

**DRAFT**  
**Town of Stillwater Planning Board**  
Monday, May 7, 2012 at 7:00 PM

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

**Absent:** Chairman Bob Barshied (BB)

**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; Richard Butler (RB), Director of Building Planning and Development

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

**Adoption of Minutes:**

-March 19, 2012 Motion to approve by (PB) Seconded by (PT). Passed unanimously  
-April 2, 2012 Motion to approve by (BF) Seconded by (RD). Passed unanimously.  
-April 16, 2012 Motion to approve by (BF) Seconded by (PB). (RB) suggested that the question mark at end of 1<sup>st</sup> agenda item be removed. Passed unanimously with suggested change.

**AGENDA ITEMS:**

**#1Public Hearing 7:10PM D.A. Collins Temporary Renewable Special Use Permit  
SBL#252.-2-35 Rt 67 Overlay District**

-Jeff Cintula made a brief presentation of the Project utilizing a Power Point presentation showing maps, plans and photographs. 88.59 acres compose the whole parcel with parking for 44 truck tractors and 29 employee parking spaces for cars.  
- Chairman Murray asked for public input.  
- Paul Wade a local resident, who resides close to the Project, spoke in opposition to the trucks running in the evening and overnight. He has asthma and he reputedly is seriously bothered by the exhaust fumes in the area. He spoke of trucks running in and out of the subject property all night long. Jeff Cintula responded that the trucks are not suppose to be running unattended. (JM) asked the Applicant to research the topic and get back to the board at the next meeting. Jeff Cintula will research the trip histories on truck usage for D. A. Collins' tenant.  
-(DC) mentioned that the Applicant received variances for landscaping issues at the most recent Zoning Board of Appeals meeting.  
-The hearing will remain open till the next meeting.

**#2 Public Hearing Jib Drive 7:30PM  
34 lot PDD**

-Atty Peter Lynch spoke on behalf of the Applicant Mr. Gush prior to the opening of the Public Hearing, giving a brief introduction and history of this 34 lot residential sub-division off RT 9P adjacent to Saratoga Lake. Part of the site will be deeded over to an Home Owners' Association (HOA). Additional benefits for the neighborhood include an extension of the water line to which parcel owners along the line may choose to connect. He mentioned that there is a water problem along Jib Drive involving a spring that creates a problem

for the local residents, including icing and runoff. According to the Applicant, the water runoff is meant to be captured and contained within a piped system.

-A drainage district will be established for the PDD.

-Chairman Murray asked Atty Lynch if they had received Chazen's recent review letter dated May 4<sup>th</sup>. He had not.

-(JM) asked for comments from the Board. There were none.

-(JM) opened the meeting to the public.

-Carolyn Schliecher spoke and asked if the water line would be accessible to all residents on Jib Drive to 9P.

-Joe Riley asked for more information concerning the emergency access lane (Keel Lane) to the property and extending the water line along same. The access road will be 20 feet wide, gated and locked. The Lane will narrow down to one lane inside the gate.

-Chris Lepkowski of 2 Jib Drive asked about construction traffic, the time-table for the Project, and if Jib Drive will handle all of the construction traffic. Earliest start of Project will be 2013 and it chiefly depends upon County Sewer District approval and the completion of county sewer work. Construction traffic will be limited to Jib Drive. (DC) mentioned that there will be construction work on Keel Lane for the lane's own construction.

-Carl Muldner of 708 Rt 9P asked about the path of water line along 9P. It was mentioned that directional drilling will be used where necessary to avoid the disruption of paving.

-Janice Dachielle of 702 Rt 9P asked for information on the waterline extension and the responsibilities of the homeowner for making connections. Residents will not have to get DOT permits nor be responsible for directional drilling under Rt 9P.

-Mike Dougall #6 Jib Drive spoke about a lot line adjustment for his property and if there was site lighting in the Project. There will be no streetlights throughout the project. He is in favor of the Project.

-Robert Heslin spoke on behalf of his brother residing at #2 Keel Lane regarding objections to Sorenson property easements (corner of Keel Lane and Rt 9P) for Keel Lane. The Lane has served as access to the lake, and he has concerns of parking along the lane and safety. Mr. Helsin voiced concern over drainage along Keel Lane. There is no easement pertaining to this PDD relating to the Sorenson Property.

-The Applicant owns and will maintain Keel Lane.

-(JM) closed the public session, but the hearing will remain open through the next PB meeting.

### **-Saratoga Point PDD**

#### **NYS Rt 423**

-John Gay of Northeast Consultants spoke on behalf of the Project utilizing a Power Point Presentation. A general history and description of the Project was given. The Project has 3 phases; two are residential (single family homes and duplexes) and one is commercial. Phase 3, the commercial phase, is not the subject of this meeting. This Project will not proceed without County Sewer Authority approval for hookup to the county system. Water line, storm sewer and Department of Transportation issues were discussed. Mr. Gay mentioned that his firm is developing the Home Owners Association legislation.

