

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

Present:

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

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:

Kimberlee Marshall (KM) Alternate Member

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:

Mr. Bisnett made a motion to approve the minutes from the September 24, 2018 meeting, seconded by Ms. Marotta. The motion passed unanimously.

PB2018-14, Mayes Minor Subdivision, 30 Graves Rd

Chairman Buck recognized Mr. Kevin Weed of Van Guilder & Associates Land Surveyors PLLC who is representing Mr. Dean Mayes. Mr. Weed gave brief recap of the project before the Board. Mr. Weed stated that Mr. Mayes is seeking approval for a 3 lot subdivision. Mr. Weed stated that the property is located at 30 Graves Road which is divided by two Zoning Districts. Mr. Weed stated that the parcel consists of 36.40-acres with a single family dwelling, out buildings, onsite septic system and a well. Mr. Weed stated that Lot #1 would include all of the Rural Residential Zoning District, which consists of 30.80-acres, with the existing single-family dwelling, out buildings, the well and the septic system. Mr. Weed stated that an 80 Ft. strip of land will extend to Graves Road, approximately centered on the existing driveway. Mr. Weed stated that Lot #2 and Lot #3 will consist of 2.20-acres and 3.37-acres which are entirely in the Low Density Residential Zoning District. Mr. Weed stated that single-family dwellings are

proposed for Lot# 2 and Lot #3 with on-site septic systems and wells, and will have access to Graves Road.

Chairman Buck proceeded to open the public hearing and asked if anyone wished to comment, hearing none he closed the Public Hearing.

Chairman Buck asked about the right-of-way. Mr. Weed stated that Lot #1 has an 80 Ft. strip of land which extends to Graves Road, approximately centered on the existing driveway. Mr. Weed stated that he spoke to the applicant regarding any further subdivision of the property and that it would entail that a Town road would have to be constructed through the 80 Ft. strip of land to access the remaining acreage.

Mr. Cutler referred to Mr. Male's September 13, 2018 comment letter, regarding Item #10, the utility easement. Mr. Weed stated that for Lot #1 to use the underground utilities there would be an easement over Lot #2. Mr. Cutler asked if the application was referred to the Arvin Hart Fire Department. Ms. Zepko stated that she did not refer the application to Arvin Hart Fire Department. Mr. Cutler asked about Item #13 regarding the Environmental Assessment Form 12.b. Mr. Male stated that when you go onto the NYS DEC website the Archeological Sensitive Area appears on all the project parcels due to the history of this area. Mr. Male stated that he makes a reference to the information in the comment letter.

Ms. Marotta asked about the greenspace easement and if it would transfer over to Lot #1 and Lot #2. Mr. Weed stated that is correct.

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

**TOWN OF STILLWATER
PLANNING BOARD
2018 RESOLUTION NO. 22**

WHEREAS, Dean and Mary Claire Mayes has submitted an application for a minor subdivision regarding property located at 30 Graves Road, more fully identified as Tax Map Number 252.-2-5.12; 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, Dean and Mary Claire Mayes, for a minor subdivision regarding property located at 30 Graves Road, more fully identified as Tax Map Number 252.-2-5.12, will not have a significant impact on the environment.

A motion by Member Ferris, seconded by Member Marotta, to adopt Resolution No. 22.

A roll call vote was taken on Resolution No. 22 as follows:

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

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

**TOWN OF STILLWATER
PLANNING BOARD
2018 RESOLUTION NO. 23**

WHEREAS, Dean and Mary Claire Mayes have submitted an application for a minor subdivision regarding property located at 30 Graves Road, more fully described as Tax Map No. 252.-2-5.12; and

WHEREAS, a public hearing was conducted on October 22, 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. 22 of 2018; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Dean and Mary Claire Mayes, for a minor

subdivision of lands located at 30 Graves Road, more fully identified as Tax Map Number 252.-2-5.12, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the conditions and comments set forth in the Engineer Review letters of Paul Male, P.E., dated August 29, 2018, and September 13, 2018; 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. 23.

A roll call vote was taken on Resolution No. 23 as follows:

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

Resolution No. 23 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on October 22, 2018.

PB2017-05, Bocrest Fields PDD Referral from Town Board Halfway House Road

Chairman Buck recognized Mr. Frank Palumbo, Landscape Architect with CT Male Associates, who is presenting Bocrest Fields PDD before the Board this evening. Mr. Palumbo stated that the property is located on the corner of Halfway House Road and Brickyard Road which consists of 86.5-acres. Mr. Palumbo stated that the applicant is proposing two single-family lots which will have ingress and egress from Brickyard Road. Mr. Palumbo stated that these two lots will not be connected to the apartment portion of the project due to some environmental factors such as wetlands. Mr. Palumbo stated that the two single-family dwellings met the character of the neighborhood on Brickyard Road. Mr. Palumbo stated that the portion of the project that is on Halfway House Road will consist of an apartment complex. Mr. Palumbo stated that the apartment complex will consist of 19 apartment buildings with 10 units each and 2 buildings with 12 units each for a total of 214 units. There will be one garage space per unit with addition parking in the driveway. Mr. Palumbo stated that the entrance has been moved to the corner of the property to minimize the impact on the residents that are across from the project. Mr. Palumbo stated that the development will be serviced with public water and public sewer, and

the proposed club house will be in a centralized location with walkways to each building. Mr. Palumbo stated that there are 18-acres being developed with the remaining 66-acres remaining as open space for the project. Mr. Palumbo stated that the stormwater basins and the sewer designs are being reviewed. Mr. Palumbo referenced Mr. Male's comment letter dated October 16, 2018 regarding Item #5 the clubhouse, Item #6 density, Item #7 parking, Item #14 the roadway, and Item #15 open space, which will be addressed when the application comes back before Board for Site Plan Review. Mr. Palumbo stated that the SEQRA Form has been revised and that he is working with the Building, Planning and Development Department. Mr. Palumbo stated that they are seeking a favorable recommendation from the Planning Board to the Town Board for the Bocrest Fields PDD.

