

**TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES
STILLWATER TOWN HALL
January 25, 2021 @ 6:00 PM**

Present:

**Chairman Peter Buck (PB)
Frank Bisnett (FB), Member
Heather (Ferris) Keefer (HK), Member (via Zoom)
Kimberlee Marshall (KM) Alternate Member
Randy Rathbun (RR), Member
Marybeth Reilly (MR), Member
Dale Smith (DS), Member**

Also Present:

**James Trainor, Attorney for the Town (JT) (via Zoom)
Paul Male, Town Engineer (PM) (via Zoom)
Lindsay (Zepko) Buck, Town Planner (LB)
Ellen Vomacka, Town Board Liaison
Sheila Silic, Secretary**

Absent:

Carol Marotta, (CM), Vice-Chairperson

Pledge:

Chairman Buck called the meeting to order at 6:00 PM and led everyone in the Pledge to the Flag.

Review and approval of minutes of Planning Board meeting:

Mr. Rathbun made a motion to approve the minutes from November 16, 2020, seconded by Mr. Bisnett. Mr. Bisnett made a motion to approve of the December 14, 2020, seconded by Mr. Smith.

PB2019-13 and PB2019-14 ELP Stillwater Solar Site Plan and Special Use Permit Amendment (Presentation via Zoom)

Chairman Buck recognized Mr. Travis Mitchell of Environmental Design Partnership who is representing ELP Stillwater Solar LLC. Mr. Mitchell stated that Mr. Isaiah Hilferty of CS Energy is also present this evening. Mr. Mitchell stated that they were last before the Planning Board on October 28, 2019. Mr. Mitchell stated that they have revised the previously approved Site Plan and submitted a revised Site Plan on December 21, 2020. Mr. Mitchell stated that the revisions allow for a smaller footprint by updating the equipment which is more efficient. Mr. Mitchell stated that they have reduced the number of solar panels while maintaining the permitted generating capacity. Mr. Mitchell stated that they have removed some solar panels along George Thompson Road which has reduced the visibility impact. Mr. Mitchell stated that the revised Site Plan has reduced the coverage of the project from 72-acres down to 62-acres.

Mr. Mitchell showed the Planning Board members the revised plans which indicates the solar panels that have been removed, the solar panels that have been added and the solar panels that have not been changed.

Chairman Buck stated that the revised plan is an improvement over the previous plan regarding the visibility issues.

Mr. Rathbun stated that the revised plan improves the project along George Thompson Road.

Mr. Trainor stated that there is no reason to hold another public hearing regarding the revisions.

Ms. Marshall stated that the revised plan is an improvement to what was proposed previously. Ms. Marshall asked if the plantings are still part of the proposed project. Mr. Mitchell stated that the plantings are still part of the project.

Mr. Bisnett stated that he believes the Planning Board should approve the revisions to the solar project.

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
2021 RESOLUTION NO. 1**

WHEREAS, ELP Stillwater Solar LLC has submitted an application for a Special Use Permit and Site Plan Review to construct a 19.99 MW Solar Farm regarding 363 acres on 3 properties located at George Thompson Road and Graves Road, more fully identified as Tax Map Numbers 252.-2-3.1, 252.-2-15.122, and 252.-2-15.11; and

WHEREAS, pursuant to the Stillwater Town Code, public hearings were held on June 24, July 22 and October 28, 2019 and many comments were received and considered; and

WHEREAS, the Planning Board completed a Coordinated SEQRA review as Lead Agency and has issued a Negative Declaration on January 27, 2020 pursuant to Resolution No. 5 of 2020; and

WHEREAS, ELP Stillwater Solar LLC has recently submitted a request to amend the Special Use Permit and Site Plan Approval granted by Resolution No. 6 of 2020 on January 27, 2020 in order to reduce the footprint of the solar panels from 41.2 to 31.5 acres and to correspondingly increase the setbacks around the parcels; and

WHEREAS, the Town Engineer has reviewed the application and the proposed amendment and confirms that the plan complies with all Town, County and State requirements except as noted; and

WHEREAS, the Planning Board has duly considered the application and the elements necessary to consider the amendment of a Special Use Permit by taking into consideration the benefit to the applicants if the amendment is granted, as weighed against the detriment to the health, safety, and welfare of the neighborhood or community by such an amendment;

