

**Town of Stillwater
Planning Board**

June 16, 2008

**Stillwater Planning Board
Regular Monthly Meeting
June 16, 2008
7:30 P.M. – Town Hall**

Present: Chairwoman JoAnn Winchell, Robert Barshied, Carol Marotta, John Murray, Patricia Paduano, Paul Tompkins

Also Present: Ray Abbey, Building Dept. Joel Bianchi, Town Engineer, Daryl Cutler, Attorney for the Town, Ken Petronis, Town Councilman

Excused: Peter Buck

Chairwoman Winchell called the meeting to order, and led everyone in the Pledge to the Flag. She questioned whether the members were provided the necessary documents to prepare for the agenda before them. The consensus was positive. She distributed three different communications for review (a letter from a resident, and updates from two applicants). She signed and dated the mapping for the DeCrescente Site Plan Review as per the Town Engineer's request. Mapping for Carl Grove's boundary line amendment were signed prior to the meeting. Copies of the Building Department's Monthly Review were distributed for review.

The first order of business was to review the minutes from the May 21, 2008 meeting: A motion was in order to approve the minutes of the May 21, 2008 Planning Board Meeting.

MOTION to approve minutes May 21, 2008

Planning Board Meeting

Made by J. Murray, seconded by C. Marotta

MOTION CARRIES 6-0

**LUTHER FOREST TECHNOLOGY CAMPUS PDD
28 CLINTON STREET
SARATOGA SPRINGS, NY 12866
SITE PLAN APPLICATION for TRANSMISSION STATION
(SPR PB 2008-32)**

Mr. Ingersol of the LA Group, along with Joe Picopio of CRC Engineers, were present representing LFTC on the proposed Site Plan for the Transmission Station planned for Cold Springs Road.

Chairwoman Winchell requested validation of the Public Hearing Notice and whether the adjoining property owners' official notifications were delivered. Attorney Cutler stated that the certified copies of both are in the file.

Mr. Ingersol was asked to give a brief overview of the Site Plan request. He stated infrastructure matters relating to the electric power lines within the Town of Malta have all been addressed and approved. LFTC has also acquired the necessary approval for the transmission lines throughout Stillwater at the last Planning Board meeting. The Electrical Transmission Station will be located on Cold Spring Road on approximately 14 acres with the capacity for growth from National Grid and New York State Gas and Electric. There will be a 100-foot buffer of natural vegetation, along with supplemental vegetation to screen the station as much as possible from view on Cold Springs Road. The entrance road to the station from Cold Spring Road will utilize an existing logging path. In an effort to maintain proper screening in the future, LFTC has estimated \$35,000 would need to be allocated. The formula for the amount versus the linear feet for the parcel was acceptable by consensus of the Planning Board at their May 2008 meeting. Mr. Ingersol stated that once the transmission station is complete it will provide the necessary power for the entire technology campus as well as improve the electrical power distributed in the general area.

Chairwoman Winchell opened the Public Hearing at 7:45 P.M. to anyone with questions or concerns at this time.

Martin DelaRosa
34 Halfway House Rd.
Mechanicville, NY 12118

Mr. DelaRosa inquired if they intended to subdivide the area reserved for the transmission station from the rest of the technology campus. Mr. Ingersol stated that they were not planning to subdivide at this time. Mr. Dela Rosa questioned if housing developments in the general area would be able to tap off the substation?

Mr. Ingersol stated that this project will allow National Grid to enhance their routing to the north and NYSEG to enhance their routing to the south of the transmission station and gives a cross connect to those facilities. He also stated that the size of the transmission station was planned for the LFTC project and no one has contacted him in regards for further service.

Anthony Belmonte
87 County Rte. 75
Mechanicville, NY 12118

Mr. Belmonte questioned the path of the proposed transmission lines leading to Cold Springs Road. He was informed that the 6.5 miles of transmission line was approved at a previous Planning Board meeting. Mr. Belmonte also inquired as to whether the Transmission Station would be visible from the roadway. The response was that measures would be in place to provide ample vegetation buffer to prevent visibility as best as possible.

Mr. Ingersol stated that 14 acres is strictly the substation, and that power lines have been approved previously by the Planning Boards in Stillwater and Malta.

Chairwoman Winchell inquired if there were any other questions or concerns. Hearing none, she closed the public hearing at 7:50 P.M.

There was a brief discussion on the following: The visibility of the substation from Cold Springs Road, the plans for security, type of fencing, who would have access to the station, one internal road for ingress and egress to the site, storm water drainage, will the landowner maintain the property, and is there an Emergency Preparedness Plan in place. All responses by the representatives satisfied the concerns of the members.

