

**TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES
STILLWATER TOWN HALL
May 24, 2021 @ 6:00 PM**

Present:

**Chairman Peter Buck (PB)
Frank Bisnett (FB), 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)
Lindsay (Zepko) Buck, Town Planner (LB)
Ellen Vomacka, Town Board Liaison
Sheila Silic, Secretary**

Absent:

**Carol Marotta, (CM), Vice-Chairperson
Heather (Ferris) Keefer (HK), Member
Kimberlee Marshall (KM) Alternate Member**

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:

Chairman Buck asked for a motion to table the minutes from April 26, 2021. Mr. Rathbun made a motion to table the minutes from April 26, 2021 meeting, seconded by Ms. Marshall. The motion passed unanimously.

Ms. Reilly made a motion to enter into executive session, seconded by Mr. Bisnett at 6:10 PM. Mr. Bisnett made a motion to exit executive session seconded by Ms. Reilly at 6:30 PM.

PB2019-12 Saratoga Hills Mobile Home Park, County Route 76

Chairperson Buck recognized Mr. Scott Shearing of Bohler Engineering who is representing Stillwater Elgen LLC, the owner of Saratoga Hills Mobile Home Park. Mr. Shearing stated that there are interior improvements which consist of interior overflow parking, recreation facility, mail center, bus loading/unloading zone and parking/storage area for recreational vehicles. Mr. Shearing stated that they have been working and will continue to work with Mr. Male regarding his comment letter.

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

James Farnan 47 County Route 76

Mr. Farnan asked if the proposed plan includes the development newly acquired 17-acre parcel. Mr. Shearing stated that it does not include the 17-acre parcel. Mr. Farnan asked about the storage area that is proposed. Mr. Shearing stated that it is for additional vehicle parking in the rear of the parcel. Mr. Farnan asked if this area is for storage or just parking spaces. Mr. Shearing stated that the additional parking is for boats, trailers such as landscaping trailers and additional vehicles. Mr. Farnan asked what is the acreage of the additional parking area. Mr. Shearing stated that the additional parking area is less than 2-acres. Mr. Farnan asked if the additional parking is located by the water tower. Mr. Shearing stated that the additional parking is located where the pavilion was located. Mr. Farnan asked if they are proposing improvements to the roadways. Mr. Shearing stated that there will be some asphalt improvements.

Chairman Buck asked if anyone had any additional questions or concerns and hearing none, he closed the public hearing. Chairman Buck made a motion to close the public hearing seconded by Mr. Rathbun. A roll call vote was taken.

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

Chairman Buck asked Mr. Male if he had any additional comments. Mr. Male stated that he had received the information late and was not able to review the information or write a comment letter before this evening Planning Board meeting.

Mr. Trainor stated that his recommendation to the Planning Board is to wait for Mr. Male's comments before acting on the application.

Mr. Male stated that he agrees with Mr. Trainor regarding waiting as there will be some comments from the SEQRA Long Form.

Mr. Shearing asked if the Planning Board could do a contingency approval based on Mr. Male's comments as they are minor in nature and if this would be a consideration.

Mr. Bisnett stated that he is not comfortable with an approval based on Mr. Male's comments without having a chance to review the comments.

Chairman Buck asked if anyone had any additional questions or concerns, hearing none he asked for motion to table the project.

Mr. Bisnett made a motion to table the project until the June 28, 2021 Planning Board meeting seconded by Mr. Rathbun. A roll call vote was taken.

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

PB2021-09 Still Meadows (Grayson) Mobile Home Park, 96 County Route 76

Chairman Buck recognized Mr. Stephen Dean, P.E., P.C. Consulting Engineer who is presenting the project this evening. Mr. Dean stated that Mr. Lawrence Grayson is the owner of Still Meadows Mobile Home Park and is also present this evening. Mr. Dean stated that the applicant has consolidated the 9 mobile home lots into 4 double-wide lots. Mr. Dean stated that Mr. Grayson has been removing debris from the mobile home park. Mr. Dean stated that the applicant was before the Zoning Board of Appeals to request an extension of the 12 Area Variances that were approved on November 9, 2020. Mr. Dean stated that the Zoning Board of Appeals granted the extension until November 1, 2021. Mr. Dean stated that they are seeking Site Plan approval this evening.

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

Claude Gauthier 97 County Route 76

Mr. Gauthier stated that he lives in the vicinity of the mobile home park and would like to have the mobile home park removed from the premises. Mr. Gauthier stated that a duplex would be a better use of the property rather than 4 double-wide mobile homes. Mr. Gauthier stated that he opposes this project and asked the Planning Board not to approve the project.