Now, therefore, be it

RESOLVED, that the application of ELP Stillwater Solar LLC for amending the Special Use Permit and Site Plan Approval granted on January 27, 2020 by Resolution No. 6 of 2020 to reduce the footprint from 41.2 acres to 31.5 acres and increase the setbacks of the 19.99 MW Solar Farm over 363 acres on 3 properties located at George Thompson Road and Graves Road, more fully identified as Tax Map Numbers 252.-2-3.1, 252.-2-15.122, and 252.-2-15.11, is GRANTED provided applicant comply with the following conditions, prior to the final approval of the construction of the Project:

1. The Special Use Permit, Decommissioning Plan and Letter of Credit are to be updated and renewed every five (5) years;
2. Full compliance with the comment Memos of the Town Planner dated July 17, 2019, July 24, 2019, July 31, 2019, August 1, 2019 and August 16, 2019;
3. Full compliance with the review letter of the Town Engineer dated May 6, 2019, May 15, 2019 and January 11, 2021;

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 Smith, to adopt Resolution No. 1 of 2021.

A roll call vote was taken on Resolution No. 1 as follows:

Chairperson Buck	Yes
Member Bisnett	Yes
Member Keefer	Yes
Member Marotta	Absent
Member Marshall	Yes
Member Reilly	Yes
Member Smith	Yes
Member Rathbun	Yes

Resolution No. 1 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 25, 2021.

PB2020-21 Kings Isle North PDD Site Plan, NYS Route 67

Chairman Buck recognized Mr. Scott Lansing of Lansing Engineering who is representing Mr. Bruce Tanski and Route 67 Holdings LLC for the Kings Isle PDD Amendment. Mr. Lansing stated that Mr. Bruce Tanski is also present this evening. Mr. Lansing stated that the property is located on the north side of NYS Route 67 and is in the Town of Stillwater and the Town of Malta. Mr. Lansing stated that the applicant is proposing one building for senior housing with 123 units and 123 parking spaces. Mr. Lansing stated that there are eight apartment buildings for standard apartments with 11 units each for a total of 88 standard apartment units with 176 parking spaces. Mr. Lansing stated that there are additional parking spaces proposed throughout the development that are currently proposed to be land banked and added if the need arises. Mr. Lansing stated that the residents would access the boulevard for ingress and egress to NYS Route 67. Mr. Lansing stated that the sidewalks are ADA accessible and the applicant is proposing a water feature along with a sign which has not been designed as of yet. Mr. Lansing stated that the project has received preliminary approval from Saratoga County Sewer District #1, Saratoga County Water Authority and stormwater will be managed on site. Mr. Lansing stated that they are asking the Planning Board for approval of the project this evening.

Chairman Buck asked Mr. Male if there are any out standing issues that need to be addressed. Mr. Male stated that all the comments have been addressed and that they need the various agencies approvals.

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

2021 RESOLUTION NO. 2

WHEREAS, Bruce Tanski has submitted an application for Kings Isle PDD Amendment (King's Isle North) Site Plan Approval regarding property located at Route 67, more fully identified as Tax Map Number 251.-1-15.1; 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 Town and Board is the lead agency for SEQRA review; and

WHEREAS, the applicant has submitted a full Environmental Assessment Form (FEAF); and

WHEREAS, the Planning Board has reviewed the proposed project and has determined that it is consistent with the prior SEQRA findings by the Stillwater Town and Planning Boards;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Bruce Tanski, for Site Plan Approval regarding property located at Route 67, more identified as Tax Map Number 251.-1-15.1, will not have a significant impact on the environment.

A motion by Member Rathbun, seconded by Member Bisnett, to adopt Resolution No. 2 of 2021.

A roll call vote was taken on Resolution No. 2 as follows:

Chairperson Buck	Yes
Member Bisnett	Yes
Member Keefer	Yes
Member Marshall	Yes
Member Marotta	Absent
Member Rathbun	Yes
Member Smith	Yes
Member Reilly	Yes

Resolution No. 2 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 25, 2021.

**TOWN OF STILLWATER
PLANNING BOARD
2021 RESOLUTION NO. 3**

WHEREAS, Bruce Tanski has submitted an application for the King's Isle PDD Amendment (Kin'gs Isle North) Site Plan regarding property located at Route 67, more fully identified as Tax Map Number 251.-1-15.1; and

WHEREAS, a public hearing was conducted on January 25, 2021 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. 2 of 2021; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Bruce Tanski, for Site Plan approval of lands located on Route 67, more fully identified as Tax Map Number 251.-1-15.1 is hereby GRANTED, provided the applicant comply with the following conditions, and that these conditions be met prior to the commencement of construction:

1. That the applicant comply with the requirements contained in the King's Isle (North) PDD Amendment Local Law 2 of 2020;
2. That the applicant obtain all approvals and permits necessary from NYSDEC, NYSDOH, NYSDOT, and the Saratoga County Sewer District #1;
3. That the applicant comply with the conditions contained in the Review Letters of January 17, 2021 and November 23, 2020.

