

**TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES
STILLWATER TOWN HALL
July 23, 2018 @ 7:00 PM**

Present:

Chairman Peter Buck (PB)
Frank Bisnett (FB)
Heather Ferris (HF)
Carol Marotta (CM) Member
Kimberlee Marshall (KM) Alternate Member
Dale Smith (DS)
Marybeth Reilly (MR) Alternate Member

Also Present:

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

Absent:

Pledge:

Chairman Buck 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:

Chairman Buck stated that the June 25, 2018 Planning Board minutes are not completed and will be tabled until the August 27, 2018 Planning Board meeting

**** The following projects were reviewed all together ****

PB2018-03, #34 Phillips Road Minor Subdivision PB2018-04, #34 and #46 PB2018-05, # 46 and #48 PB2018-06, #28 and #30 Phillips Road Lot Line Adjustment

Chairman Buck recognized Mr. Garry Robinson, P.E. Consulting Engineer who is representing Mr. Terry Stewart. Mr. Robinson stated that Mr. Stewart is also present this evening. Mr. Robinson stated that there are no changes to the project. Mr. Robinson stated that they are seeking 3 Lot Line Adjustments and a 3 Lot Minor Subdivision. Mr. Robinson stated that the first Lot Line Adjustment is between lots 4 and 6 on the plot plan to convey .48-acres from Lot 6 to Lot 4. The second Lot Line Adjustment is proposed between lots 14 and 12 on the plot plan to convey .67-acres. The final Lot Line Adjustment is between lots 8 and 10 to adjust for road frontage. Mr. Robinson stated that they are requesting the lot line adjustments to increase the parcels acreage to 4-acres. Mr. Robinson stated that the Lot Line Adjustments meet all the T2

Zoning requirements. Mr. Stewart stated that the Minor Subdivision would create three new lots from an existing 19.75-acre parcel resulting in Lot 10 at 10.55-acres, Lot 8 at 4.42-acres, and Lot 6 at 4.54-acres. Mr. Robinson stated that all the lots will have onsite septic systems and wells.

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

Robert Dunlavey 44 Phillips Rd

Mr. Dunlavey stated his concerns with the water quality and if there has been any testing done for water availability. Mr. Dunlavey asked if the water table can handle what these new wells without causing the surrounding wells to go dry. Mr. Dunlavey asked if there would be information available from the water testing and if he could get a copy of the results. Chairman Buck stated that the Building, Planning and Development Department could provide Mr. Dunlavey with the information when it becomes available. Mr. Robinson asked Mr. Dunlavey if he has a point or a shallow well. Mr. Dunlavey stated that he has a point which he has had to lower. Mr. Robinson stated that the wells that are proposed are shallow wells which would be well points. Mr. Robinson stated that there would be separate wells for each apartment if they are duplexes. Mr. Robinson stated that the first building is proposed as a duplex but they do not have to be duplexes they could be single family dwellings. Mr. Dunlavey asked if there is mapping available that shows the aquifers in this area. Mr. Robinson stated that they will do pump test and then water quality testing for each of the wells when it is dug. Mr. Stewart stated that the proposed wells will be about 200 Ft. away from existing wells and the distance increases as you get further back to each lot.

Chairman Buck asked if anyone else wished to comment, and, hearing none, he closed the public hearing.

Ms. Marotta stated that the issues since the last Planning Board meeting have been resolved regarding Arvin Hart Fire Department, Highway Superintendent Mr. Minick and Mr. Male's comments. Mr. Male stated each Board member should have received his letter along with letters from Highway Superintendent Mr. Minick and Mr. Zach Zendran Jr. Arvin Hart Fire Chief. Ms. Marotta stated that she believed that wells had to be drilled and that points were not allowed. Mr. Stewart stated that points are allowed if a drilled well contains gases or shows low yield. Mr. Stewart stated that the NYS Department of Health would do the water test on the wells.

