

**TOWN OF STILLWATER  
PLANNING BOARD MEETING MINUTES**

**January 7th, 2013 @ 7:00 PM  
STILLWATER TOWN HALL**

**Present:** Vice-Chairman John Murray (JM); Carol Marotta (CM); Peter Buck (PB); Randy DeBacco (RD); Randy Rathbun (RR); Beverly Frank (BF)

**Absent:** Chairman, Bob Barshied (BB); Richard Butler (RB), Director of Building, Planning & Development; Ray Abbey (RA), Code Enforcement Officer;

**Also Present:** Daryl Cutler (DC), Attorney for the Town; Sean Doty (SD), Engineer for the Town; Deanna Stickney (DS) Acting Secretary for the Planning Board

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

**REVIEW AND APPROVAL OF MINUTES OF PLANNING BOARD MEETING:**  
December 3, 2012, not ready for review due to illness

**AGENDA ITEMS:**

**#1 Gary W. Grentzer Site Plan Review**

SBL#233.-1-33, 1430 Hudson Ave

Gary W. Grentzer; 52 Rubbles Rd. Saratoga Springs, NY 12866

(CM) inquired as to whether the variance had expired since the variance was issued more than a year ago. (DC) recited the language of §13.8 regarding what action must be taken by the applicant within a year in order to avoid having the variance expire. (DC) stated that Board certainly could conclude that the applicant has met those conditions and the variance still exists. The applicant has a valid demo permit and has made continuous efforts toward the development of the property. Additionally, the applicant obtained site plan approval after the variance was granted. Therefore, the Board could reasonably conclude that the variance was still in existence so that the applicant would simply need a renewal of site plan approval. Since the applicant has reduced the height of the proposed structure but the footprint remains the same, there would be less impact than the previously approved project, so for SEQRA purposes, there would be less impact than the project that already received a negative declaration.

(CM) asked about the flood plain. (SD) clarified that on the site plan that the well head is well above the flood plain of 94'. It is 95.1'

(CM) then asked if the septic is existing and the applicant verified that yes a couple of days before Christmas he had this checked and J. Vienna sent a note to the building department

regarding the evaluation and impressed with the condition of it. A single woman lived there previously, and there was not much pressure.

Mr. Grentzer stated that the existing house has two bedrooms.

(JM) asked if a separate motion to accept current variance is needed and (DC) verified yes that would make sense. A motion was made by (BF), seconded by (CM) to accept the variance granted on March 28, 2011 as still being valid, and upon discussion having been made, all members present voted in favor of the motion. The motion was granted.

(DC) stated last time, the site plan approval had various conditions. (DC) reviewed the conditions and it was determined all such conditions had been met.

**TOWN OF STILLWATER  
PLANNING BOARD  
2013 RESOLUTION NO. 1**

WHEREAS, Gary W. Grentzer has submitted an application for the renewal of a Site Plan Review regarding property located at 1430 Hudson Avenue, more fully identified as Tax Map Number 233.-1-33; 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, Gary W. Grentzer, for a renewal of a Site Plan Review regarding property located at 1430 Hudson Avenue, more fully identified as Tax Map Number 233.-1-33, will not have a significant impact on the environment.

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

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

Acting Chairman Murray	Yes
Member Buck	Yes
Member DeBacco	Yes
Member Frank	Yes
Member Marotta	Yes
Member Barshied	Absent
Randy Rathbun	Yes

Resolution No. 1 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 7, 2013.

**TOWN OF STILLWATER  
PLANNING BOARD  
2013 RESOLUTION NO. 2**

WHEREAS, Gary W. Grentzer has submitted an application for the renewal of a Site Plan Review regarding property located at 1430 Hudson Avenue, more fully described as Tax Map No. 233.-1-33; 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. 1 of 2013; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Gary W. Grentzer, for the renewal of a Site Plan Review regarding property located at 1430 Hudson Avenue, more fully described as Tax Map No. 233.-1-33, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED,

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. 2.

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

Acting Chairman Murray	Yes
Member Buck	Yes
Member DeBacco	Yes
Member Frank	Yes
Member Marotta	Yes
Member Barshied	Absent
Randy Rathbun	Yes

Resolution No. 2 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 7, 2013.

**#2 Belmonte Builders Major Sub-Division**

SBL#219.-1-91.1, 91.2, 91.3, 219.-1-88.1 & 88.2 Grace Moore Rd

Informal review of Major Subdivision on Grace Moore Rd.

Present for Meet and Greet:

Scott Lansing of Lansing Engineering and Co-Applicant Peter Belmonte.  
(Other applicant Mark Breslin is not present)

Scott stated he is before the board to go through existing conditions of parcels.

Location is on the bend of Grace Moore Rd. Northern Portion. The overall parcel about 35 acres; with the 1st parcel approximately 23.8 owned by Mr. Belmonte, and the other is 11.38 Southwest side and is zoned low density residential

The property is currently vacant with one existing structure and some out buildings.

