

**TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES
STILLWATER TOWN HALL
April 22, 2019 @ 6:30 PM**

Present:

**Chairman Peter Buck (PB)
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)
Ricky Adams, Chazen Companies
Ellen Vomacka, Town Board Liaison
Sheila Silic, Secretary**

Absent:

**Frank Bisnett (FB)
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. Smith made a motion to approve the minutes from the March 25, 2019 meeting, seconded by Mr. Rathbun. The motion passed unanimously.

PB2019-01, Mechanicville Water Line, Site Plan Review, NYS Route 67

Chairman Buck recognized Mr. Daniel Bolke PE of Barton & Loguidice who is representing the City of Mechanicville this evening. Mr. Bolke stated that the City of Mechanicville is attempting to meet the conditions of their consent order regarding the City of Mechanicville water system. Mr. Bolke stated that the City of Mechanicville has received a consent order from the NYS Department of Health to meet the maximum daily demands of the water system. Mr. Bolke stated they are required to increase the capacity that can be treated at their water plant. Mr. Bolke stated that they will be adding supplemental water from Saratoga Water Authority in order to meet the demands. Mr. Bolke stated that the first water line is a transmission line and will connect the City of Mechanicville water supply with the Saratoga County Water Authority at the intersection of Coons Crossing Road and NYS Route 67. Mr. Bolke stated that the water main will run along NYS Route 67 to George Thompson Road and then from George Thompson Road

to the Mechanicville Water Treatment Plant located at 33 George Thompson Road. Mr. Bolke stated that the second water line will replace the existing water line and will run from the Mechanicville Water Treatment Plant on George Thompson Road to the water storage tanks on Devoe Road. Mr. Bolke stated that the water line will be within the Town of Stillwater right-of-way on Meadow Lane to NYS Route 67 and along NYS Route 67 to Devoe Road where it is within the Town of Stillwater right-of-way up to the water storage tanks. Mr. Bolke stated that they have received comments from the Chazen Companies and have submitted documentation addressing the comments. Mr. Bolke stated that comment #15 regarding the realignment of the water main near Donnelly's Construction property along George Thompson Road and the intersection of NYS Route 67 crossing under Plumbrook for a straighter alignment that would have a lesser impact on George Thompson Road. Mr. Bolke stated that they have requested the Town of Stillwater recognize the SEQRA process as completed in 2016 by the City of Mechanicville for fulfillment in regards to NYS Law.

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

Mike Minick 129 NYS Route 67

Mr. Minick asked about the existing waterline that runs through the back of Donnelly's Construction property that is from 1926, and asked if that is being replaced with the new waterline coming down NYS Route 67 to Devoe Road. Mr. Bolke stated that the new water main will be replacing the existing water main. Mr. Minick stated that there will be no excavation work where the existing waterline is located and all the excavation work will be along NYS Route 67. Mr. Bolke stated that the alignment will come down from the Mechanicville Water Treatment Plant across Donnelly's Construction property until it gets to Meadow Lane and runs along Meadow Lane to NYS Route 67. Mr. Minick stated that the existing waterline that is there now will be taken out of service. Mr. Bolke stated that when the new waterline is put into service the existing waterline will be taken out of service. Mr. Minick stated that his property abuts Donnelly's Construction property and asked if there will be excavation work done on his property. Mr. Bolke stated that if the waterline is on your property then there will be excavation work done on your property. Mr. Minick asked if the City of Mechanicville owns the waterline that leads to my water meter. Mr. Bolke stated that City of Mechanicville only owns the waterline to the curb stop.

Mark Kramek 168 NYS Route 67

Mr. Kramek stated that it is his understanding that the waterline will be on the south side of NYS Route 67. Mr. Bolke stated that the waterline from Coons Crossing down to George Thompson Road will be on the south side of NYS Route 67. Mr. Bolke stated that the other waterline from the Mechanicville Water Treatment Plant down to Devoe Road will be on the north side of NYS Route 67. Mr. Kramek asked if the residents of Willow Glen will be able to hook into the Saratoga County water line. Mr. Bolke stated that Saratoga County Water Authority wants the waterline from Coons Crossing to George Thompson Road to be a transmission line only. Mr. Bolke stated that there are some conditions that go along with the waterline 1) the chlorine has not been analyzed until it reaches the treatment plant, 2) the water has not been metered at this point and is metered at the water plant, and 3) the water pressure is 160 PSI for that area. Mr. Kramek stated that they put meters in on the other side of Coons Crossing and the residents were able to hook into to the waterline. Mr. Bolke stated that he is not aware of this information. Ms.

