

**TOWN OF STILLWATER  
PLANNING BOARD MEETING MINUTES  
STILLWATER TOWN HALL  
August 26, 2019 @ 6:30 PM**

**Present:**

**Chairman Peter Buck (PB)  
Frank Bisnett (FB), Member  
Heather Ferris (HF), Member  
Carol Marotta (CM), Vice Chairwoman  
Dale Smith (DS), Member**

**Also Present:**

**James Trainor, Attorney for the Town (JT)  
Paul Male, Town Engineer, (PM)  
Lindsay (Zepko) Buck, Town Planner (LB)  
Sheila Silic, Secretary**

**Absent:**

**Randy Rathbun (RR), Member  
Marybeth Reilly (MR), Member  
Kimberlee Marshall (KM) Alternate Member  
Ellen Vomacka, Town Board Liaison**

**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:**

Vice Chairperson Marotta made a motion to approve the minutes from the July 22, 2019 meeting, seconded by Mr. Bisnett. A roll call vote was taken 5-0. The motion passed unanimously.

**PB2019-17 Belmonte Lot Line Adjustment, 2 Calvin Court**

Chairman Buck recognized Ms. Michele Brown who is representing Belmonte Builders and Grace Moore LLC. Ms. Brown stated that the driveway for ingress and egress that goes to the flag-lot is encroaching onto Lot #7. Ms. Brown stated that they are seeking a Lot Line Adjustment to fix the driveway encroachment between Lot #6 and Lot #7. Ms. Brown stated that the Lot Line Adjustment would increase Lot #6 from 5.35-acres to 5.41-acres and decrease Lot #7 from 1.55-acres to 1.50-acres. Ms. Brown stated that they would like to keep the trees which form a boundary line between two of the parcels.

Chairman Buck asked Mr. Male if there are any outstanding issues regarding the project. Mr. Male stated that there are not any outstanding issues with the project.

Mr. Bisnett made a motion to waive the public hearing seconded by Ms. Ferris. A roll call vote was taken.

Chairperson Buck	YES
Member Bisnett	YES
Member Ferris	YES
Vice Chairman Marotta	YES
Member Reilly	ABSENT
Member Smith	YES
Member Rathbun	ABSENT

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  
2019 RESOLUTION NO. 28**

WHEREAS, Grace Moore, LLC has submitted an application for a Lot Line Adjustment regarding property located at 2 & 4 Calvin Court, more fully identified as Tax Map Numbers 219.-4-9 and 219.-4-6; 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 action; and

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Grace Moore, LLC, for a Lot Line Adjustment regarding property located at 2 & 4 Calvin Court, more fully identified as Tax Map Numbers 219.-4-9 and 219.-4-6, is a Type II action requiring no further SEQRA review.

A motion by Member Marotta, seconded by Member Smith, to adopt Resolution No. 28.

A roll call vote was taken on Resolution No. 28 as follows:

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

Resolution No. 28 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 26, 2019.

**TOWN OF STILLWATER  
PLANNING BOARD  
2019 RESOLUTION NO. 29**

WHEREAS, Grace Moore, LLC has submitted an application for a Lot Line Adjustment regarding property located at 2 & 4 Calvin Court, more fully described as Tax Map No. 219.-4-9 and 219.-4-6; and

WHEREAS, a public hearing was conducted on August 26, 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 classified the action as a Type II action, requiring NO further SEQRA review pursuant to Resolution No. 28 of 2019; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Grace Moore, LLC, for a Lot Line Adjustment of lands located on 2 & 4 Calvin Court, more fully identified as Tax Map Number 219.-4-9 and 219.-4-6, is hereby GRANTED; and be it further

and be it further

RESOLVED, that the applicant must file the approved lot-line adjustment 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. 29.

A roll call vote was taken on Resolution No. 29 as follows:

Chairperson Buck	YES
Member Bisnett	YES
Member Ferris	YES
Member Marotta	YES
Member Reilly	ABSENT
Member Smith	YES
Member Rathburn	ABSENT

Resolution No. 29 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 26, 2019.