Engineer Bianchi stated he would like a copy of the final SWPPP addressing the Phase II Storm water Pollution Prevention Plan submitted to NYSDEC from LFTC for both the Transmissions Lines and the Transmission Station. He also stated that in early May LFTC received a new permit from DEC, and the municipality has no approval over the permit.

There was a motion to approve SEQRA, which reaffirms stipulations within Section 12.2 of Town Zoning as well as the LFTC PDD Local Law and Statement of Findings, as in Resolution No. 20.

**MOTION to approve SEQRA
For the proposed LFTC Electric Transmission Station**

Made by J. Murray, seconded by
P. Tompkins

MOTION CARRIES 6-0

There was a motion to approve the proposed Electric Transmission Substation, with the following conditions: The applicant pay all outstanding fees to the Town of Stillwater, the applicant submit the final SWPP and Notice of Intent, the applicant provide \$35,000 in escrow to be used by the applicant to provide infill screening via trees, shrubs or other acceptable landscape features at critical points along the transmission lines, and shall install within 30 days of completion of major construction, the applicant provide a bond, or letter of credit to guarantee that infill screening required, as in Resolution No.21.

**MOTION to approve the Site Plan for the
LFTC Electric Transmission Substation**

Made by P. Paduano, seconded
by R. Barshied

MOTION CARRIES 6-0

**Saratoga Endeavors
2 Radar Road
Stillwater, NY 12170**

**Telecommunication Tower Application
(2008-34 207.-1-12.4)**

Peter Loyola and William Sprenether, both of the CLA Site were present representing their client, Saratoga Endeavors with a request to consolidate cellular providers onto a single new pole within the Industrial zone on Radar Road. The property owned by Saratoga Endeavors measures 43 acres. Applicants submitted an application, narrative, mapping, and visual assessment.

Mr. Loyola passed out new maps and new view shed that will be replacing 1a and 1b in the members' previously distributed packet. Mr. Loyola stated that it has always been the intent of the property owner to clean-up the site. Saratoga Endeavor's owner, Mr. William Huaf is actively seeking cellular providers to collocate on the proposed tower. The elevation of the new proposed tower would not exceed the elevation of the existing towers as provided by the data provided by Survey Associates of Saratoga.

Mr. Loyola stated that Crown Communication is in their second year of a twenty-year lease and AT&T also has a twenty-year lease. The proposed monopole height is at 155 feet and the visibility isn't that much different from the current view within a 5 mile radius. Mr. Loyola stated that if Crown Communication and AT&T do not renew their contracts, then they would have six months to decommission their towers. He further stated that they feel they have a premier site for a cell tower, it is within the Industrial Zone, and there are pre-existing towers on the property.

There was a brief discussion on the following: when were the pictures included in the application taken, who will dismantle the existing towers and in what timeframe, what carriers do you have for the new proposed monopole, and what has been accomplished if the current carriers refuse to collocate on the new pole. Mr. Loyola provided the members with pictures of various ideas for stelthing the proposed owner.

Engineer Bianchi believes this application is incomplete due to the following: The application doesn't reference an FCC License as per Town of Stillwater Zoning Law Article 10, Section (H)(2). Engineer Bianchi also referenced Section D which states the applicant must demonstrate shared use of the proposed tower. Documents included within the application do not clearly convey the commitment interests of any vendors.

The consensus of the Planning Board members was that the application for a Site Plan Review for a Telecommunication Tower proposed by Saratoga Endeavors was not complete at this time.

Old Business: Chairwoman Winchell stated she has received a copy of a letter dated June 2, 2008 written to Peter Riley from Attorney Cutler referencing the Planning Board's decision on the Robinson Knolls Subdivision. She read the referenced letter.

New Business: Chairwoman Winchell received a letter dated June 16, 2008 from Crown Communications representative, Mr. Stockli. The letter was simply an update referencing recent activity in an effort to finalize plans for Crown's application for a cellular tower on Radar Road

Councilman Ken Petronis stated he will not be present at the next Planning Board meeting. Lisa Bruno will be present for the meeting.

Chairwoman Winchell stated she also received a letter from Mr. Close of Brightman Road. She circulated the letter.

There was general discussion pertaining to the method currently followed by the Building Department for review of applications, creation and distribution of Public Hearing Notices, and the establishment of Meeting Agendas. The consensus of the Planning Board members was to have the Board collectively schedule the Public Hearings, and to provide the members the opportunity to preview Public Hearing Notices via electronic mail prior to submission to the newspaper and neighbors. Chairwoman Winchell will distribute sample notices at the next meeting.

Jack Murray informed the Board that he will not be in attendance at the next meeting due to vacation plans.

There was a motion to adjourn the Planning Board meeting of June 16, 2008.
The meeting was adjourned at 9:20 P.M.

Respectfully Submitted,

Sheila Silic

Sheila Silic