

**TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES
STILLWATER TOWN HALL
January 22, 2018 @ 7:00 PM**

Present:

Chairman Randy Rathbun (RR)
Frank Bisnett, Member (FB)
Peter Buck, Member (PB)
Heather Ferris, Member (HF)
John Murray, Member (JM)
Dale Smith, Member (DS)
Marybeth Reilly, Alternate Member (MR)
Kimberlee Marshall, Alternate Member (KM)

Also Present:

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

Absent:

Carol Marotta, Member (CM)

Pledge:

Chairman Rathbun 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 approve the minutes from the December 11, 2017 meeting, seconded by Mr. Buck. The motion passed unanimously.

PB2016-19, Turning Point PDD Amendment, Brickyard Road

Chairman Rathbun recognized Mr. Michael Bianchino of Lansing Engineering. Mr. Bianchino stated that Mr. Marshall Whalen, Mr. Victor Gush, and Mr. John Stock are also present this evening. Mr. Bianchino stated that the project was before the Planning Board and the Town Board for a joint public hearing on November 16, 2017. Mr. Bianchino stated that the project has been modified due to the comments that were received at the public hearing. Mr. Bianchino stated that the modification consisted of the elimination of one apartment building thus decreasing the number from 13 to 12 apartment buildings and reducing the number of total units 156 to 144 units which consist of 36-1bedroom apartments, 84-2 bedroom apartments, 24-3 bedroom apartments. The change also resulted in improvement to the open space at the entrance of the project, and increasing the number of parking spaces from 312 to 318. Mr. Bianchino stated that the open space at the entrance of the project is now over 1-acre with some amenities. Mr. Bianchino stated that due to the changes, the open space is now 14.36-acres in addition to wetlands and land constraints on the site. Mr. Bianchino stated that the total greenspace for this project is 18.94-acres. Mr. Bianchino stated that the pathway between this project and Artillery Approach has been

removed from the proposed project and the pathway will be used for the connection of the waterline and municipal access to that waterline only. Mr. Bianchino stated that Mr. Minick, Highway Superintendant requested that a service road be added to maintain the waterlines. Mr. Bianchino stated that the service road would be for maintenance vehicles only. Mr. Bianchino stated that Mr. Male's comment letter dated January 11, 2018 regarding the PDD Language has been addressed by the applicant's Attorney. Mr. Bianchino stated that the applicant contacted the Mechanicville City School District regarding the project and the potential increase in students. He stated that the school district's response was that there are no capacity issues at this time.

Mr. Murray asked if there are changes to the PDD Language regarding Mr. Male's comment letter dated January 11, 2018. Mr. Bianchino stated that there are changes to the PDD Language as per Mr. Male's comment letter. Mr. Murray asked if the email forwarded to the Town was the only response from the only Mechanicville City School District. Mr. Whalen stated that the Mechanicville City School District requested an email pertaining to the capacity for students in regard to this project. Mr. Whalen stated that the Mechanicville City School District responded back to his inquiry by email only. Mr. Murray asked how many garages are proposed for the 12 units. Mr. Bianchino stated that there are 72 garages, 48 driveway spaces, 195 external spaces and 3 spaces at the mail box area. Mr. Murray asked Ms. Zepko if the Town of Stillwater Department of Building, Planning and Development has received any written correspondence regarding this project. Ms. Zepko stated that she has not received any written correspondence regarding this project.

Ms. Reilly asked if a traffic study has been completed for this project. Ms. Zepko stated that a traffic study has not been completed.

Chairman Rathbun asked about accessory structures such as sheds or satellite dishes. Mr. Whalen stated that there would be two accessory structures for the entire project.

Chairman Rathbun asked for a motion to open the public hearing. Ms. Ferris made a motion to open the public hearing, seconded by Mr. Smith.

Chairman Rathbun proceeded to open the public hearing and asked if anyone wished to comment, hearing none he asked for a motion to close the public hearing. Mr. Nesbitt made a motion to close the public hearing, seconded by Ms. Reilly.

