

**TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES
STILLWATER TOWN HALL
March 8, 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)
Paul Male, Town Engineer (PM) (via Zoom)
Lindsay (Zepko) Buck, Town Planner (LB)
Sheila Silic, Secretary**

Absent:

**Carol Marotta, (CM), Vice-Chairperson
Ellen Vomacka, Town Board Liaison**

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. Bisnett made a motion to approve the January 25, 2020 meeting minutes, seconded by Ms. Reilly. Motion passed unanimously.

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 Lot #2 and Lot #4 will consist of 2-acres, Lot #3 will consist of 2.4-acres and Lot #1 will consist of the remaining 14-acres. Mr. Webster stated that the lots are proposed for single family dwellings with on-site septic systems and wells. Mr. Webster stated that there are no archeological sites on the parcels. Mr. Webster stated that the lots meet all the zoning and the Town of Stillwater Comprehensive Plan requirements. Mr. Webster addressed Mr. Male's comment letter dated January 12, 2021 regarding Item 11 wetlands on the parcel, there is a pond on the northern parcel. Mr. Webster stated Item 12 regarding habitat types, that is suburban.

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

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

Dorothy Willsie 81 Luther Rd

Ms. Willsie asked how many dwellings are being proposed for the Brightman/Yunch Road subdivision. Ms. Lindsay Buck stated that the Brightman/Yunch Road subdivision will be the next applicant before the Board.

Chairman Buck asked if anyone had any additional questions or concerns and hearing none, he closed the public hearing.

Ms. Lindsay Buck stated that the Saratoga County Planning Board responded with no significant county-wide or intercommunity impact. Ms. Lindsay Buck stated that the 911 numbers will need to be added to the final map.

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. 8**

WHEREAS, Richard Von Ahn has submitted an application for a minor subdivision regarding property located at 42 NYS Route 423, more fully identified as Tax Map Number 220.-1-84; 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 applicant, Richard Von Ahn, for a minor subdivision regarding property located at 42 NYS Route 423, more fully identified as Tax Map Number 220.-1-84, will not have a significant impact on the environment.

A motion by Member Bisnett, seconded by Member Smith, to adopt Resolution No. 8 of 2021.

A roll call vote was taken on Resolution No. 8 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. 8 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on March 8, 2021.

**TOWN OF STILLWATER
PLANNING BOARD
2021 RESOLUTION NO. 9**

WHEREAS, Richard Von Ahn has submitted an application for a minor subdivision regarding property located at 423 NYS Route 423, more fully identified as Tax Map Number 220.-1-84; and

WHEREAS, a public hearing was conducted on March 8, 2021 to consider the application, and no comments were received from the public in addition to the applicant; and

WHEREAS, the Saratoga County Planning Board found no county-wide or intercommunity impact in its decision of February 19, 2021;

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 8 of 2021; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Richard Von Ahn, for a minor subdivision of lands located at 423 NYS Route 423, more fully identified as Tax Map Number 220.-1-84, is hereby GRANTED, and be it further

RESOLVED, that the applicant comply with the following conditions,;

1. Complete satisfaction of all conditions and requirements contained in Paul Male P.E.'s review letter dated January 12, 2021, including, but not limited to, obtaining a NYS DOT permit for access for Lot 4 to NYS Route 423.

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 Bisnett, seconded by Member Marshall, to adopt Resolution No. 9 of 2021.

A roll call vote was taken on Resolution No. 9 as follows:

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

Resolution No. 9 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on March 8, 2021.

PB2021-03 Marissa Mackay Minor Subdivision, Yunch Rd

Chairman Buck recognized Mr. James Vianna of James Vianna Land Survey who is representing Luther Forest Corporation. Mr. Vianna stated that the applicant is proposing a two-lot subdivision. Mr. Vianna stated that the property is located at the intersection of Brightman Road and Yunch Road and consist of 53-acres in the LDR Zoning District. Mr. Vianna stated that Lot #1 will consist of 48-acres and will remain vacant. Lot #2 will consist of 5-acres and is proposed for a single-family dwelling with on-site septic and well. Mr. Vianna stated that a perk test has been completed. Mr. Vianna stated that the location of the driveway meets the site distance for

ingress and egress onto Yunch Road. Mr. Vianna stated that the length of the driveway is 500 ft. and is part of a logging road. Mr. Vianna stated that proposed subdivision complies with all zoning requirements.