Scott stated applicants are proposing a 9 lot subdivision in accordance with LDR Zoning proposed Single Family residential and proposed Town Roadways. Chazen mentioned thought private road, but Scott verified it is a proposed town road and they are proposing to construct in accordance with town standards. Lot sizes range from approximately 1.59 to 5.39 acres frontages we are proposing to meet minimum frontage which is 250 foot and set-backs would be 40 ft. for front yard and 20 ft. for side and 30 ft. for rear yard.

Public water proposed to be extended to the project from Saratoga Water Service and in process of working on public water extension to serve all lots

Sanitary, sewer, proposing individual waste water treatment systems for each one of the lots

Applicant Mr. Breslin will be occupying Lot 2 and would like to advance ASAP with a well. We are requesting for consideration of approving the project; condition on water being

extended to the project. They know there is a time frame with public service commission, DEC, and DOH in extension of that water.

This lot does meet zoning for LDR without public water being extended so applicant would like opportunity to develop while he waits for those procedural aspects of water approval to be in place. It does meet zoning now, but otherwise would be condition on public water going to those lots.

Scott believes per JM question only one lot to drill well at this point.

Discussion with Peter Belmonte, JM, SD and Scott regarding Lot 3 would not meet requirement for public water; and Scott wanted to amend statement and identify that he believes all lots meet requirement for public water.

JM asked SD to between now and February meeting take a look and see within rules what lots would meet the ability to have a well.

SD verified that a right now lots 4, 5, and 6 do not meet 250 ft. lot width measured at the principal building lot so those with public water lots 4, 5, and 6 now do not meet both density requirements. SD verified the lot width at the principal building line which is architectural front of the house measured parallel to the cul-de-sac or tangent to the circle of the cul-de-sac, do not meet with the configuration. It needs to change a bit. The way it stands today with public water, you have to go to 300 ft if go with private water private sewer.

Scott and SD said that is something they can take a look at even by a conference call with the building department.

JM asked Scott approximate length driveway for lot 7-which is 500 ft. in that range. Discussed Lot 8 & 9 look close, Scott verified they are about 10 ft. apart.

Scott verified to PB not to be a Homeowner's Association, but a town road.

PB asked about proposal for water and he had received a letter dated 12/16/2012 showing pretty much approved and received from Mr. Mackey

JM has a concern about the project that at the curve of the road and the two driveways that they are real close and also per CM pretty icy there not much sun. Mr. Belmonte stated Scott has suggestions making it conforming to a T-intersection. SD verified with Scott there will not be intersection control but there will be a stop sign at the proposed road.

CM asked about Lot 9 and the NYS Wetlands so not able to move that driveway down because it would be within the 100 ft., and Scott stated no can move a bit and can move lot 8 a bit.

CM that would be better even for property values for both of those, and can have trees and more privacy.

Mr. Belmonte asked if 20 ft. maybe enough and PB asked type of homes and stated Mr. Breslin's would be a substantial residential home. Mr. Breslin is a private individual Not a developer.

Mr. Belmonte stated events of properties that Mr. Breslin purchased 3 lots from the daughter

of the gentleman that lives in the existing home. Mr. Belmonte owned surrounding and spoke with Mr. Breslin and they decided to put together and would have a better site plan. The three building lots were previously approved, before the Board with Mr. Vangilder representing the owner.

JM suggested if ready in a month come back with revisions and if wells can be put on lots they will have to be on drawings and if they can't they will not be buildable until water comes. SD stated can't get a CO until water comes in.

CM asked if need to know gallons per minute with the wells and the land handling of septic for design and CO and Scott explained this is a non- realty subdivision so not under jurisdiction of NYS Dept. of Health for septic review or well review or things of that nature. For the public water extension we would need to coordinate with DOH before and the actual subdivision would just be a town action.

JM asked and had verified yes lots are large enough be able to handle septic and placement of well. PB stated it is sand good perk whole area is sand on that whole corner. Mr. Belmonte presently said they have 6 home sites there and we are reconfiguring the 9 but there are currently 6 home sites

CM asked if existing house on the property has a septic and well, per Scott yes.

DC stated when back and deems application complete we can schedule the Public Hearing.

#### **IV. OLD BUSINESS:**

PB brought up zoning issues and Mr. Wolfe and DC verified having a meeting on Thursday, January 17<sup>th</sup> regarding Zoning Issues.

#### **V. NEW BUSINESS:**

**VI. NEW DEVELOPMENTS, DEPT. OF BUILDING, PLANNING & DEVELOPMENT**  
The New Planner is Lindsey Zepko and she will be starting in late January

**VII.** Motion to adjourn: made by (PB), seconded by (BF), motion passed unanimously

NEXT MEETINGS: February 4, 2013