Mr. Cutler asked Mr. Male if all the comments from his letter dated June 21, 2018 have been satisfied. Mr. Male stated that everything has been addressed except for the conditions that he and Ms. Zepko had spoken about regarding signage for the roads, 911 numbers for the lots and the mail boxes. Mr. Cutler stated that easements for all the shared driveways are needed.

Chairman Buck asked if anyone had any additional questions or concerns.

Ms. Marotta stated her concerns regarding the wells for the new lots. Mr. Male stated that the information regarding the well quantity and quality would be required for each building permit. Ms. Marotta stated for clarification on the map, it shows duplexes on six lots. There is one existing duplex and the other lots may or may not be duplexes. They may be single family dwellings which would reduce the traffic as the lots cannot be further subdivided.

Chairman Buck stated that hearing no other question or concerns to move to discussion of SEQRA.

**TOWN OF STILLWATER
PLANNING BOARD
2018 RESOLUTION NO. 11**

WHEREAS, Colonial Heritage Estates has submitted an application for a minor subdivision and lot line adjustment regarding property located on Phillips Road, more fully identified as Tax Map Numbers 208.-1-12.12, 208.-1-18, 208.-1-19, and 208.-1-20; 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, Colonial Heritage Estates, for a minor subdivision and lot line adjustment regarding property located on Phillips Road, more fully identified as Tax Map Numbers 208.-1-12.12, 208.-1-18, 208.-1-19, and 208.-1-20, will not have a significant impact on the environment.

A motion by Member Ferris, seconded by Member Bisnett, to adopt Resolution No. 11.

A roll call vote was taken on Resolution No. 11 as follows:

Chairperson Buck	Yes
Member Bisnett	Yes
Member Ferris	Yes
Member Marotta	Yes
Member Marshall	Yes
Member Reilly	Yes
Member Smith	Yes

Resolution No. 11 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 23, 2018.

**TOWN OF STILLWATER
PLANNING BOARD
2018 RESOLUTION NO. 12**

WHEREAS, Colonial Heritage Estates has submitted an application for a minor subdivision and lot line adjustment regarding property located on Phillips Road, more fully identified as Tax Map Numbers 208.-1-12.12, 208.-1-18, 208.-1-19, and 208.-1-20; and

WHEREAS, a public hearing was conducted on July 23, 2018 to consider the application, and (no) comments were received from the public (as well as the applicant); and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 11 of 2018; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Colonial Heritage Estates, for a minor subdivision and lot line adjustment regarding property located on Phillips Road, more fully identified as Tax Map Numbers 208.-1-12.12, 208.-1-18, 208.-1-19, and 208.-1-20, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the following conditions:

1. As a condition of the building permits, all wells will meet quality and quantity standards;
2. An easement for the private road and accompanying land for all lots in a form acceptable by the Town are filed with the County Clerk;
3. The properties are given addresses;
4. Road signage is installed at the intersections; and
5. Mailboxes are installed; and be it further

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 Bisnett, seconded by Member Smith, to adopt Resolution No. 12.

A roll call vote was taken on Resolution No. 12 as follows:

Chairperson Buck	Yes
Member Bisnett	Yes
Member Ferris	Yes
Member Marotta	Yes
Member Marshall	Yes
Member Reilly	Yes
Member Smith	Yes

Resolution No. 12 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 23, 2018.

PB2018-10, Saunders Minor Subdivision, 54 County Route 70

Chairman Buck recognized Mr. and Mrs. Anthony Saunders who will be presenting the project before the Board this evening. Mrs. Saunders stated that they are seeking a two lot Minor Subdivision located on the east side of County Route 70. Mrs. Saunders stated that they want to convert the garage into a studio apartment for themselves and that their daughter and her family would move into the existing house.

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

Susan McBurnie 53 County Route 70

Ms. McBurnie stated that the Mr. & Mrs. Saunders have been good neighbors and she has no issues with the subdivision. Ms. McBurnie stated that she supports the project.