Mr. Trainor stated that the length of the driveway may need to be designed to accommodate emergency vehicles according to the Fire Code Regulations. Mr. Trainor asked about wetlands on the parcel. Mr. Vianna stated that the wetlands are located on the 48-acre parcel.

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

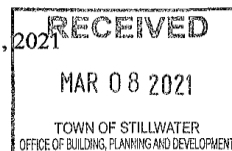
Dorothy Willsie 81 Luther Rd

Ms. Willsie stated that Mr. Vianna answered most of questions. Ms. Willsie stated that there is only one single family dwelling with on-site septic and well proposed. Mr. Vianna stated that is correct. Ms. Willsie stated that there have been single family dwellings built on Grace Moore Road and that she did not receive notification regarding those subdivisions. Ms. Lindsay Buck stated that there may have been some pre-existing building lots and the public would not have received notification prior to building is a subdivision was not required.

James Close 3 Brightman Road

James Close

March 3, 2021



Chairman and Member
Town of Stillwater Planning Board
P.O. Box 700
Stillwater, N.Y. 12170

Re: Public Hearing, Proposed Minor Subdivision at Brightman and Yunch Rds

Members of the Planning Board:

I am pleased to offer my comments on the proposed minor subdivision noted above that is before the Board for approval by the applicant, James Vianna.

I object to the proposed subdivision on these grounds:

The Town should maintain the integrity of *every last remaining large parcel of land* within the town in order to protect its rapidly diminishing rural character. Minor subdivisions such as this promote the continuing fragmentation and “death by a thousand cuts” of the rural landscape. Sadly, I have seen our Town’s rural character slowly suffocate and die from hundreds of supposedly innocuous minor subdivisions over the 32 years that I have lived here; this, unfortunately, is yet another.

You may not be aware, but I singlehandedly put time and effort into trying to avert the sale of the adjacent large parcel at the corner of Yunch and Grace Moore Rds when it was put up for sale about a dozen years ago, arguing in vain that it be set aside as a small natural area pocket part for the benefit of residents. Now, it is marred by several homes, and the woodcock that used to dance there in the Spring are gone forever. The lasting gift and benefits that a preserved old-field parcel could give to Stillwater residents for generations to come gave way to short-term greed and profit (for a church, ironically).

You are hopefully aware that this large 53 acre parcel from which the subdivision is to be made is, if the zoning map is to be believed, included within an Agricultural District. It is *never* in the best interests of agriculture to fragment the land, but that is exactly what is happening here. Either you believe in preserving land for agriculture, or you don’t – and that’s exactly what is at stake here.

3 Brightman Road
Mechanicville, N.Y. 12118-2807
518-664-2980

Chairman Buck asked if anyone had any additional questions or concerns, 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. 10**

WHEREAS, The Luther Forest Corporation has submitted an application for a minor subdivision regarding property located at the North Side of Yunch Road, more fully identified as Tax Map Number 219.1-83; 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 applicant, the Luther Forest Corporation, for a minor subdivision regarding property located at the North Side of Yunch Road, more fully identified as Tax Map Number 219.-1-83, will not have a significant impact on the environment.

A motion by Member Marshall, seconded by Member Bisnett, to adopt Resolution No. 10 of 2021.

A roll call vote was taken on Resolution No. 10 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. 10 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on March 8, 2021.