And be it further

RESOLVED, that the applicant must file the approved Site Plan map, with all required annotations, 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 Bisnett, to adopt Resolution No. 3 of 2021.

A roll call vote was taken on Resolution No. 3 as follows:

Chairperson Buck	Yes
Member Bisnett	Yes
Member Keefer	Yes
Member Marshall	Yes
Member Marotta	Absent
Member Rathbun	Yes
Member Smith	Yes
Member Reilly	Yes

Resolution No. 3 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 25, 2021.

PB2021-02 Kings Isle North PDD Minor Subdivision NYS Route 67

Chairman Buck recognized Mr. Scott Lansing of Lansing Engineering who is representing Mr. Bruce Tanski and Route 67 Holdings LLC for the Kings Isle PDD Amendment. Mr. Lansing stated that Mr. Bruce Tanski is also present this evening. Mr. Lansing stated that the property is located on the north side of NYS Route 67 and is in the Town of Stillwater and the Town of Malta. Mr. Lansing stated that they are proposing a 2-lot subdivision for financial purposes along with this Site Plan. Mr. Lansing stated that Phase 4 are the eight apartment buildings for standard apartments with 11 units each and Phase 5 is the senior housing with 123 units. Mr. Lansing stated that they are asking the Planning Board for approval of the project this evening.

Chairman Buck asked Mr. Male if there are any outstanding issues that need to be addressed. Mr. Male stated that all the comments have addressed.

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
2021 RESOLUTION NO. 4**

WHEREAS, Bruce Tanski has submitted an application for the King's Isle (North) Minor Subdivision approval regarding property located at Route 67, more fully identified as Tax Map Number 251.-1-15.1; 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 Full Environmental Assessment Form (FEAF); and

WHEREAS, the Planning Board has duly reviewed the FEAF 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 18 factors contained in Part 2 of the FEAF 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, King’s Isle Apartments for a subdivision approval regarding property located at Route 67, more fully identified as Tax Map Number 251.-1-15.1 will not have a significant impact on the environment.

A motion by Member Rathbun, seconded by Member Smith, to adopt Resolution No. 4 of 2021.

A roll call vote was taken on Resolution No. 4 as follows:

Chairperson Buck	Yes
Member Keefer	Yes
Member Bisnett	Yes
Member Marotta	Absent
Member Rathbun	Yes
Member Smith	Yes
Member Marshall	Yes
Member Reilly	Yes

Resolution No. 4 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 25, 2021.

**TOWN OF STILLWATER
PLANNING BOARD
2021 RESOLUTION NO. 5**

WHEREAS, Bruce Tanski have submitted an application for Kin’s Isle (North) Minor Subdivision approval regarding property located at Route 67, more fully identified as Tax Map Number 251.-1-15.1; and

WHEREAS, a public hearing was conducted on January 25, 2021 to consider the application, and comments were received from the public; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution 4 of 2021; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of King’s Isle Apartments, for subdivision approval of lands located on Route 67, more fully identified as Tax Map Number 251.-1-15.1, is hereby GRANTED, provided the applicant comply with the following conditions:

1. The Applicant fully complies with the requirements contained in the King’s Isle North PDD Amendment, Local Law 3 of 2020; and
2. That the Applicant comply with the conditions contained in Paul Male P.E.’s Review Letters of January 16, 2021 and November 23, 2020; and

RESOLVED, that the Applicant must file the approved subdivision map, with all required annotations, 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 Bisnett, to adopt Resolution No. 5 of 2021.

A roll call vote was taken on Resolution No. 5 as follows:

Chairperson Buck	Yes
Member Keefer	Yes
Member Bisnett	Yes
Member Marotta	Absent
Member Rathbun	Yes
Member Smith	Yes
Member Reilly	Yes
Member Marshall	Yes

Resolution No. 5 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 25, 2021.

