer and he verified the drainage easement was already done with the prior owner, Mary Ciulla into the Town and it is on file which he does have the book and page for that. He stated he has left a message for Peter Hughes, 911 Coordinator for a 911 address number which would be 68 or 70. (SD) approved it would be okay to waiver on the storm-water issue. Mr. Metzger verified that there are no drainage issues in area. He also said he could show silt fencing for the erosion sediment and asked if (SD) needed a detailed description which (SD) verified no, the silt fencing is ok and to mention detail per the blue book which would be fine. (CM) stated no comments, she received the variances and it seems to fit with the neighborhood.

(CM) advised by Attorney Cutler to make note to reference the Chazen Letter dated February 29th, 2012.

TOWN OF STILLWATER
PLANNING BOARD
2012 RESOLUTION NO. 1

WHEREAS, Michael McBride has submitted an application for a minor subdivision regarding property located at 72 West Street, Stillwater, New York, more fully identified as Tax Map Number 253.17-2-33; 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, Michael McBride, for a minor subdivision regarding property located at 72 West Street, Stillwater, New York, more fully identified as Tax Map Number 253.17-2-33, will not have a significant impact on the environment.

A motion by Member Marotta, seconded by Member Randy DeBacco, to adopt Resolution No. 1.

A roll call vote was taken on Resolution No. 1 as follows:

Chairman Barshied (absent)
Member Buck - yes
Member Frank - yes
Member Marotta - yes
Member Murray (Acting Chair) - yes
Member Tompkins – yes
Member DeBacco - yes

Resolution No. 1 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on March 5, 2012.

**TOWN OF STILLWATER
PLANNING BOARD
2012 RESOLUTION NO. 2**

WHEREAS, Michael McBride has submitted an application for a minor subdivision regarding property located at 72 West Street, Stillwater, New York, more fully identified as Tax Map Number 253.17-2-33; 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. 1 of 2012; 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 a minor subdivision;

Now, therefore, be it

RESOLVED, that the application of Michael McBride, for a minor subdivision regarding property located at 72 West Street, Stillwater, New York, more fully identified as Tax Map Number 253.17-2-33 is hereby GRANTED, provided applicant comply with the following conditions, which were included in the February 29, 2012 Memorandum from The Chazen Companies, and that these conditions be met prior to approval of the application:

1. The plat plan depicts water and sewer service locations.
2. The plat plan depicts both lots would be for single family homes.
3. The plat plan depicts the 911 emergency address numbers for each lot.

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 Buck, to adopt Resolution No. 2 of 2012.

A roll call vote was taken on Resolution No. 2 as follows:

Chairman Barshied (absent)
Member Buck - yes
Member Frank - yes
Member Marotta - yes
Member Murray (Acting Chair) - yes
Member Tompkins – yes
Member DeBacco - yes

Resolution No. 2 of 2012 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on March 5, 2012.

2nd Agenda Item

**-Stewart's Shop, Site Plan Review, Building Addition; 501 Rt. 9P, SBL #: 218.20-2-28
Jennifer Howard represented Stewart's (7:13 PM)**

Ms. Howard stated she is before the Board to go over the 655 square foot addition that Stewart's is proposing. They have a proposal to relocate the freezers and open up the inside for more counterwork and better layout inside the store for the customers. Ms. Howard stated that they have one proposed soffit

light fixture that was added to the front of the building. They will also be removing 4 native trees that are behind the building in order to do the addition, but the green space does not change, nor does any of the parking or any of their landscaping. (CM) and (SD) and asked about clarification in regards to the memo that states that it is three (3) lots and wondering since all owned by store and used as one lot is it really just one lot or still considered as three. Ms. Howard stated that she has ordered a description from the surveyors and can combine the parcels into one parcel.

There was discussion between (CM), (SD), (DC) and Ms. Howard in regards to this being a PDD and if there are any problems with setbacks. Ms. Howard advised the original PDD could not be located per (RB) and only had been noted as uses with no limits on setbacks which (SD) then read the interpretation for these parcels associated with Stewart's and Allerdice from a few years ago that went through the Town Board and stated these parcels shall be subject to the B2 Zoning requirements both density require and, if they consolidate lots, they meet the density required. There was some discussion among (JM), (PB), and (CM) about the way the language was put in such ways that Allerdice building could only be used as hardware and the Town Board had to amend the PDD because it was too restrictive. (DC) verified the Town Board did the legislative to amend the PDD and (DC) and (SD) okay as long as combine the lots.