-(JM) asked for questions from the Board.

-(PB) expressed that the commercial phase not be delayed till the last phase. Mr. Gay stated that his client will pursue commercial tenants, but it would be easier to find a tenant after some homes are occupied. The Board expressed that Phase 3 be better identified as the Commercial Phase.

-(JM) and (CM) expressed concern over emergency access to the property.

-The Home Owner's Association will own all common areas that are not residential lots.

-There will be a drainage district developed and all roads will be town roads.

-(SD) reviewed all items in the February 23, 2012 Chazen review letter.

#### #4 Price Chopper

##### Rts 4 & 32

- Phil Koziol of the Laberge Group, spoke on behalf of the Golub Corporation. Steve Duffy was present representing the Golub Corporation. Mike Kopchik represented the architects, Marchand Jones Architects. The Project is a minor modification to the front area of the building and minor site work near the front of the building.
- (SD) mentioned that documentation has now been found indicating that the building and part of the property is located in a Town of Stillwater B-2 zone.
- Mr. Koziol was given a copy of the Town resolution documenting the zoning classification.
- Mr. Kopchik described the proposed building renovations and the front façade, including proposed signage changes.
- (SD) reviewed Chazen's comment letter.
- County Planning Board comments are necessary before the Planning Board can act on the application. The PB has not yet heard back from the County Planning Board.
- There will be no new site lighting.
- There are six minor sized proposed new signs, all non-illuminated. The additional signs require a variance from the Zoning Board of Appeals. According to the Applicant, the proposed signs are part of Price Chopper's identity and branding.
- The 8.5B,D&E Landscape Zoning requirements require additional landscaping, unless the PB provides a waiver. The Board decided to let the Applicant apply to the ZBA for signs and asked that they include a request for the landscape variances.
- It was noted that a significant portion of the parcel's site boundaries are in the City of Mechanicville.
- The Board voted to grant a waiver from section 8.3. The Applicant therefore does not have to provide a Storm Water Pollution Prevention Plan. The vote was unanimous.

#### NEW BUSINESS:

- (RB) gave an update on the progress of the Zoning Revision Sub-Committee.
- (RB) mentioned that the outstanding applications for the two Starr residential properties on Rt 67 will probably be before the Board in the near future for final Site Plan Review and a Lot Line Adjustment.

~~-Chris Round of The Chazen Companies gave a presentation on the proposed 2<sup>nd</sup> Phase of Rezoning at the west end of the Town along and mostly north of Rt 67 [West of George Thompson Road], including the area's advantages for commercial development as well as the limitations for development, i.e. slopes, wetlands, etc. The presentation included a history of the Town's, The Chazen Companies' and the Capital Projects Committee's preparations of the descriptions and regulations for the proposed new district.~~

~~-The Planning Board has been asked to review and make recommendations to the Town Board for future action and consideration. The presentation by Chris Round elicited considerable discussion among members of the Board.~~

~~-(CM) and (RB) attended the Town Board's Public Hearing on the proposed new district. (CM) stated that Rt 67 West of George Thompson Road is a significant aesthetic area and that she would not like to see additional roads cut into the hills on the North side of Rt 67 therefore altering the character of the area. (RB) agreed.~~

~~-(RB) mentioned that the zoning sub-committee met recently and the group discussed the proposed zoning district at length. A few suggestions from the sub-committee include, 1) consider renaming the district to "Business Park" which is already an established district with a definition and list of allowed uses, 2) Residential parcels east of Sawmill Hill Road and Fitch Road to remain residential in perpetuity, 3) Why have a minimum acreage requirement?~~

~~-(CM) mentioned that the Town should encourage or mandate considerably larger buffers between diverse function developments in the proposed district.~~  
~~-(JL) mentioned that the Board needed to make a recommendation to the Town Board this night.~~  
~~-(PB) voiced his opinion that RT 67 is not as scenic as stated by others, and that he felt the Board is not ready to make its recommendations this evening. Several members concurred.~~  
~~-(CM) and (PB) stated that the PB will be looking at site access, buffering and other issues.~~  
~~-(DC) stated should the Board give an unfavorable recommendation to the TB, it then requires a super majority of the TB to pass the action.~~  
~~-(JM) asked all Planning Board members to send their concerns and recommendations to (RB) via e-mail.~~

### **OLD BUSINESS**

-(JM) gave a report on a meeting held between Town representatives (JM) and (RB), NYSEG and LFTC on proposed NYSEG additions to the existing electrical sub-station.

### **ADJOURNMENT**

-(BF) made a motion to adjourn; (RD) seconded the motion at approximately 10:30PM. All approved the motion.

NEXT MEETINGS: May 21, 2012 & June 18, 2012