Zepko stated that Town of Halfmoon owns the waterline on the other side of Coons Crossing. Mr. Kramek stated that he had to deal with the traffic from Global Foundries and the Pam Am Rail Yard along with the trucks coming off of George Thompson Road and I cannot hook into to the waterline.

Mary Wixted 137 NYS Route 67

Ms. Wixted asked how the waterline will be funded. Mr. Bolke stated that the waterline is funded through a loan and grant through NYS Environmental Facility Corporation with the City of Mechanicville. Ms. Wixted asked if the waterline will cost the residents any money. Mr. Bolke stated that the water bills are not planned to cover the whole expense and that there are some residents within the Town of Stillwater on the City of Mechanicville waterline and those residents will facilitate the payment of the loan. Ms. Wixted asked if the waterline will be in the back of the properties or in front of the properties by the road. Mr. Bolke stated that the waterline will be going in the back of properties.

Kevin Butler 65 NYS Route 67

Mr. Butler stated that his property is on the north side of NYS Route 67 just west of Devoe Road and asked if they are going to cut his waterline in order to install the new waterline. Mr. Bolke stated that new waterline will be installed next to the existing waterline. Mr. Butler stated that the waterline that is currently there is a 16 inch waterline and asked if the new waterline will be a larger 20 inch or 24 inch waterline. Mr. Bolke stated that the new waterline will be a 12 inch waterline. Mr. Butler asked if this new waterline is an add-on to the current waterline. Mr. Bolke stated that the 12 inch waterline is not an add-on to the current waterline. Mr. Butler asked if the 12 inch waterline can supply the same amount of water as the 16 inch waterline. Mr. Bolke stated that is correct. Mr. Bolke stated that the 12 inch waterline goes directly to the water tanks and then gets distributed to the Town of Stillwater with a 16 inch waterline. Mr. Butler asked if he would be without water when the new waterline is being installed. Mr. Bolke stated that the residents may be without water for about 2 hours to make the cross over to the new waterline. Mr. Bolke stated that the existing waterline will stay in service while the new waterline is being installed. Mr. Bolke stated that once the waterline is installed it will be tested and then put into commission. Mr. Butler asked about the replacement of the waterline from the roadway to his residence. Mr. Bolke stated that the City would work with Mr. Butler on the replacement of the waterline leading to his residence. Mr. Butler asked if there will be a change in the Mechanicville water rate or cost to the residents. Mr. Bolke stated that he was unaware of any rate changes. Mr. Butler asked if there would be a change in the water pressure. Mr. Bolke stated that there will not be any change to the water pressure.

James Burke 185 NYS Route 67

Mr. Burke stated that he believes Mr. Bolke and the City of Mechanicville Mayor Baker stopped at his residence regarding the waterline. Mr. Bolke stated that is correct. It was regarding an easement. Mr. Burke stated that he and his wife provided an easement for equipment on their property for the waterline. Mr. Burke asked for clarity on the new waterline and why it is not going to the end of George Thompson Road. Mr. Bolke asked Mr. Burke if he is referring to the Saratoga County high pressure waterline or the new distribution waterline. Mr. Burke stated that he is referring to the Saratoga County high pressure waterline and the new distribution waterline. Mr. Bolke stated that new distribution line will not come down to the intersection of NYS Route

67. Mr. Bolke stated that it will follow the path of the existing waterline. Mr. Burke asked if the waterline stops before Plum Brook. Mr. Bolke stated that the waterline comes down from the water plant and will stay to the east of Plum Brook. Mr. Burke asked if they would be able to hook into the waterline. Mr. Bolke stated that there is a 2 inch waterline that services the residents across the street from George Thompson Road. Mr. Bolke stated that the City of Mechanicville has indicated that if you want to hook into that waterline that would be acceptable. Mr. Burke stated that is a private waterline and that his neighbors paid for the waterline that goes to their residence. Mr. Burke stated that if the waterline is that close he sees no reason why the waterline could not come down to the end of George Thompson Road and provide water to the residents across the street and along NYS Route 67. Mr. Burke stated that this should be reviewed as a possibility by an engineer. Mr. Bolke stated that they will discuss the possibility with the City of Mechanicville.

