

**Stillwater Planning Board  
June 21, 2010 7:00PM  
Stillwater Town Hall**

**Present: Chairperson Bob Barshied; John Murray; Carol Marotta; Paul Tompkins; Beverly Frank; Peter Buck and Richard Butler**

**Also Present: Daryl Cutler, Attorney for the Town; Paul Cummings, Engineer for the Town; Ray Abbey, Building Inspector/Code Enforcement and Jessica Valcik, Secretary for the Planning Board**

Chairperson Barshied called the meeting to order and led everyone in the Pledge to the Flag.

**Adoption of Minutes: Motion** by P. Buck and seconded by J. Murray to adopt the May 17, 2010 Planning Board Minutes. **Motion carried with one abstaining (B. Frank).**

**Jesse and Christine Bentley  
Site Plan Review  
PB2010-78  
SBL # 209.-1-26.2**

The applicants gave an overview of what they were looking to do. They are zoned in a B2 District and are looking to build a new garage. They have attended the Zoning Board of Appeals meeting where they held a public hearing and were granted an Area Variance.

The Board held a brief discussion with each other and spoke with the Attorney about the approval granted at the Zoning Board of Appeals meeting they attended. The Board offered the following:

**Resolution # 15**

**SEQRA- Approved**

**Motion** by C. Marotta and seconded by J. Murray to adopt resolution # 15 as follows:

WHEREAS, Jesse L. and Christine M. Bentley have submitted an application for Site Plan Review regarding property located at 359 River Road in the Town of Stillwater, more fully identified as Tax Map Number 209.-1-26.2; 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 applicants have 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 applicants, Jesse L. and Christine M. Bentley for Site Plan Review regarding property located at 359 River Road in the Town of Stillwater, more fully identified as Tax Map Number 209.-1-26.2, is an Unlisted action and will not have a significant impact on the environment.

A roll call vote was taken on Resolution No. 15 as follows:

Chairman Barshied	Yes
Member Buck	Yes
Member Butler	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 21, 2010.

**Motion carried unanimously.**

#### **Resolution # 16**

#### **Site Plan Review- Granted**

**Motion** by C. Marotta and seconded by B. Frank to adopt resolution # 16 as follows:

WHEREAS, Jesse L. and Christine M. Bentley have submitted an application for Site Plan Review regarding property located at 359 River Road in the Town of Stillwater, more fully identified as Tax Map Number 209.-1-26.2; 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. 15 of 2010; 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 Site Plan Review;

Now, therefore, be it

RESOLVED, that the application of Jesse L. and Christine M. Bentley for Site Plan Review regarding property located at 359 River Road in the Town of Stillwater, more fully identified as Tax Map Number 209.-1-26.2, is hereby GRANTED;

and be it further

RESOLVED, that the Secretary is authorized and directed to transmit a copy of this Resolution to the Applicants, the Town Clerk and the Building Inspector / Code Enforcement Officer.

A motion by Member Marotta, seconded by Member Buck, to adopt Resolution No. 16 of 2010.

A roll call vote was taken on Resolution No. 16 as follows:

Chairman Barshied	Yes
Member Buck	Yes
Member Butler	Yes
Member Frank	Yes
Member Marotta	Yes
Member Murray	Yes
Member Tompkins	Yes

Resolution No. 16 of 2010 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 21, 2010.

**Motion carried unanimously.**

**Recyck Auto, Inc.**  
**Special Use Permit**  
**PB2010-79**  
SBL # 253.-1-55.122

The Board held a discussion with the Town Attorney on what the outcome of the previous Zoning Board of Appeals meeting was about.

The Board held a discussion on the conditions needed to be met to make the application deemed complete. Some of the original conditions for the Special Use Permit were read. Dave Pentkowski spoke on behalf of the applicant. He explained that they were there to be able to continue work at the Recyck Auto and to deal with the Special Use Permit only. The Board read some of the conditions back to the applicant to show some of the things needed to be able to approve the new Special Use Permit.

Strong concern was expressed by Board Members due to the fact that the Planning Board had advised the Applicant at the last meeting of the information and documentation that the Applicant needs to provide to complete the application. Further, prior to the last meeting, the Applicant had received written documentation from the Building Department regarding what information was necessary in order for the application to be complete. Additionally, the Building Department reported that the Town Engineer had met with the Applicant and explained in detail to the Applicant the information and documentation that was needed to complete the application. Despite these repeated efforts, the Applicant still failed to provide the necessary information and document.

After a discussion, the consensus of the Board was to deem the application still incomplete and to table it until the July 19<sup>th</sup> meeting. The Board also requested that the Code Enforcement Officer provided updated photos of the site.

#### **Old Business**

**Saratoga Hills-** The Board discussed the development on the Mobile Home Park. They were provided with new maps from January and show the vacant and used lots. Further information as to how many lots there are and what was added is being looked into.

**Power lines-** The Board held a brief discussion on the power lines that were being put up.

**Jib Drive-** The Board was given an update on the project with the sewer capacity.

#### **New Business**

**Browns Beach-** The Board was updated on Browns Beach. They are looking at what to do with the property.

**Motion** by J. Murray and seconded by P. Tompkins to adjourn the Planning Board Meeting at 9:00pm.