**TOWN OF STILLWATER
PLANNING BOARD
2021 RESOLUTION NO. 11**

WHEREAS, The Luther Forest Corporation has submitted an application for a minor subdivision regarding property located at the North Side of Yunch Road, more fully identified as Tax Map Number 219.-1-83; and

WHEREAS, a public hearing was conducted on March 8, 2021 to consider the application, and 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. 10 of 2021; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of The Luther Forest Corporation, for a minor subdivision of lands located on the North Side of Yunch Road, more fully identified as Tax Map Number 219.-1- 83, is hereby GRANTED, and be it further

RESOLVED, that the applicant comply with the following conditions,;

2. Complete satisfaction of all conditions and requirements contained in Paul Male P.E.'s review letter dated February 2, 2021, including, but not limited to, submitting the driveway design to the Arvin Hart Fire Dept. for review and comment.

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 Bisnett, seconded by Member Marshall, to adopt Resolution No.11 of 2021.

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

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

Resolution No. 11 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on March 8, 2021.

PB2020-29 Hagadorn Minor Subdivision 111 Brickhouse Road

Chairman Buck recognized Mr. James Vianna of James Vianna Land Survey who is representing The Hagadorn Family Trust. Mr. Vianna stated that the applicant is proposing a 3-lot subdivision located at 111 Brickhouse Road consisting of 43.5-acres in the RR Zoning District. Mr. Vianna stated that Lot #2 and Lot #3 will consist of 20.26-acres each with on-site septic and well. Mr. Vianna stated that Lot #1 will retain the existing dwelling and outbuildings on the remaining 3-acres. Mr. Vianna stated that Lot #2 and Lot #3 are being marketed as Equine Farms. Mr. Vianna addressed Mr. Males comment letter dated February 2, 2021 regarding Item 11, information on archeological sensitive site, that the nearest archeological sensitive site is located on the corner of Jack Holloran Road and County Route 70. Mr. Vianna stated Item 12 regarding wetlands, there are ponds on Lot #3 that are Army Corp wetlands.

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

Mr. Trainor asked what year the existing house was built on Lot #1. Mr. Vianna stated that it was built prior to zoning. Mr. Trainor asked about the location of the outbuildings. Mr. Vianna stated that outbuildings are located on Lot #1.

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. 12**

WHEREAS, The Hagadorn Family Trust has submitted an application for a minor subdivision regarding property located at 111 Brickhouse Road, more fully identified as Tax

Map Number 220-1-88.1; 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; 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 applicant, the Hagadorn Family Trust, for a minor subdivision regarding property located at 111 Brickhouse Road, more fully identified as Tax Map Number 220-1-88.1, will not have a significant impact on the environment.

A motion by Member Rathbun, seconded by Member Reilly, to adopt Resolution No. 12 of 2021.

A roll call vote was taken on Resolution No. 12 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. 12 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on March 8, 2021.

**TOWN OF STILLWATER
PLANNING BOARD
2021 RESOLUTION NO. 13**

WHEREAS, The Hagadorn Family Trust has submitted an application for a minor subdivision regarding property located at 111 Brickhouse Road, more fully identified as Tax Map Number 220.-1-88.1; and

WHEREAS, a public hearing was conducted on March 8, 2021 to consider the application, and no comments were received from the public in addition to those of the applicant; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 12 of 2021; and

WHEREAS, the Planning Board has duly considered the application and found the front yard set back violation to be a pre-zoning non-conforming use not requiring an area variance;

Now, therefore, be it

RESOLVED, that the application of The Hagadorn Family Trust, for a minor subdivision of lands located on 111 Brickhouse Road, more fully identified as Tax Map Number 220.-1-88.1, is hereby GRANTED, and be it further

RESOLVED, that the applicant comply with the following conditions;

3. Complete satisfaction of all conditions and requirements contained in Paul Male P.E.'s review letter dated February 2, 2021, including, but not limited to, submitting the driveway design to the Arvin Hart Fire Dept. for review and comment.

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 Reilly, seconded by Member Bisnett, to adopt Resolution No.13 of 2021.

A roll call vote was taken on Resolution No. 13 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. 13 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on March 8, 2021.

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