Chairman Rathbun asked if anyone had any additional concerns or questions and hearing none, asked for a motion to refer the PDD to the Town Board.

**TOWN OF STILLWATER
PLANNING BOARD
2018 RESOLUTION NO. 1**

WHEREAS, Brigadier Estates, LLC, has submitted an application for a P.D.D. Amendment regarding property located on Brickyard Road, more fully described as Tax Map No.: 253.17-3-98; and

WHEREAS, the Town Board received the application for the P.D.D. Amendment and has referred the application to the Planning Board for its comments and recommendations; and

WHEREAS, a joint public hearing between the Town Board and Planning Board was conducted on November 16, 2017, and both Boards elected to keep the public hearing open and the Planning Board continued its public hearing on January 22, 2018; and

WHEREAS, at the November 16, 2017 public hearing, concerns were raised regarding density, traffic issues, burden on the school district, the elimination of the commercial component of the project, having a connecting road to the existing development, parking, and green space; and

WHEREAS, in response to concerns that were raised regarding the impact on the school district at the November 16, 2017 public hearing, the applicant submitted a letter from the school district indicating it has capacity for potential students from the apartment complex. In addition, the applicant reduced the number of units which would have a corresponding reduction in the number of students who attend the school from the complex; and

WHEREAS, in response to the concerns that were raised regarding traffic issues in and around the area, a discussion was had about the reduction in the number of units, thereby reducing the traffic impact; and

WHEREAS, the Board discussed the concerns regarding green space and density. The applicant pointed out the fact that the elimination of one of the proposed buildings allowed for more green space and lower density; and

WHEREAS, the Board discussed the fact that there was a change to the Plan so that the connecting road to the existing development was replaced with a utility maintenance access road that would not be open to traffic other than the maintenance vehicles. The maintenance road is required due to the need to access utility lines if necessary. Therefore, the applicant has addressed the concern of traffic into the existing development; and

WHEREAS, the Board further discussed the fact that the applicant increased the number of parking spaces and changed the location of some of the parking to address parking concerns raised by the Board and the public; and

WHEREAS, the applicant submitted a letter from an experienced realtor expressing the opinion that the location was not marketable as a commercial lot under current conditions. No evidence contradicting that conclusion was presented to the Board; and

WHEREAS, the Planning Board duly considered the documents and records from the public comments; and

NOW, therefore, be it

RESOLVED, that the application of Brigadier Estates, LLC, for a P.D.D. Amendment of lands located on Brickyard Road, more fully identified as Tax Map No.: 253.17-3-98, is given a favorable recommendation by the Planning Board, provided, however, that the Planning Board strongly recommends that the Town Board amend the proposed P.D.D. legislation as follows:

1. That language is added to the P.D.D. to state that “At the site plan review, the Planning Board shall establish the standards, conditions and details for the Park within the complex”; and
2. That P.D.D. approval incorporated the changes, comments and recommendations contained within the Town Engineer’s review letter by Paul Male, P.E., dated January 11, 2018.

A motion by Murray, seconded by Buck, to adopt Resolution No. 1.

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

Chairperson Rathbun	Yes
Member Bisnett	Yes
Member Buck	Yes
Member Ferris	Yes
Member Marotta	Absent
Member Murray	Yes
Member Reilly	Yes
Member Smith	Yes

Resolution No. 1 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 22, 2018.