Chairman Buck asked if anyone else wished to comment, and, hearing none, he closed the public hearing.

Ms. Marotta stated that there were issues regarding the distance between the well and the septic system on Lot #2. Mr. Saunders stated that he will be drilling a new well that will be the correct distance from the septic system. Ms. Marotta stated that the requirements for all the Zoning Ordinance and Minor Subdivision have been satisfied.

Mr. Male stated that the Saratoga County Planning Board made a comment that a driveway permit and/or a culvert may or may not be on file with the county.

Ms. Zepko stated that the garage will be separate from the house as an accessory structure due to the subdivision. Ms. Zepko stated that a time frame should be added to the resolution that would limit the time allowed to complete the dwelling unit.

Mr. Cutler asked if a six month time frame to apply for a building permit is agreeable. Mr. Saunders stated that he would agree to that time frame. Mr. Male stated that it is not to apply but to submit a building permit within that time frame.

Chairman Buck asked if anyone had any additional questions or concerns and hearing none he asked to move to discussion of SEQRA.

**TOWN OF STILLWATER
PLANNING BOARD
2018 RESOLUTION NO. 13**

WHEREAS, Anthony and Michele Saunders have submitted an application for a minor subdivision regarding property located at 54 County Route 70, more fully identified as Tax Map Number 219.-1-67.121; 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, Anthony and Michele Saunders, for a minor subdivision regarding property located at 54 County Route 70, more fully identified as Tax Map Number 219.-1-67.121, will not have a significant impact on the environment.

A motion by Member Marotta, seconded by Member Ferris, to adopt Resolution No. 13.

A roll call vote was taken on Resolution No. 13 as follows:

Chairperson Buck	Yes
Member Bisnett	Yes
Member Ferris	Yes

Member Marotta	Yes
Member Marshall	Yes
Member Reilly	Yes
Member Smith	Yes

Resolution No. 13 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 23, 2018.

**TOWN OF STILLWATER
PLANNING BOARD
2018 RESOLUTION NO. 14**

WHEREAS, Anthony and Michele Saunders have submitted an application for a minor subdivision regarding property located at 54 County Route 70, more fully identified as Tax Map Number 219.-1-67.121 and

WHEREAS, a public hearing was conducted on July 23, 2018 to consider the application, and (no) comments were received from the public (as well as the applicant); and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 13 of 2018; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Anthony and Michele Saunders, for a minor subdivision regarding property located at 54 County Route 70, more fully identified as Tax Map Number 219.-1-67.121, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the following conditions:

1. A new well is drilled;
2. An application for a building permit is submitted within 6 months; and be it further

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 Marotta, seconded by Member Ferris, to adopt Resolution No. 14.

A roll call vote was taken on Resolution No. 14 as follows:

Chairperson Buck	Yes
Member Bisnett	Yes
Member Ferris	Yes
Member Marotta	Yes
Member Marshall	Yes
Member Reilly	Yes
Member Smith	Yes

Resolution No. 14 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 23, 2018.