David Smith Donnelly Construction

Mr. Smith asked about the realignment of the waterline. Mr. Bolke stated that they were going to follow the existing alignment but have decided to change the alignment to a straighter bore than the current waterline. Mr. Smith stated that he had seen the previous plans and asked if there are updated plans. Mr. Bolke stated that he would discuss the updated plans with Mr. Smith. Mr. Smith stated that Donnelly Construction will be paving the driveway over the easement. Mr. Bolke stated that they will work together with Donnelly Construction to coordinate the paving.

John Basile 648 Hudson Ave

Mr. Basile stated that this is an EFC loan and a grant and asked what the amounts are for the loan and the grant. Mr. Bolke stated that it is a 2 million dollar loan and a 2 million a dollar grant. Mr. Bolke stated that the loan is a zero interest loan for 30 years. Mr. Basile stated that one of the questions was if the loan and the grant will increase the cost of the water services to the residents of Stillwater. Mr. Basile stated that if there is a 2 million dollar debt service his presumption is that would be added to the present debt service of the water plant. Mr. Basile stated that he believes the answer to the question should be that the cost of the water services will increase and therefore that will also affect the Town of Stillwater users. Mr. Bolke stated that would be a question for the City of Mechanicville.

Chairperson Buck asked if anyone else would like to comment and hearing none he proceeded to table the public hearing until May 28, 2019.

Mr. Rathbun stated that one gentleman spoke about having an existing waterline and will not be able to hook back up to the waterline. Mr. Kramek stated that his waterline goes from his residence to the pump station and that his water meter is in the ground at the pump station. Mr. Kramek stated that there was a leak at the meter and by the time the meter was read his water bill was \$1,700.00. Mr. Kramek stated that he does not understand why there is not a better a way to supply water to his residence and his surrounding neighbors. Mr. Rathbun stated that the Planning Board wants to review and speak with the City of Mechanicville to try to address the issue. Mr. Rathbun stated that the Board received additional information today and they have not had a chance to review the submitted materials.

PB2019-08, Rourke Minor Subdivision, County Route 76

Chairman Buck recognized Ms. Lindsay Zepko, Stillwater Town Planner who will be giving a brief recap of the project this evening. Ms. Zepko stated that the property is located on the north

side of County Route 76 which consists of 79.23-acres. The Town of Stillwater is seeking to subdivide off a 10-acre parcel. Ms. Zepko stated that the 10-acre parcel is for the Emergency Medical Services and the Town of Stillwater Police Department Building in the future. Ms. Zepko stated that Town of Stillwater will be purchasing the 10-acre parcel for this use but that it needs to be subdivided first.

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

Mr. Rathbun asked about the site distance in that area and stated that the Saratoga County DOT is doing some roadwork in that area. Ms. Zepko stated that Saratoga County DOT is resurfacing the road. Mr. Rathbun asked Ms. Vomacka if she would take the concerns of Planning Board back to the Town Board. Ms. Vomacka stated the site distance and the paving of the roadway. Mr. Rathbun stated that is correct. Mr. Rathbun asked what the time table is for the start of construction. Ms. Vomacka stated that it is still in the preliminary stages but that her best estimate would be within 24 months. Mr. Rathbun asked Ms. Zepko if the application was referred to Saratoga County Planning Board. Ms. Zepko stated that the response from the Saratoga County Planning Board was that it would have no county-wide impact.

Mr. Rourke stated that he has given Saratoga County DOT permission to remove trees even if it is on his property and not within the Saratoga County DOT right-of-way. Mr. Rourke stated that they are also going to cut the grade of road to improve the site distance.

