

**TOWN OF STILLWATER  
PLANNING BOARD MEETING MINUTES  
STILLWATER TOWN HALL  
February 25, 2019 @ 6:30 PM**

**Present:**

**Chairman Peter Buck (PB)  
Frank Bisnett (FB)  
Kimberlee Marshall (KM) Alternate Member  
Randy Rathbun (RR)  
Marybeth Reilly (MR)  
Dale Smith (DS)**

**Also Present:**

**Daryl Cutler, Attorney for the Town (DC)  
Lindsay Zepko, Town Planner (LZ)  
Ellen Vomacka, Town Board Liaison  
Sheila Silic, Secretary**

**Absent:**

**Heather Ferris (HF)  
Paul Male, Town Engineer, (PM)  
Carol Marotta (CM)**

**Pledge:**

Chairman Buck called the meeting to order at 6:30 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 January 28, 2019 meeting, seconded by Ms. Reilly. The motion passed 5-Yes, 1-Abstained, 1-Absent.

Chairman Buck	YES
Member Bisnett	YES
Member Ferris	ABSENT
Member Marshall	YES
Member Rathbun	ABSTAINED
Member Reilly	YES
Member Smith	YES

**PB2018-20, Thomas Lill Minor Subdivision, 544 NYS Route 9P**

Chairman Buck recognized Mr. Brien Ragone of Environmental Design Partnership LLP who is representing Mr. Thomas Lill. Mr. Ragone stated that the parcel is 4.51-acres located on the east side of

NYS Route 9P. Mr. Ragone stated the property is adjacent to the Saratoga Lake Golf Course. Mr. Ragone stated that the property is surrounded by trees and along the northern boundary line there is a ravine. Mr. Ragone stated that each lot will comprise of a two-family residence. Each lot will have a detached garage for storage. The existing driveway will be shared by both lots which will have a shared driveway easement and a maintenance agreement. The site has existing public water serviced by Glen Hollow Water and public sewer serviced by Saratoga County Sewer District #1. Mr. Ragone stated that the applicant will have to apply for a Utility Permit for the water and sewer laterals within the right-of-way. Mr. Ragone stated that they provided the Town Planning Department with a copy of the SHPO sign off letter. Mr. Ragone stated that the SHPO letter states that no additional work is necessary. Mr. Ragone stated that they also supplied an email correspondence from the Arvin Hart Fire Chief stating that he has no issues with the current layout of the plans. Mr. Ragone stated that they are seeking final approval this evening for the project before the Board.

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

Chairman Buck referred to Mr. Male's comment letter dated February 24, 2019 and stated that in regards to Item #1, the sewer and water laterals, are still an outstanding issue. Ms. Zepko stated that the information showing the laterals on the plans has been received.

Ms. Zepko stated that for Item #3 regarding Saratoga County Planning Board review, that the Saratoga County Planning Board responded with an approval. Ms. Zepko stated that Item #4 regarding the easement language, it is currently under review by Mr. Cutler. Ms. Zepko stated that for Item #5 regarding the driveway meeting the NYS Fire Code that the Planning Department received an email from the Arvin Hart Fire Chief who has no issues with the plans. Ms. Zepko stated that Item #6 regarding the size culvert that is needed that it is hard to do any additional review for the size of the culvert that is needed due to the environmental conditions and there would be further review in the spring if needed. Ms. Zepko stated that Item #7 regarding the SWPPP report, the Planning Department has received a copy of the SWPPP report.

Ms. Reilly asked about the driveway encroachment onto the neighbor's property. Mr. Ragone stated that they are providing the neighbor with a shared access easement between all three parties.

Mr. Cutler stated that he has been provided with an easement for the neighboring property, a sanitary sewer easement and an easement between Lot #1 and Lot #2. Mr. Cutler referred to SEQRA Item #18 and stated that it is marked as "Yes" but it does not include the description of the stormwater detention. Mr. Ragone stated since a SWPPP was required they would have to contain any stormwater on site during construction. Ms. Zepko stated that the stormwater management is during the construction phase but that the project does not require post construction practices. Mr. Ragone 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  
2019 RESOLUTION NO. 7**

WHEREAS, Thomas Lill has submitted an application for a minor subdivision regarding property located at 544 Route 9 P, more fully identified as Tax Map Number 218.20-1-4.1; 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, Thomas Lill, for a minor subdivision regarding property located at 544 Route 9 P, more fully identified as Tax Map Number 218.20-1-4.1 will not have a significant impact on the environment.

A motion by Member Rathbun, seconded by Member Reilly, to adopt Resolution No. 7 of 2019.

A roll call vote was taken on Resolution No. 7 of 2019 as follows:

Chairperson Buck	YES
Member Bisnett	YES
Member Ferris	ABSENT
Member Marotta	ABSENT
Member Marshall	YES
Member Reilly	YES
Member Smith	YES
Member Rathbun	YES

Resolution No. 7 of 2019 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on February 25, 2019.

**TOWN OF STILLWATER  
PLANNING BOARD  
2019 RESOLUTION NO. 8**

WHEREAS, Thomas Lill has submitted an application for a minor subdivision regarding property located at 544 Route 9 P, more fully described as Tax Map No. 218.20-1-4.1; and

WHEREAS, a public hearing was conducted on February 25, 2019 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. 7 of 2019; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Thomas Lill, for a minor subdivision of lands located on 544 Route 9 P, more fully identified as Tax Map Number 218.20-1-4.1, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the Recommendations and Conditions contained in the Engineering Review letters of Paul Make, PE dated 12/13/18, 1/26/19 and 2/25/19, including the following conditions:

1. The existing house and mobile home will be removed.
2. The Applicant shall provide a shared driveway easement that is acceptable to the Town and shall file the easement with the Saratoga County Clerk; and
3. The Applicant shall provide a driveway easement over the Lands of Kuhn that is acceptable to the Town and shall file the easement with the Saratoga County Clerk.

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 Smith, seconded by Member Reilly, to adopt Resolution No. 8 of 2019.

A roll call vote was taken on Resolution No. 8 of 2019 as follows:

Chairperson Buck	YES
Member Bisnett	YES
Member Ferris	ABSENT
Member Marotta	ABSENT
Member Marshall	YES
Member Reilly	YES
Member Smith	YES
Member Rathbun	YES

Resolution No. 8 of 2019 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on February 25, 2019.

Discussion:

Ms. Zepko stated that the application for the Mechanicville Waterline Extension will be before the Board possibly at the March 25, 2019 meeting. Ms. Zepko stated that Mechanicville Water Authority will be removing sediment from the reservoir as it has lost some capacity over the years and that the application states the sediment will be placed in a nearby mine but does state which nearby mine. Ms. Zepko stated that there is also an application for the Dyer Mine located on George Thompson Road and that the application is to expand the mine five times what currently exist. Ms. Zepko stated that the mine is also in the Water Overlay District.

Mr. Rathbun asked Ms. Zepko who currently operates the Dyer Mine. Ms. Zepko stated when she inquired who is currently operating the mine the applicant did not know but that to her knowledge it was Fane.

Chairman Buck requested that the Chazen Companies do the review on the applications for the Mechanicville Waterline Extension and the Dyer Mine Expansion due to their connections. Chairman Buck asked about the waterline on County Route 76 and if the residents are able to connect to the waterline or if it is a service line. Ms. Vomacka stated that the residents are now able to connect to the waterline as it part of Water District #6.

A motion to adjourn was made by Mr. Bisnett and seconded by Mr. Rathbun at approximately 6:55 pm.