PB2017-13, Olympia Gardens (Major) Cluster Subdivision, County Route 75

Chairman Rathbun recognized Mr. Ivan Zdrahal of Zdrahal Associates who is presenting a Cluster Subdivision project before the Board. Mr. Zdrahal stated that the property consist of approximately 80-acres which is located on the west side of County Route 75. Mr. Zdrahal stated that there are 26 lots with a minimum lot size of 20,000 Sq. Ft. for single family dwellings proposed. Mr. Zdrahal stated that the name of the roadway will be known as Olympia Court. Mr. Zdrahal stated that the site will be serviced by public water and public sewer, the undeveloped area will be owned by an HOA, and stormwater will be managed on site. Mr. Zdrahal stated that the final development plan, SWPPP, general report for the water supply system, and the general report for the sewer system have all been resubmitted and reviewed by the Town Engineer. Mr. Zdrahal stated that at the last Planning Board meeting on December 11, 2017, the Board stated that they would like the project to have a sidewalk. Mr. Zdrahal stated that a sidewalk is proposed for one side of the street that will connect with the nature trail. Mr. Zdrahal stated that each lot will have a lamp post with a sensor. Mr. Zdrahal stated that he met with Mr. Minick regarding the stormwater and the sanitary sewer. Mr. Zdrahal stated that Mr. Minick requested

that a 10ft. area surrounding the stormwater basin be added for maintenance and to relocate the sanitary sewer location from the center of the roadway to the edge of the roadway. Mr. Zdrahal stated that he is waiting on final approval from NYS Department of Health, NYS DEC, and Saratoga County Highway Department for a curb cut. Mr. Zdrahal stated that the archeological study has been completed and he has received a letter from NYS SHPO.

Mr. Smith asked about street lighting in place of the lamp posts. Mr. Zdrahal stated that the lamp posts will have sensors to come on automatically and keeps with the residential setting of the development.

Chairman Rathbun asked if the HOA will maintain the trail. Mr. Zdrahal stated that the HOA would maintain the trails.

Mr. Buck asked about a traffic study. Ms. Zepko responded that through the engineering review of the project and given the scope of the proposal that a traffic study was not requested. Mr. Rathbun stated ok.

Mr. Murray asked the number of residents there would be for the sewer extension. Ms. DiDomenico stated that there are about 15 residents.

Chairman Rathbun asked for a motion to open the public hearing. Mr. Murray made a motion to open the public hearing, seconded by Ms. Reilly.

Chairman Rathbun proceeded to open the public hearing and asked if anyone wished to comment.

Andrea DiDomenico, 43 County Route 75

Ms. DiDomenico stated that she lives across the road from the project and has some concerns. Ms. DiDomenico asked about the roadway to the south and if vehicles can access the roadway because the head lights will shine into her house. Mr. Zdrahal stated that the roadway to the south is the access to the waterline. Ms. DiDomenico asked if stormwater management will be established on site. Mr. Zdrahal stated yes. Ms. DiDomenico urged the Planning Board to request that a traffic study be completed. Ms. DiDomenico asked if natural gas is part of the proposed project. Mr. Zdrahal stated yes. Ms. DiDomenico asked if public sewer and natural gas would be available for the residents along County Route 75. Mr. Zdrahal stated that he did not know the answer regarding public sewer and that the natural gas would be up to NYS Electric and Gas.

Anthony Belmonte 87 County Route 75

Mr. Belmonte asked where the project is tying into the Saratoga County Sewer line. Mr. Zdrahal stated that the sewer line will be crossing County Route 75 and tying into Battery Blvd. Mr. Belmonte asked if Mr. Zdrahal had approached Saratoga County Sewer to make sure that they have the capacity for the proposed project. Mr. Zdrahal stated that he did contact Saratoga County Sewer and they have capacity for the project. Mr. Belmonte stated that he objects to the project unless the sewer line is extended up County Route 75.

Chairman Rathbun stated that he is recommending that the public hearing remain open until February 26, 2018 Planning Board meeting.

Mr. Murray made a motion to table the public hearing until February 26, 2018 Planning Board meeting, seconded by Ms. Ferris. A roll call vote was taken.

Chairperson Rathbun	Yes
Member Bisnett	Yes

Member Buck	Yes
Member Ferris	Yes
Member Marotta	Absent
Member Murray	Yes
Member Reilly	Yes
Member Smith	Yes

New Business:

Chairman Rathbun appointed Mr. Murray as Deputy Chairman.

Chairman Rathbun appointed Ms. Marotta and Mr. Buck to the AD HOC members to Malta Planning Board in the event of LFTC application review for the Town of Malta.

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