Mr. Cutler stated that the removal of the trees will help with the site distance. Mr. Rourke stated that is correct.

Chairman Buck asked if Malta will be working with the Town of Stillwater. Ms. Vomacka stated that the EMS Building will be owned by the Town of Stillwater and Malta will be contracting as they are currently.

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. 11**

WHEREAS, the town of Stillwater and Richard B. Rourke and Pamela Ballato (“Rourke”) have submitted an application for a minor subdivision regarding property located at 266 County Route 76, more fully identified as Tax Map Number 232.-1-43; 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, Rourke for a minor subdivision regarding property located at 266 County Route 76 more fully identified as Tax Map Number 232.-1-43 will not have a significant impact on the environment.

A motion by Member Rathbun seconded by Member Reilly, to adopt Resolution No. 11 of 2019.

A roll call vote was taken on Resolution No. 11 of 2019 as follows:

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

Resolution No. 11 of 2019 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on April 22, 2019.

**TOWN OF STILLWATER
PLANNING BOARD
2019 RESOLUTION NO. 12**

WHEREAS, the Town of Stillwater and Richard B. Rourke and Pamela Ballato (“Rourke”) have submitted an application for a minor subdivision, regarding property located at 266 County Route 76, more fully described as Tax Map No. 232.-1-43; and

WHEREAS, a public hearing was conducted on April 22, 2019 to consider the application, and no comments were received from the public; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 11 of 2019; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Rourke for a minor subdivision of lands located on 266 County Route 76, more fully identified as Tax Map Number 232.-1-43, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the conditions within the Town Engineer Review Letter dated March 31, 2019 of Paul Male, PE.; 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 Rathbun, seconded by Member Marshall, to adopt Resolution No. 12 of 2019.

A roll call vote was taken on Resolution No. 12 of 2019 as follows:

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

Resolution No. 12 of 2019 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on April 22, 2019.

PB2019-05, PB2019-06 Forest Ridge Site plan, Major Subdivision, Cold Spring Road

Chairman Buck recognized Mr. Scott Lansing of Lansing Engineering who is representing the Forest Ridge Mix Use Development. Mr. Lansing stated that the overall parcel is 115-acres. Mr.

Lansing stated that to the west of the parcel is Luther Forest Blvd, to the north is Cordero Blvd, to the east is Cold Springs Road, and to the south is Elmore Robinson Road. Mr. Lansing stated that the southern portion of the subdivided parcel was approved on March 26, 2016. Mr. Lansing stated that the parcel is zoned Business Park. Mr. Lansing stated that the maps show the wetlands and the topography of the parcel. Mr. Lansing stated that the archeological study has been done on the site and there are two archeological sites on the parcel which are nestled in the wetlands. Mr. Lansing stated there was a request for a traffic study that was reviewed and approved based on the development being proposed. Mr. Lansing stated that the proposal for a mixed use development which is in accordance with the Zoning Ordinance. Mr. Lansing stated that there will be no zoning changes or area variances proposed for the project. Mr. Lansing stated that the projects main access for ingress and egress will be off of Luther Forest Blvd. and Cold Springs Road. Mr. Lansing stated that the development will have a cul-de-sac consisting of 2,100 linear ft. of roadway which will be built to the Town of Stillwater standards and follow the grade of the property. Mr. Lansing stated that the road will be dedicated to the Town of Stillwater. Mr. Lansing stated the project is proposing commercial medical buildings, senior housing, and apartments with no age restrictions. Mr. Lansing stated there are 26 buildings with 10 units per building with a mix of one and two bedrooms. Mr. Lansing stated that the proposed plans show clustering of 4 or 5 buildings separated by clusters of trees. There are two parking spaces per unit with extra parking areas. The project will be serviced by public water and public sewer. Stormwater management will be onsite. Sidewalks will be ADA compliant. There is a proposed mailbox kiosk, outdoor recreation area, outdoor water facility, putting green, and planting of trees and shrubs. Mr. Lansing stated that the trails will go along Cold Springs Road and through the development. Mr. Lansing stated there is 300ft. buffer between the proposed development and the development to the south of this project.