**PB2016-20 Hudson Heights Apartments Site Plan, (Turning Point PDD Amendment)**  
**Brickyard Road**

Chairman Buck recognized Mr. Scott Lansing of Lansing Engineering, who is representing Mr. Marshall Whalen and Mr. Victor Gush. Mr. Lansing stated that Mr. Marshall Whalen is also present this evening. Mr. Lansing stated that this parcel is part of the previous Turning Point PDD Development. Mr. Lansing stated that the Turning Point PDD Amendment was approved by the Stillwater Town Board on March 3, 2018. Mr. Lansing stated that they are proposing 11 buildings with 12 units each for a total of 132 apartment units with attached garages. Mr. Lansing stated that the previous proposal was for 12 buildings with 144 apartment units. Mr. Lansing stated that there is a change to the maintenance roadway. Mr. Lansing stated that Ms. Buck and Mr. Male had been contacted by a concerned neighbor from the adjacent cul-de-sac area with regards to people using the maintenance roadway. Mr. Lansing stated that he had an opportunity to meet with the adjacent property owners. Mr. Lansing stated that the property owners and the applicant agreed to a double leaf gate with split rail fencing along the maintenance roadway with no trespass signs posted. Mr. Lansing stated that the neighbors adjacent to the project requested the planting of extra trees for a better buffer/screening between the parcels. Mr. Lansing stated that he received Mr. Male's comment letter dated July 16, 2019 and has addressed most of the comments.

Chairman Buck stated that there are some outstanding issues that need to be addressed from Mr. Male's comment letter. Chairman Buck referred to Item #1 public sewer, Item #2 public water, Item #3 Arvin Hart Fire Department, Item #7 regarding the street names, Item #14 refers to the entrance sign, Item #23 refers to the property corners being noted on the final plans and Item #26 regarding the transition of the grade from the intersection of the proposed roadway and Brickyard Road. Mr. Lansing stated that they have submitted to Saratoga County Sewer District #1, Saratoga County Water Authority and to the Arvin Hart Fire Department and have not received a response back as of yet.

Mr. Male asked Mr. Lansing about the details regarding the signage. Mr. Lansing stated that the design for the sign has not been approved. Mr. Male stated that he and Mr. Lansing are working together on the issue of the transitioning grade of the slope.

Vice Chairperson Marotta asked about the amount of soil disturbance with the installation of the waterline. Mr. Lansing stated that the soil disturbance from the installation of the waterline would be about 20 ft. Vice Chairperson Marotta asked if it is a 60 ft. right-of-way. Mr. Lansing stated that the right-of-way is 50 ft. Vice Chairperson Marotta stated that when the project was first proposed the first floor apartments would be ADA accessible. Mr. Lansing stated that the first floor apartments are handicap adaptable and or accessible. Vice Chairperson Marotta asked about Schedule A, Exhibit B of the stormwater report. Ms. Buck stated that there will be new drawings regarding that section of the stormwater report. Vice Chairperson Marotta asked about the cistern that is now being shown on the plans. Mr. Lansing stated that there is extra storage under the greenspace which is an extension of the stormwater basin. Mr. Lansing stated that

there is a cistern proposed for the collection of roof gutter run off. Mr. Lansing stated that the water from the cistern is non-potable water that can be used for irrigation. Vice Chairperson Marotta asked about the effect the extra stormwater storage will have on the greenspace. Mr. Lansing stated that the extra stormwater storage will not have any effect on the greenspace. Vice Chairperson Marotta stated that the Planning Board had included a recommendation to the Town Board that the PDD Language should state “The Planning Board at Site Plan Review, that the Planning Board shall establish standards, conditions and details for the park in the complex.” Vice Chairperson Marotta stated that the Planning Board spoke about a gazebo and asked if this is no longer part of the project. Mr. Lansing stated that they could work with the Planning Board regarding the open space. Mr. Trainor stated that he would review the Town Board Resolution regarding this project. Ms. Marotta asked what the distance is between the Boulevard and Brickyard Road. Mr. Lansing stated that the distance between the Boulevard and Brickyard is 260 ft. Vice Chairperson Marotta asked about the EAF Form dated June 14 and the EAF Form dated February 26 and in comparing the two forms some of the answers had been changed. Ms. Buck stated that the revision date needs to be added to the EAF Form. Mr. Male stated that he would review the two EAF Forms for any changes.

