

**TOWN OF STILLWATER  
PLANNING BOARD MEETING MINUTES  
STILLWATER TOWN HALL  
August 28, 2017 @ 7:00 PM**

**Present:**

**Chairperson Carol Marotta (CM)**  
**Peter Buck (PB)**  
**Christopher D'Ambro (CD)**  
**JoAnn Winchell (JW)**  
**Heather Ferris (HF)**  
**John Murray (JM)**  
**Randy Rathbun (RR)**  
**JoAnn Winchell (JW)**

**Also Present:**

**Daryl Cutler, Attorney for the Town (DC)**  
**Paul Male, Town Engineer (PM)**  
**Lindsay Zepko, Director of Building and Planning (LZ)**  
**Ellen Vomacka, Town Board Liaison**  
**Sheila Silic, Secretary**

**Absent:**

**Marybeth Reilly (MR) Alternate Member**

**Pledge:**

Chairperson Marotta 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:**

Mr. Murray made a motion to table the minutes from the July 24, 2017 meeting until the September 25, 2017 meeting, seconded by Mr. Rathbun. The motion passed unanimously.

**PB2017-07, Zecca Lot Line Adjustment, Kellogg Road**

Chairperson Marotta recognized Mr. Frederick Metzger of Frederick Metzger Land Survey P.C. who is representing Mr. Joseph Zecca. Mr. Metzger stated that the proposal is a Lot Line Adjustment to convey and combine a small portion of property which is located in the Town of Stillwater with the larger portion of property which is located in the Village of Stillwater. Mr. Metzger stated that this will give 18 Kellogg Road more depth. Mr. Metzger stated that both portions were the former Champlain Canal. Mr. Metzger stated that Lot #1 will be 1.48-acres and the remaining parcel which is 1.3-acres extends north to Lake Street.

Chairperson Marotta asked if there were any deed filing issues with the canal. Mr. Metzger stated that he was not sure if the canal was sold or conveyed to individual land owners. Chairperson Marotta stated that the remaining parcel connects to Lake Street. Mr. Metzger stated that is correct. Chairperson Marotta stated that the archeological sensitive area is the canal. Mr. Metzger stated that is correct. Chairperson Marotta asked about the hazardous waste that was on the property. Mr. Metzger stated that the cleanup of the property was done after the subdivision was approved last year. Chairperson Marotta stated that the Village of Stillwater has named the Town of Stillwater Planning Board lead agency for this project.

Ms. Zepko stated that she referred the application to the Village of Stillwater on July 31, 2017 under the General Municipal Law 239 and to the Saratoga County Planning Board. Ms. Zepko stated that the Saratoga County Planning Board replied back with this project having no inter-municipal impact. Ms. Zepko stated that she received a formal resolution from the Village of Stillwater giving lead agency to the Town of Stillwater Planning Board.

Mr. Cutler asked Mr. Metzger if the Village of Stillwater also had to approve the application. Mr. Metzger stated that he will have the Village of Stillwater stamp and sign the maps before they are filed with Saratoga County Clerk's Office.

Mr. Murray asked Ms. Zepko if the Village of Stillwater offered any comments on the application. Ms. Zepko stated that the Village of Stillwater had not offered any comments. Mr. Murray asked about Mr. Male's comment letter dated August 23, 2017 regarding Item 13. Mr. Metzger stated that he had made an error filling out the application and the error has been corrected.

Mr. Buck stated that given the Board's history in review Lot Line Adjustments, he felt that waiving the Public Hearing for this item was appropriate. Chairperson Marotta asked the Board if they agree with Mr. Buck to waive the public hearing on the Lot Line Adjustment. The Board agreed to waive the public hearing.

Chairperson Marotta if anyone had any additional questions or concerns, hearing none she asked to move to discussion of SEQRA.

**TOWN OF STILLWATER  
PLANNING BOARD  
2017 RESOLUTION NO. 9**

WHEREAS, Joe Zecca and the Estate of Maureen Patenaude have submitted an application for a lot line adjustment regarding property located on Kellogg Road, more fully identified as Tax Map Numbers 253.26-1-31 and 253.26-3-30.1; 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;

WHEREAS, the Planning Board reviewed each of the 11 factors contained in Part 2 of the EAF and determined that the proposed action will have no, or only a small, environmental impact;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Joe Zecca and the Estate of Maureen Patenaude, for a lot line adjustment regarding property located on Kellogg Road, more fully identified as Tax Map Numbers 253.26-1-31 and 253.26-3-30.1, will not have a significant impact on the environment.

A motion by Member Buck, seconded by Member Winchell, to adopt Resolution No. 9.

A roll call vote was taken on Resolution No. 9 as follows:

Chair Marotta	Yes
Member Buck	Yes
Member D'Ambro	Yes
Member Ferris	Yes
Member Rathbun	Yes
Member Murray	Yes
Member Winchell	Yes

Resolution No. 9 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 28, 2017.

**TOWN OF STILLWATER  
PLANNING BOARD  
2017 RESOLUTION NO. 10**

WHEREAS, Joe Zecca and the Estate of Maureen Patenaude have submitted an application for a lot line adjustment regarding property located on Kellogg Road, more fully identified as Tax Map Numbers 253.26-1-31 and 253.26-3-30.1; 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 lot line adjustment; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 9 of 2017; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Joe Zecca and the Estate of Maureen Patenaude for a lot line adjustment regarding property located on Kellogg Road, more fully identified as Tax Map Numbers 253.26-1-31 and 253.26-3-30.1, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the conditions set forth in the engineering review letter of Paul Male, P.E., dated August 23, 2017.

RESOLVED, that the applicant must file the approved subdivision map, with all required

annotations (a copy of which is annexed hereto), with Saratoga County within 62 days of its execution, or the action by this Board shall become null and void; and be it further

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 Murray, seconded by Member Rathbun, to adopt Resolution No. 10.

A roll call vote was taken on Resolution No. 10 as follows:

Chair Marotta	Yes
Member Buck	Yes
Member D'Ambro	Yes
Member Ferris	Yes
Member Rathbun	Yes
Member Murray	Yes
Member Winchell	Yes

Resolution No. 10 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 29, 2017.

Mr. Murray made a motion to enter into executive session, seconded by Ms. Winchell at 7:20 PM. Ms. Winchell made a motion to exit executive session seconded by Mr. Rathbun at 7:55 PM.

Motion to adjourn: made by Mr. Murray, seconded by Mr. Rathbun motion passed at approximately 8:00 PM.