Chairman Buck stated that senior housing is a good idea and asked if there is going to be a clubhouse for the seniors. Mr. Lansing stated that he believes there is going to be clubhouse. Chairman Buck asked if they have a developer for the project. Mr. Lansing stated that do not have a developer as of yet.

Ms. Vomacka asked if these trails will connect to the other trails. Mr. Lansing stated that these trails will connect with the trails of Luther Forest Blvd. Ms. Vomacka asked if the senior housing is 55 and older. Mr. Lansing stated that is correct.

Mr. Rathbun asked if the trails from the Cold Springs Road Mixed Use Development will connect with the new project. Mr. Lansing stated that the trails will be connected. Mr. Rathbun asked if an expansion to the senior housing project could be reviewed. Mr. Lansing stated that he would speak to the developer. Mr. Rathbun asked Mr. Cutler about segmentation of the area. Mr. Cutler stated that segmentation may become an issue as this parcel was proposed as industrial warehouse use. Ms. Zepko stated that she believes that what had occurred during the review of the Cold Springs Road Mixed Use Development Project was that the Board had asked for a full build out scenario from the applicant who provided a maximum amount of development that could happen in the Business Park portion of the parcel. Mr. Lansing stated that the proposed project is much less intense then the warehouse that was discussed at the time of the cluster development on the southern parcel.

Ms. Marshall asked what the developer has envisioned for the commercial area. Mr. Lansing stated doctor's offices to meet the needs of the senior housing.

Ms. Reilly asked what the acreage is for the senior housing. Mr. Lansing stated 25-acres. Ms. Reilly asked if the senior housing is skilled or assisted living. Mr. Lansing stated that he believes it is unassisted living. Ms. Reilly asked how many units are in that senior housing area. Mr. Lansing stated that there are 200 units in one area and 120 units in the other apartment style area in the back section.

Mr. Cutler asked if the trails in southern parcel are owned by an HOA. Ms. Zepko stated that the trails are owned by the Town of Stillwater. Mr. Cutler stated that the open space will be maintained by the developer and asked if the trails will be accessible to the public. Mr. Lansing stated that the trails would be dedicated to the Town of Stillwater. Mr. Cutler asked Ms. Zepko about the cluster subdivision review and that there was a significant discussion with what will happen with the open space and related to that being more of a cluster subdivision. Mr. Cutler stated that this project they are proposing that the developer retain the open space because this is not a cluster subdivision. Ms. Zepko stated that is correct. Ms. Zepko stated that the town code has very specific language for a cluster subdivision and this does not pertain to the northern parcel.

PB2019-11 Kinowski Lot Line Adjustment, NYS Route 9P

Chairman Buck recognized Mr. Frederick Metzger of Frederick Metzger Land Survey who is representing Mr. Edward Kinowski. Mr. Metzger stated that Mr. Kinowski owns both parcels located 640 NYS Route 9P and 646 NYS Route 9P which are in the RRD Zoning District. Mr. Metzger stated that Mr. Kinowski would like to sell the residence at 646 NYS Route 9P but does not want to lose the acreage that surrounds the residence. Mr. Metzger stated that the residence at 646 NYS Route 9P consists of 4.32-acres and Mr. Kinowski would like to take 2.86-acres and add it to his residence located at 640 NYS Route 9P. The remaining 1.36-acre lot with the residence is located at 646 NYS Route 9P. Mr. Metzger stated that this brings Mr. Kinowski's residence into conformance with the zoning ordinance for bulk area and lot frontage.

Ms. Zepko stated that she has spoken to Mr. Kinowski regarding the lot on NYS Route 423 and if discussed whether he may want to subdivide in the future. Ms. Zepko stated that Mr. Kinowski response was that there are sewer lines on the corner of the parcel and with the topography and the ridge in the back he would not be able to develop this parcel.

Mr. Rathbun made a motion to waive the public hearing seconded by Mr. Smith. A roll call vote was taken.