Chairman Buck stated that the two lots on Brickyard Road will have public water but will not be connected to public sewer. Mr. Palumbo stated that is correct. Mr. Palumbo stated that the two lots on Brickyard Road will have septic systems. Chairman Buck asked if soil testing has been done on the two lots located on Brickyard Road. Mr. Palumbo stated that they have not done any soil testing on the Brickyard Road lots. Chairman Buck asked about the possible pool location. Mr. Palumbo stated that the pool maybe located in the clubhouse area of the project. Chairman Buck asked about the bike trail. Mr. Palumbo stated the bike trail connection is within the wetlands area. Mr. Palumbo stated that it may become just a walking path depending on NYS DEC and the Army Corp of Engineers review. Chairman Buck asked about natural gas for the development.

Mr. Bisnett asked if they have tested the soil. Mr. Palumbo stated that they have tested the soil and there is a soil report. Mr. Palumbo stated that he was on the site when the Army Corp of Engineers were there and a Geotechnical Report will be given to Mr. Male. Mr. Bisnett asked about the traffic impact study on Halfway House Road and Hudson Avenue. Mr. Palumbo stated that they did a preliminary review regarding traffic entering Halfway House Road and Hudson Avenue. Mr. Palumbo stated that the average number of vehicles entering the Halfway House Road and Hudson Avenue was about 80 vehicles. Mr. Palumbo stated that the number of vehicles was the same in the morning as it was in the evening. Mr. Bisnett asked about the dog park. Mr. Palumbo stated that the dog park has been removed from the plans.

Ms. Marotta asked about the parking and if that would provide designs issues with the zoning. Mr. Palumbo stated that is correct and that is why the applicant is applying for a PDD. Mr. Palumbo stated that it would be a combination of the T3N and the T4 Zoning Districts. Mr. Palumbo stated that this development will be privately owned and due to the maintenance of the development there will be some additional visitor parking. Ms. Marotta asked if the Town Boards meeting minutes and Resolution have been received. Ms. Zepko stated that she has received both the Town Board meeting minutes and Resolution from their October 4, 2018 meeting. Ms. Marotta asked if the documentation will be revised to reflect the changes. Mr. Palumbo stated that they will work with Ms. Zepko on the final language. Mr. Palumbo stated that they are looking for some flexibility to meet the needs of the community. Ms. Marotta stated

that the trails need to be added to the PDD language. Ms. Marotta stated that the application shows Industrial Zoning. Mr. Male stated at the time the application was submitted the property was Zoned Industrial and was later changed to T3N Zoning.

Ms. Zepko asked the Board if they would like her to read Resolution #57 of the Town Board. The Board's consensus was that they would like Resolution #57 read.

Mr. Male stated that this project was submitted before the rezoning of the Route 4 Corridor was approved. Mr. Male asked Mr. Palumbo who will own and maintain the pump station and the on-site sewer. Mr. Palumbo stated that is to be determined. Mr. Palumbo stated that they will contact Saratoga County Sewer District. Ms. Vomacka asked if the apartments will be handicap accessible. Mr. Palumbo stated that there will be some handicap accessible apartments, including all ground floor units.

Mr. Smith asked if the traffic study was done when school was in session. Mr. Palumbo stated that school was not in session. Mr. Smith stated that there is a large amount of water that drains through this area. Mr. Palumbo stated that they plan to work with the Stillwater Highway Department regarding the drainage so it does not crest the roadway. Mr. Palumbo stated that there will be stormwater basins throughout the project. Mr. Smith asked if they considered townhouses instead of apartments. Mr. Palumbo stated that the applicant considered single-family dwellings or townhouses and eventually decided on apartments.

Chairman Buck asked if anyone had any additional questions or concerns, hearing none, he asked for a positive or negative motion on the referral.

**TOWN OF STILLWATER
PLANNING BOARD
2018 RESOLUTION NO. 24**

WHEREAS, Bocrest Fields, LLC, has submitted an application for a PDD to the Town of Stillwater Town Board for property located on Brickyard Road, more particularly identified as Tax Parcel 253.00-2-25; and

WHEREAS, the Town Board has referred the PDD application to the Planning Board for its review and recommendations; and

WHEREAS, the Planning Board has reviewed the application, the project narrative, and the proposed PDD legislation; and

WHEREAS, the Planning Board has reviewed the 5 questions contained in Town Code 210-19(c)(2)(a)-(e) for consideration in its findings and recommendations and having found the answer to each question to be "yes" or "not applicable" to this project; it is now, therefore

RESOLVED, that the Planning Board give a favorable report with the following

recommendations:

1. That the PDD legislation contain a requirement that the project include a trail system similar to that which was depicted on the proposed site development plan dated March 6, 2017 that was submitted with the application, unless such trail is prohibited by DEC or the Army Corp. of Engineers;

2. That the Area Requirements for the Multi-Family Apartments, paragraph (F), Community Building/Clubhouse be changed from a Community Building/Clubhouse to Community Building/Clubhouse *or Recreational Facility* and reference to a 9,000 square foot clubhouse to be changed to a 9,000 square foot clubhouse or recreational facility.

A motion by Member Marotta, seconded by Member Ferris, to adopt Resolution No. 24.

A roll call vote was taken on Resolution No. 24 as follows:

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

Resolution No. 24 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on October 22, 2018.

Motion to adjourn made by Ms. Ferris, seconded by Mr. Bisnett at approximately 8:50 pm.