PB2020-24 Riverside Court Minor Subdivision, 1 Riverside Ct (Presentation via Zoom)

Chairman Buck recognized Mr. Frederick Metzger Jr. P.L.S of Frederick Metzger Survey who is representing Mr. Joseph & Ms. Irene Zecca. Mr. Metzger stated that the property is located at 1 Riverside Court in the Gateway T3G Zoning District. Mr. Metzger stated that the applicant is proposing a 2-lot subdivision. Mr. Metzger stated that Lot 1 would be the western lot which would consist of 1.98-acres for a single-family dwelling for his daughter. Mr. Metzger stated that the applicant will retain the remaining property with the existing single-family dwelling and the improvements on that lot. Mr. Metzger stated that the applicant has received a letter from the Village of Stillwater giving permission for the new lot to be serviced with public water and public sewer. Mr. Metzger stated that the applicant is aware of the flood elevation for the property with regards to the first floor of the dwelling. Mr. Metzger stated that the property corners will be pinned.

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

**TOWN OF STILLWATER
PLANNING BOARD
2021 RESOLUTION NO. 6**

WHEREAS, Joseph and Irene Zecca have submitted an application for a minor subdivision regarding property located at 1 Riverside Court, more fully identified as Tax Map Number 244.00-1-20; 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; and

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 applicants, Joseph and Irene Zecca, for a minor subdivision regarding property located at 1 Riverside Court, more fully identified as Tax Map Number 244.-00-1-20, will not have a significant impact on the environment.

A motion by Member Rathbun, seconded by Member Marshall, to adopt Resolution No. 6 of 2021.

A roll call vote was taken on Resolution No. 6 as follows:

Chairperson Buck	Yes
Member Bisnett	Yes
Member Keefer	Yes
Member Marotta	Absent
Member Marshall	Yes
Member Reilly	Yes
Member Smith	Yes
Member Rathbun	Yes

Resolution No. 6 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 25, 2021.

**TOWN OF STILLWATER
PLANNING BOARD
2021 RESOLUTION NO. 7**

WHEREAS, Joseph and Irene Zecca have submitted an application for a minor subdivision regarding property located at 1 Riverside Court, more fully identified as Tax Map Number 244.00-1-20; and

WHEREAS, a public hearing was conducted on January 25, 2021 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. 6 of 2021; 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 minor subdivision of lands located on 1 Riverside Court, more fully identified as Tax Map Number 244.00-1-20, is hereby GRANTED, provided the applicant comply with the following conditions:

1. Satisfaction of all conditions and requirements contained in Paul Male P.E.'s Review Letter of January 11, 2021.

And be it further

RESOLVED, that the applicant must file the approved subdivision map, with all required annotations, 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 Building Inspector-Code Enforcement Officer.

A motion by Member Bisnett, seconded by Member Reilly, to adopt Resolution No. 7 of 2021.

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

Chairperson Buck	Yes
Member Bisnett	Yes
Member Keefer	Yes
Member Marotta	Absent
Member Marshall	Yes
Member Reilly	Yes
Member Smith	Yes
Member Rathbun	Yes

Resolution No. 7 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 25, 2021.

PB2020-28 VonAhn Minor Subdivision, 42 NYS Route 423

Chairman Buck recognized Mr. Matthew Webster of Van Dusen & Steves Surveyors who is representing Mr. Richard VonAhn. Mr. Webster stated that Mr. Richard VonAhn is also present this evening. Mr. Webster stated that the applicant is proposing a 4-lot subdivision located at 42 NYS Route 423 which is in the RR and LDR Zoning Districts. Mr. Webster stated that the lots are proposed for single family dwellings. Mr. Webster stated that the lots meet all the zoning and the Town of Stillwater Comprehensive Plan requirements. Mr. Webster stated that all the comments from Mr. Male's comment letter dated January 12, 2021 have been addressed.

Mr. Rathbun asked about the garage that is on parcel that has had some work done on it. Mr. VonAhn stated that he has replaced the siding, garage doors and the roof on the garage.

Ms. Lindsay Buck stated that Lot 1 and Lot 2 will have frontage onto NYS Route 423 and that Lot 3 and Lot 4 will have frontage onto Groncziak Road.

The public hearing was scheduled for the next Planning Board meeting on December 14, 2020. A roll call vote was taken.

Chairperson Buck	No
Vice Chairwoman Marotta	Absent
Member Bisnett	Yes
Member Ferris	Yes
Member Marshall	Yes
Member Reilly	Yes

Member Smith	Yes
Member Rathbun	Yes

A motion to adjourn was made by Mr. Rathbun and seconded by Ms. Reilly at approximately 7:10 pm.