Chairman Buck	YES
Member Bisnett	ABSENT
Member Ferris	ABSENT
Member Marotta	ABSENT
Member Rathbun	YES
Alternate Member Marshall	YES
Member Reilly	YES

Member Smith	YES
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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. 13**

WHEREAS, Ed Kinowski and Kathleen Fusco have submitted an application for a lot line adjustment regarding property located at 640 and 646 NYS Route 9P, more fully identified as Tax Map Numbers 219.05-2-4 and 219.05-2-7; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is a Type II action requiring no further SEQRA review; and

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Edward Kinowski and Kathleen Fusco for a lot line adjustment regarding property located at 640 and 646 NYS Route 9P, more fully identified as Tax Map Numbers 219.05-2-4 and 219.05-2-7, is a Type II action requiring no further SEQRA review.

A motion by Member Rathbun, seconded by Member Marshall, to adopt Resolution No. 13 of 2019.

A roll call vote was taken on Resolution No. 13 of 2019 as follows:

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

Resolution No. 13 of 2019 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on April 22, 2019.

**TOWN OF STILLWATER
PLANNING BOARD
2019 RESOLUTION NO. 14**

WHEREAS, Edward Kinowski and Kathleen Fusco have submitted an application for a lot line adjustment regarding property located at 640 and 646 NYS Route 9P, more fully described as Tax Map Nos. 219.05-2-4 and 219.05-2-7; 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 determined that the proposed application is a Type II action requiring no further review; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Edward Kinowski and Kathleen Fusco for a lot line adjustment of lands located on 640 and 646 NYS Route 9P, more fully identified as Tax Map Numbers 219.05-2-4 and 219.05-2-7, is hereby GRANTED; and be it further

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

1. That the applicant comply with the comments and recommendations contained in the Engineering Review Letter of Paul Male, PE dated April 3, 2019; and
2. That the utility easement on the applicant's property be added to the plat plan;

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 Marshall, to adopt Resolution No. 14 of 2019.

A roll call vote was taken on Resolution No. 14 of 2019 as follows:

Chairperson Buck	YES
Member Bisnett	ABSENT
Member Ferris	ABSENT
Member Marotta	ABSENT
Member Marshall	YES

Member Reilly	YES
Member Smith	YES
Member Rathbun	YES

Resolution No. 14 of 2019 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on April 22, 2019.

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

PB2019-09 & 10 Zecca Major Subdivision and Lot Line Adjustment, Kellogg Road

**** Chairman Buck recused himself from this project ****

Mr. Rathbun recognized Mr. Frederick Metzger of Frederick Metzger Land Survey who is representing Mr. Joseph Zecca. Mr. Metzger stated that the parcel is located on the east side of Kellogg Road. Mr. Metzger stated that they are seeking a four lot Major Subdivision and a Lot Line Adjustment. Mr. Metzger stated that Lot #1 is the remaining parcel that Mr. Zecca plans to develop in the future, Lot #2 and Lot #3 is the property that surrounds the town houses and Lot #4 is the property which will be conveyed and merged with 26 Kellogg Road which is the Lot Line Adjustment. Mr. Metzger stated that all the lots meet the zoning regulations of the T5 Zoning District.

Mr. Rathbun asked if the subdivision is for future town houses. Mr. Metzger stated that the town houses are existing and now being subdivided.

Ms. Zepko stated that there are two applications for this project one is for a Lot line Adjustment and the other is for a Major Subdivision. Ms. Zepko stated that she notified the Village of Stillwater as the back portions of the parcels are in the village. Ms. Zepko stated that it is her understanding that the Village of Stillwater has allowed the Town of Stillwater to take action on the project. Ms. Zepko stated that the Village of Stillwater will approve the action contingent on the actions approved by of Town of Stillwater.

Ms. Reilly made a motion to waive the public hearing for the Lot Line Adjustment, seconded by Ms. Marshall. A roll call vote was taken.

Chairman Buck	YES
Member Bisnett	ABSENT
Member Ferris	ABSENT
Member Marotta	ABSENT
Member Rathbun	YES
Alternate Member Marshall	YES
Member Reilly	YES
Member Smith	YES

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. 15

WHEREAS, Joseph and Irene Zecca have submitted an application for a lot line adjustment regarding property located at 16 Kellogg Road, more fully identified as Tax Map Numbers 253.26-1-32 and 253.26-3-30.12; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is a Type II action requiring no further SEQRA review; and

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Joseph and Irene Zecca, for a lot line adjustment regarding property located at 16 Kellogg Road, more fully identified as Tax Map Numbers 253.26-1-32 and 253.26-3-30.12 is a Type II action requiring no further SEQRA review.