Vice Chairperson Marotta made a motion to schedule the public hearing for September 23, 2019 seconded by Mr. Bisnett. A roll call vote was taken.

Chairperson Buck	Yes
Vice Chairwoman Marotta	Yes
Member Bisnett	Yes
Member Ferris	Yes
Member Reilly	Absent
Member Smith	Yes
Member Rathbun	Absent

### **PB2018-19 Flintlock Way Cluster Subdivision, County Route 75**

Chairman Buck recognized Mr. Scott Lansing of Lansing Engineering, who is representing Mr. Marshall Whalen and Mr. Victor Gush. Mr. Lansing stated that Mr. Marshall Whalen is also present this evening. Mr. Lansing stated that they are proposing the project as a conservation cluster subdivision. Mr. Lansing stated that Flintlock Way is located in the southeast section of the parcel. Mr. Lansing stated that the parcel is in the LDR Zoning District. Mr. Lansing stated that they submitted a conventional layout of 16 carriage lots, consisting of each lot being approximately 20,000 sq. ft and 3 estates lots. . Mr. Lansing stated that there will be 1,141 ft. of new roadway that will be constructed to town standards and is proposed to be dedicated to the Town of Stillwater. Mr. Lansing stated that the project will be serviced by public water and sewer. They are proposing 17.76-acres of deed restricted open space and stormwater will be managed on site. Mr. Lansing stated that Mr. Male’s comment letter dated January 16, 2019 has been addressed. Mr. Lansing stated that there were changes to Lot #4 due to a deficiency in the 20,000 sq. ft. lot size. Mr. Lansing stated that the three estates Lots #9, #10 and #11 were adjusted to meet the Town Zoning Code for frontage.

Mr. Bisnett asked about the road and the issue with the grade. Mr. Male stated that he owes Mr. Lansing a response letter as he has not had chance to review last comment letter dated August

12, 2019. Mr. Bisnett asked about Item #44 regarding the ponding of water. Mr. Lansing stated that they will be addressing this issue.

Vice Chairperson Marotta asked Mr. Lansing if he would show where the lot line adjustments are on the map. Mr. Lansing pointed out the lot line adjustments on the map to the Board. Vice Chairperson Marotta asked if the open space is attached to the estate lots. Mr. Lansing stated that is correct. Mr. Lansing stated that the open space has deed restrictions. Vice Chairperson Marotta asked if the Town of Stillwater Code Enforcement Office would have to deal with the complaints regarding the open space. Mr. Trainor stated that if the open space is part of the home owner's property it would be between neighbors and the Town of Stillwater would have no involvement. Vice Chairperson Marotta asked about the two strips of land that enter onto County Route 75. Mr. Male asked if the adjacent neighbors would be interested in purchasing the strips of land. Mr. Whalen stated that in the past the neighbors have offered the vacant lots to him for purchase but the lots have deed restrictions and are not sub-dividable. Mr. Whalen stated that he does not believe that the neighbors would be interesting in purchasing these strips of land. Vice Chairperson Marotta asked about Item #14 regarding the wetland disturbance and the stream that flows through the parcel and asked if permits are required. Mr. Lansing stated that the wetland disturbance and the stream were part of the permit that was submitted.

Mr. Trainor requested a copy of the deed restriction language for his review. Mr. Lansing stated that he would submit a copy of the deed restriction language for Mr. Trainor's review. Mr. Trainor stated that Flintlock Way will be dedicated to the Town of Stillwater and a drainage district will be formed. Mr. Lansing stated that is correct. Mr. Trainor stated that the project narrative refers to consolidated Water District #3. Mr. Trainor stated that Water District #3 is part of the Town of Stillwater's consolidated Water District #6 which includes District #1, #3, #4 and #4 extension 1.

Ms. Ferris made a motion to schedule the public hearing for September 23, 2019 seconded by Mr. Bisnett. A roll call vote was taken.

Chairperson Buck	Yes
Vice Chairwoman Marotta	Yes
Member Bisnett	Yes
Member Ferris	Yes
Member Reilly	Absent
Member Smith	Yes
Member Rathbun	Absent

A motion to adjourn was made by Vice Chairperson Marotta and seconded by Ms. Ferris at approximately 7:34 pm.