PB2018-02, White Sulphur Springs Cluster / Conservation Subdivision

Chairman Buck recognized Mr. David Bogardus of Northeast Land Survey who is representing Mr. Karl Yang. Mr. Bogardus stated that John Romeo who is the Engineer for the project is also present this evening. Mr. Bogardus stated that the White Sulphur Spring Development has been before the Stillwater Planning Board several times in the past. Mr. Bogardus stated that in November 2017 the Town of Stillwater enacted the Cluster Conservation Subdivision Regulations which allows the flexibility to move lots that is appropriate for a dwelling. Mr. Bogardus stated that with the new regulations they were able to redesign the subdivision with the same number of lots in a configuration that has far less impact on the surrounding land. Mr. Bogardus stated that the infrastructure cost of building the roads, grading, stormwater management is now a doable project based on the Cluster Conservation Subdivision Regulations. Mr. Bogardus stated that the prior project had two ingress and egress entrances onto Luther Road and it has been redesigned to have one ingress/egress entrance onto Luther Road. Mr. Bogardus stated that the new entrance is in an area which is less steep to cross the stream. Mr. Bogardus stated that they are proposing 21 single family lots which range from 0.50-acres up to 2-acres in rear of the project. Mr. Bogardus stated that the open space area will be owned by a Home Owners Association or a Conservation Organization to be preserved. Mr. Bogardus stated that there will be no disturbance to the two areas of Army Corps of Engineer federal wetlands, which are located on the project. Mr. Bogardus stated that they have worked with Mr. Mark Minick Highway Superintendent regarding the roadway entrance. Mr. Bogardus stated that the entrance is a 28 Ft. divided boulevard. Mr. Bogardus stated that the project will be serviced by Saratoga Glen Hollow Water Company and Saratoga County Sewer District #1. The project is buffered by trees and there will be two stub roads, one for future use that leads to Saratoga Lake Golf Course, and the other one that leads to the adjacent property. Mr. Bogardus stated that Mr. John Romeo will be presenting the stormwater management portion of the project to the Board. Mr. Romeo stated that there will be a significant buffer surrounding the project. Mr. Romeo stated that buffer extends 200 Ft. along NYS Route 9P and the buffer along Luther Road extends between 60 Ft. and 120 Ft. Mr. Romeo stated their two concerns for the project were the infiltration basins and stormwater management. Mr. Romeo stated that the project will be broken up into three phases. Mr. Romeo stated that Phase 1 will be getting the bulk of the construction work done which

entails the main access into the project, road crossing and culvert installation, and grading for the roadway. Lot #1 is designated as the construction staging area. Mr. Romeo stated that the Erosion Sediment Control Plan entails silt fencing, erosion blankets, swales, and dikes to eliminate any possible sediment discharge to the adjacent wetlands, Saratoga Lake, or any downstream parcels. Mr. Romeo stated that Phase 2 is the remainder of the road work and the utility installation for both water and sewer. Mr. Romeo stated that Phase 3 will be the construction of the individual lots which will have a sediment control plan in place for each of the lots. Mr. Romeo stated that they tried to minimize the disturbance of the steep slopes which are around the periphery of the project and are proposed as green space. Mr. Romeo stated that the total disturbance to the wetlands is 0.3-acres. Mr. Romeo stated that they are proposing two oversized culverts which will be imbedded to help with the natural vegetation. Mr. Romeo stated that their proposal is to capture all the stormwater runoff from the project site in above ground dry swales and then infiltrate the stormwater back into the ground. Mr. Romeo stated the stormwater that is not captured in the dry swales will be captured in the stormwater infiltration basins. Mr. Romeo stated that they are also adding an oversized catch basin with a 3Ft. deep sump-pump. Mr. Romeo stated that the Town of Stillwater will own the stormwater infiltration basins and there will also be a Drainage District established. Mr. Romeo stated that the dry swales will have a underdrain that will carry the water to the infiltration basins.

Mr. Bisnett asked if the infiltration basins will be owned and maintained by the Town of Stillwater. Mr. Bogardus stated yes and that there will be a specific Drainage District created for this project which will be owned by the Town of Stillwater and will be paid for by taxes on this project. Mr. Male stated that the Drainage District will be paid for by the homeowners of this project.

Chairman Buck asked what the distance is from NYS Route 9P to the entrance of the project. Mr. Romeo stated that it is 1300 Ft. off of NYS Route 9P. Chairman Buck stated that this parcel, with its steep slopes, is a difficult parcel to develop. Chairman Buck stated that this project has some issues that need to be addressed. Chairman Buck asked about the access road to the Saratoga Lake Golf Course. Mr. Bogardus stated that they are paving 20 Ft. of roadway for future access if Saratoga Lake Golf Course chooses to make it a road. Mr. Bogardus stated that it also lets the homeowners know that there may be a road there in the future.