A motion by Member Smith, seconded by Member Reilly, to adopt Resolution No. 15 of 2019.

A roll call vote was taken on Resolution No. 15 of 2019 as follows:

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

Resolution No. 15 of 2019 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on April 22, 2019.

TOWN OF STILLWATER PLANNING BOARD 2019 RESOLUTION NO. 16

WHEREAS, Joseph and Irene Zecca have submitted an application for a lot line adjustment regarding property located at 16 Kellogg Road, more fully described as Tax Map Nos. 253.26-1-32 and 253.26-3-30.12; 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 determined that the proposed application is a SEQRA

Type II action requiring no further review; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Joseph and Irene Zecca for a lot line adjustment of lands located on 16 Kellogg Road, more fully identified as Tax Map Numbers 253.26-1-32 and 253.26-3-30.12 is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the conditions contained in the Engineering Review Letter of Paul Male, PE dated April 3, 2019; 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 Marshall, seconded by Member Reilly, to adopt Resolution No. 16 of 2019.

A roll call vote was taken on Resolution No. 16 of 2019 as follows:

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

Resolution No. 16 of 2019 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on April 22, 2019.

Ms. Reilly made a motion to schedule the public hearing for the Major Subdivision for the next Planning Board meeting on May 28, 2019, seconded by Ms. Marshall. Mr. Rathbun asked for a roll call vote.

Chairman Buck	YES
Member Bisnett	ABSENT
Member Ferris	ABSENT

Member Marotta	ABSENT
Member Marshall	YES
Member Rathbun	YES
Member Reilly	YES
Member Smith	YES

****Chairman Buck returned to the Meeting****

Discussion

Ms. Zepko stated that the Village of Stillwater has requested to be lead agency on the Colonial Road Apartment project. Ms. Zepko stated that the Village of Stillwater and the Town of Stillwater have put together their concerns regarding the traffic from this project. Ms. Zepko stated that Mr. Male has contacted Creighton Manning to do the traffic study. Ms. Zepko stated that they are waiting on an estimate for the traffic study and then they will contact the applicant for an escrow to cover the traffic study. Ms. Zepko stated that the proposed project conforms to the new Zoning Code in the T5 and V5 Zoning Districts.

Mr. Cutler asked how the Town of Stillwater will approach the SEQRA portion of the project. Ms. Zepko stated that it is her understanding that the Village of Stillwater and the Town of Stillwater will work together to hold joint meetings for Site Plan Review but that the Village wishes to act as Lead Agency for SEQRA. Mr. Cutler stated that phase 1 of the project is in the Village of Stillwater. Mr. Cutler stated that he spoke with Mr. Paluso, the Attorney for the Village of Stillwater, in regards to the number of apartment units and there are 190 units so the project will not be a Type 1 action for SEQRA. The project is an Unlisted Action. Mr. Cutler stated that the Village of Stillwater is willing to work with the Town of Stillwater.

Mr. Rathbun asked if the Town of Stillwater would be giving the Lead Agency to the Village of Stillwater. Ms. Zepko stated that there are some options 1) Town of Stillwater can contest the Village of Stillwater as the Lead Agency, 2) the Town of Stillwater and the Village of Stillwater can do a Co-Lead Agency, or 3) the Town of Stillwater can concede lead agency to the Village of Stillwater. Ms. Zepko stated that as an involved agency the Town of Stillwater would still have input on the project. Mr. Rathbun stated that he does not believe the Village of Stillwater has the staff for this project.

Mr. Smith asked how much of the acreage for this project is the Town of Stillwater verses the Village of Stillwater. Ms. Zepko stated that she is not sure but believes there 14-acres in the Village of Stillwater and 10-acres in the Town of Stillwater.

Ms. Vomacka stated that there are historical aspects in that area that could become an issue.

A motion to adjourn was made by Ms. Reilly and seconded by Mr. Rathbun at approximately 8:14 pm.