(JM) asked to go over (SD) comments. (RA) verified has not yet heard back from the County Planning Board. Ms. Howard stated the engineers and the letter noted that the storm-water will not be impacted. She also stated they did add to the plan the sewer lines which (SD) stated seemed appropriate. Ms. Howard stated she was not sure of Section 8.5 since they are not changing the landscaping and the code was met when constructed the store. They have 2 street trees and the code states 1 street for 250 ft. (SD) advised they describe why they feel already met code and they can discuss that since no approval tonight due to no County response. The parking spaces are renumbered and the soffit light was the only proposed light that will be added. (CM) received clarification that the 50 ft. buffer is 50 ft from property line.

3rd Agenda Item

-(LFTC) Power Line Road Crossing Landscaping; Review & Discussion

Mike Relyea & John Daws represented Luther Forest Technology Campus (7:27 PM)

Mr. Relyea introduced himself and stated he and John Daws are representing LFTC and are before the Board to discuss and review the powerline landscaping and to answer questions. He also stated that they built according to schedule on approval from DEC, the Public Service, National Grid and the Army Corp of Engineers. He verified that National Grid has property rights with no fee title, but LFTC will be transferring appropriate property to them and they do have a property easement interest.

(JM) asked Mr. Relyea to please elaborate what he calls the 2nd phase, before he opens up discussion to the Board. Mr. Relyea stated that sometime in the late summer/early fall Mr. Butler contacted them after LFTC submitted as-builts to the town and the town engineers came back and said something was not right, so LFTC worked with their engineers, TRCR, and did a complete inventory with TRCR and the LA Group to see where corrections needed to be made and had their landscaper go out and replace where he had put in wrong sizes. There was some instance on Cold Springs Road of missing plants. Some of this was a matter of road construction, some from being stolen and some not the right stuff. He believes now up to date where need to be as per approval with National Grid and Army Corp and the Town.

Mr. Relyea did state that Elmore Robinson Rd. is an open issue and he is not sure if LFTC is 100 % responsible, since they did plant and Kubricky wiped out plants during road construction. (JM) asked that they identify this in memo form to the Board, with a detailed listing with what was in that intersection that was taken out. (JM) also asked that they note anything at Elmore Robinson intersection as an item to be determined later or anything else yet to be addressed also, along with Mr. Daws' calculations of about 30/40 shrubs on the east side and 20/30 on the west side that were stolen.

(CM) stated that the Board's intent is to soften the effect of the powerlines. There was some brief discussion on how to proceed with having the right product in there to make it look right and work. There was some talk of (RD), (CM), and possibly (RB) going with Mike and John to look at area and see what type of landscaping to put out there to make it more appealing and not just to replace where missing.

OLD BUSINESS (7:56 PM)

-Revised Zoning Ordinance copies on line and available for public purchase

(JM) stated that the revised zoning ordinances are available upon request and to see (RA) for a hard copy or they are also on a disc.

-Update on Enforcement of Violations- (JM) checked with (RA) who verified there is nothing substantial to report at this time.

-Jib Drive, Army Corps Letter- (JM) asked (SD) to update the Board on this matter. (SD) advised that there are deficiencies in what has been submitted and it is too early to tell what the impact will be. He is looking into this and can send information to the Board the next day, via e-mail.

NEW BUSINESS

-Reconvening the Zoning Revision Sub-committee-Board decided to wait for Chairman to return from Florida in regards to this topic.

DA Collins trucking; papers and application will be presented at the next meeting.

New developments, Dept of Building Planning & Development

NONE

Adjournment

A motion made by (BF) and seconded by (PT) to adjourn the Planning Board Meeting at approximately 9PM.

Next Meetings (March 19th) and April 2nd 2012

Respectfully submitted by:
Deanna Stickney Secretary for the Planning Board