Ms. Marotta asked why the stormwater basin is being done in Phase 2 instead of Phase 1. Mr. Romeo stated due to the longevity of the project the infiltration basins are done last. Ms. Marotta asked what will prevent the stormwater runoff from the project site if there are no infiltration basins. Mr. Romeo stated that there will be perimeter dikes and swales, silt fencing, and erosion control blankets. Ms. Marotta asked Mr. Male if there are some type of portable sediment control pools. Mr. Male stated that there are portable pools for sediment control. Mr. Male stated he has not completed the review of the Stormwater Pollution Prevention Plan (SWPPP) that the applicant has submitted. Ms. Marotta stated that this is a unique piece of property and would like the no cut area to include the slopes. Ms. Marotta stated that she believes this parcel needs to be reviewed by a Geotechnical Engineer. Ms. Marotta asked about the slope degree of the entrance road. Mr. Romeo stated that the slope is a 6% to 7% degree and will not exceed 8%.

Mr. Male asked Ms. Marotta what specifically she is referring to in regards to geological review.

Ms. Marotta stated that there needs to more test pits were the applicant is doing the major cuts and ground removal.

Ms. Reilly asked about the 200 Ft. distance off NYS Route 9P and if it includes the hill. Mr. Romeo stated that the 200 Ft. does include a portion the hill. Ms. Reilly stated that Lots #11, #12, #13, and #14 are located on the steep portion of hill. Mr. Romeo stated that is correct. Ms. Reilly stated that she agrees with Ms. Marotta's comments regarding the project.

Mr. Smith stated that when the applicant starts to cutting the trees it will allow the water runoff to erode the slopes. Mr. Romeo stated there will be no stump removal and no soil disturbance with the selective thinning and topping of the trees which is based on the approval of the Planning Department. Mr. Romeo stated that there would be about 3 Ft. stump remaining which would allow the natural vegetation to grow back with no soil disturbance. Mr. Smith stated that the homeowner will fill the swale in and it then becomes useless. Mr. Smith stated that the swales would have to be turned over to the Town of Stillwater to maintain.

Mr. Bisnett stated that most of the concerns from the Board members are with Lots # 11, 12, 13 and 14. Mr. Bisnett stated that if those lots were removed from the project it would eliminate the concern regarding the slope that goes down towards Saratoga Lake. Mr. Romeo stated that if the concern is the water runoff from these parcels then they could construct a swale behind each of the dwellings which would tie into the infiltration basin.

Mr. Cutler stated that the swales behind Lots # 11, 12, 13 and 14 could become part of the drainage district.

Ms. Reilly made a motion to schedule the public hearing for the next Planning Board meeting on August 27, 2018, seconded by Mr. Smith. Chairman Buck asked for a roll call vote.

Chairman Buck	YES
Member Bisnett	YES
Member Ferris	YES
Member Marotta	YES
Member Marshall	YES
Member Reilly	YES
Member Smith	YES

**** The following projects were reviewed all together ****

PB2016-26, Winding Brook PDD Site Plan Review, Walden Circle

PB2018-12, Winding Brook Minor Subdivision, NYS Route 423

**** Ms. Reilly recused herself from this project ****

Chairman Buck recognized Mr. Scott Lansing of Lansing Engineering who is representing Amedore Homes Inc., also present this evening is Mr. John Bossalini of Amedore Homes Inc. Mr. Lansing stated that they are seeking the Planning Board's consideration to set the Public Hearing for this project. Mr. Lansing stated that they received the approval on the Winding Brook PDD Amendment from the Stillwater Town Board on March 1, 2018. Mr. Lansing stated that the project is located on NYS Route 423 and consists of 25.73-acres. Mr. Lansing stated that the amendment for the PDD allows for commercial uses on a portion of the proposed project. Mr. Lansing stated that there are two commercial sites shown on the map with one lot to the south of Walden Circle and the other lot is north of Walden Circle. Mr. Lansing stated that one commercial lot will consist of 3.03-acres and the other commercial lot will consist of 3.8-acres. Mr. Lansing stated that each single story building will consist of a 9,000 Sq. Ft. with a parking area and is located in the B2 Zoning District. Mr. Lansing stated that they are subdividing one commercial lot from the proposed project parcel which is shown as a conceptual plan on the map. Mr. Lansing stated that there are no specific uses for the commercial lots at this time. Mr. Lansing stated that they are proposing condominiums which consist of 19 two story buildings with 4 units per building. Mr. Lansing stated that each unit would have an attached garage and driveway. There are 1 and 2 bedroom units. The proposed roadway will be built to the Town of Stillwater specifications. An additional 36 parking spaces in four areas is proposed along with ornamental lighting on each building, a mailbox kiosk to be located at the entrance of the project, and open space consisting of 14-acres. Stormwater will be managed on site and each commercial site will have a stormwater basin. Public water will be furnished by Glen Hollow Water and public sewer will be from Saratoga County Sewer District #1. Mr. Lansing stated that the condominiums are the applicant's primary focus.

Chairman Buck stated that he walked a portion of the property and about 100 Ft. in on the project site there is wetlands and a pond. Chairman Buck asked Ms. Zepko if she had walked the proposed project site. Ms. Zepko stated that she had walked some of the property but not the entire property. Chairman Buck stated his concerns are with the amount of soil disturbance and the adjacent properties on NYS Route 9P. Mr. Lansing stated that the wetlands have been delineated and are shown on the map. Mr. Lansing stated that they are respecting all the wetlands and buffers with zero impact on the wetlands. Mr. Lansing stated that there is grading on the site and all the drainage goes into the stormwater basin with very little drainage on the south side that goes off site. Mr. Lansing stated that they will be diligent with erosion and sediment control in that area. Chairman Buck asked Mr. Male if Arvin Hart Fire Department has sent a response back regarding this project. Mr. Lansing stated that they just received the response from Arvin Hart Fire Department. Ms. Zepko stated that Arvin Hart's response states "the site plan layout was reviewed and the fire department has no concerns, comments, nor exceptions with the details". Ms. Zepko stated that the letter was dated July 19, 2018. Chairman Buck asked Mr. Lansing about the letters from NYS DEC and NYS Department of Health. Mr. Lansing stated that they cannot submit to either agency until they have received preliminary approval for the project.

Ms. Marotta asked about the path that extends into the property. Mr. Lansing stated that is a sewer easement that extends back onto the property. Ms. Marotta asked about the location of the proposed stormwater management being on a hill in the front of the project. Mr. Lansing stated that there would be grading done on the hill to construct the stormwater management basin. Ms.

Marotta stated that there is a significant grade change at the rear of the buildings which show the properties on NYS Route 9P being at a higher level than the proposed project. Mr. Lansing stated that is correct. Ms. Marotta stated that the proposed project has a hill that goes up and there is a fence behind the buildings. Mr. Lansing stated it is a retaining wall with a fence. Ms. Marotta asked about the southern wetlands and if there is cutting or filling being done where the natural topography lines have changed. Mr. Lansing stated that there is a retaining wall in that area and fill would be put behind the retaining wall. Ms. Marotta stated that the applicant is proposing sidewalks on one side of the roadway. Mr. Lansing stated that is correct. Ms. Marotta asked about decks and/or patios for the buildings where the retaining wall is located. Mr. Lansing stated that he would have to check with the builder. Ms. Zepko stated that she believes there are patios on the end units. Ms. Marotta stated her concerns are regarding the retaining wall and the cutting that abuts the properties on NYS Route 9P. Ms. Marotta stated that after reviewing the Town Board minutes, which includes the PDD legislation, it states that “accessory structures will be allowed”. Mr. Male stated that part of the legislation was added for the existing subdivision for residents who do not have an accessory structure and will now have to meet all the required zoning requirements. Ms. Marotta stated that there needs to be some clarification regarding the accessory structures. Ms. Zepko stated that can be clarified in the Site Plan Review notes. Ms. Marotta asked about the wetlands being owned by Stillwater Woods HOA or Stillwater Community Association Inc. Ms. Zepko stated that she believes the intent of the wetlands and the open space was to be owned by the Home Owner Association. Mr. Male stated that the roadway will be dedicated to the Town of Stillwater. Mr. Male asked Mr. Lansing to show the Board the portion of the project that will be owned by the Home Owners Association. Ms. Marotta asked if the stormwater management basin will be owned by the Home Owners Association. Mr. Lansing stated that the stormwater management area will be dedicated to the Town of Stillwater. Ms. Marotta asked about the traffic study. Mr. Male stated that the traffic study had been completed in November 2017. Ms. Marotta stated that Mr. Bossalini referenced each unit having two bedrooms. Mr. Lansing stated that he would have to refer the question to Mr. Bossalini. Ms. Marotta asked Mr. Male if there are plans that show the grading detail along the southern wetlands and the back portion of the retaining wall. Mr. Male stated that that there is a grading plan and an Erosion and Sediment Control Plan and that they will be using erosion blankets on the slopes. Ms. Marotta asked Mr. Lansing when the wetlands delineation was completed. Mr. Lansing stated the delineation was done recently and they have a jurisdictional determination for the wetlands. Mr. Lansing stated that in the determination there is deed restrictions along the back section where the retaining is proposed.

Mr. Cutler stated that his notes reference one and two bedrooms units. Mr. Cutler asked if the retaining wall will be maintained by the Home Owners Association. Mr. Lansing stated that is correct. Mr. Cutler asked if the sidewalks and the street lights will be maintained by the Home Owners Association. Mr. Lansing stated that he would have to check on who will be maintaining the sidewalks and street lights but, it is his understanding, that it would be the Home Owners Association.

Ms. Marshall asked for clarification on the retaining wall/fence and if that is what the applicant is proposing. Mr. Lansing stated that is correct. Mr. Lansing stated for clarification the height of the wall at its highest point is 12 Ft. and at each end is zero. Ms. Marshall asked what the

intended purpose of the fence is. Mr. Lansing stated for protection if someone is on the wall. Mr. Lansing stated that it is not for any type of screening.

Ms. Ferris asked if the applicant had received letters from Saratoga Glen Hollow Water and Saratoga Sewer District #1. Mr. Lansing stated that they just received the letter from Saratoga Glen Hollow Water on July 22 or 23, 2018 and will forward the letter to the Town Planning Department. Mr. Lansing stated that he would have to check on the letter from the Saratoga County Sewer District #1, but believes they have received this letter as well. Ms. Zepko stated that she has not received letters from either entity. Ms. Ferris asked about the landscaping and lighting for the project. Mr. Lansing stated that the landscaping would be along the front of the project and the entrance, there would be street trees throughout the project and street lights on both sides of the roadway.

Ms. Ferris made a motion to schedule the public hearing for the next Planning Board meeting on August 27, 2018, seconded by Ms. Marshall. Chairman Buck asked for a roll call vote.

Chairman Buck	YES
Member Bisnett	YES
Member Ferris	YES
Member Marotta	YES
Member Marshall	YES
Member Reilly	YES
Member Smith	YES

Ms. Marotta made a motion to enter executive session at 9:08 pm, seconded by Mr. Bisnett. Ms. Ferris made a motion to exit executive session at 9:24 pm, seconded by Ms. Marotta.

Motion to adjourn: made by Ms. Marotta, seconded by Ms. Marshall motion passed at approximately 9:26 PM.