Louise Maynard 94 County Route 76

Ms. Maynard asked what has been accomplished since the last time you were before the Planning Board. Mr. Dean stated that the Village Waterline connection to the mobile home park has been completed. Mr. Grayson stated that the 4 new lots will be serviced with public water. Mr. Grayson stated that septic system and leech field is adequate for the 4 double-wide mobile homes. Mr. Grayson stated that all the residents will be served eviction notices after Labor Day. Mr. Grayson stated that he has removed debris and unregistered vehicles from the mobile home park. Ms. Maynard stated her concerns with the vacant mobile home along the property line. Ms. Maynard stated that she would like the property line between the vacant mobile home and her property cleaned up. Mr. Grayson stated that he would have that area cleaned up. Ms. Maynard asked what the time line is for moving forward with the project after approval. Mr. Grayson stated that as soon as he gets the approval he will start moving forward with the project.

Richard Griffiths 95 County Route 76

Mr. Griffith asked about the safety issues regarding the mobile homes in the front. Mr. Dean stated that there will be barriers installed that will shield the visibility and traffic from the mobile

home park. Mr. Dean stated that they extended and angled the berms for a better line of site. Mr. Griffiths stated that his position is that 4 double-wide mobile homes is too many homes on that size parcel. Mr. Griffiths stated that a two-family dwelling fits the character of the neighbor better than what is being proposed. Mr. Griffiths asked how many acres is the mobile home parcel. Mr. Grayson stated that the parcel is 1.88-acres. Mr. Griffiths asked if he bought a 1.88-acre parcel in this area if he would be able to put 4 double-wide mobile homes on the parcel. Ms. Lindsay Buck stated that he would not be able to put 4 double wide mobile homes on the parcel under the current Zoning Code. Mr. Dean stated that there is 100 ft. of frontage along County Route 76. Mr. Male stated that the Zoning Board of Appeals approved the Area Variances requested by Mr. Grayson and that grants him the right to proceed with this project. Mr. Griffiths asked when the Area Variances were approved. Ms. Lindsay Buck stated that the Area Variances were approved on November 9, 2020. Mr. Griffiths stated that he believed that there was a 6-month time limit. Mr. Male stated that there was a 6-month sunset on the Area Variances with certain criteria that needed to be accomplished. Mr. Male stated that due to Covid restrictions the Zoning Board of Appeals extended the Area Variances and with cooperation with the Stillwater Town Court. Mr. Griffiths stated that with the history of the mobile home park and the Zoning Laws is this the most practical use of the parcel. Mr. Male stated that the Zoning Board of Appeals approved the Area Variances and the Planning Board does not have the authority to reverse the Zoning Board of Appeals decision. Mr. Male stated that there will be conditions attached to the approval by the Planning Board along with a letter of credit to ensure that all conditions are met.

Chairman Buck asked if anyone had any additional questions or concerns and hearing none, he asked for a motion to close the public hearing.

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

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

Chairman Buck asked if anyone had any additional questions or concerns, hearing none he asked for motion to table the project.

Ms. Reilly made a motion to table the project until the June 28, 2021 Planning Board meeting seconded by Mr. Smith. A roll call vote was taken.

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

PB2020-22 and PB2021-06 Stillwater Campground Site Plan and Special Use Permit, NYS Route 4

NOTE: Due to the Covid-19 physical distancing requirements, the below presentation was repeated 3 times to all for all the members of the public to be present in phased increments:

Chairman Buck recognized Mr. Joseph Bianchine of ABD Engineers LLC along with Mr. John Hitchcock who is the Project Engineer. Mr. Bianchini stated that Thomas Manoleff and Christian Manoleff who are members of the project team and that Mr. and Mrs. Roy Dyer, the owners of the project, are also present this evening. Mr. Bianchini stated that this is the first public hearing on the project which is in the beginning stages of the project. Mr. Bianchini stated that the input from the residents at this evening's public hearing and the comments from Planning Board. Mr. Bianchini stated that there will be adjustments made to the project that would be acceptable to the residents and the Planning Board. Mr. Hitchcock stated that the traffic to access the campground would be from NYS Route 4 onto Ensign Road and would not impact the residents on River Road. Mr. Hitchcock stated that the only access from River Road would be an emergency access road that would have a gate at the entrance and closed to the public. Mr. Hitchcock stated that they are proposing a 6 ft. vinyl fence with some landscaping along the residential properties to the north and south of the proposed project. Mr. Hitchcock stated that they have met the 50 ft. land use buffer to both properties and there will not be a campsite within 50 ft. of the residential property line along the north or south side of the project. Mr. Hitchcock stated that each campsite will have water and sewer hook-ups which will be serviced by an on-site well and septic system. Mr. Hitchcock stated that this project has 2-phases, Phase 1- is the proposed buildout of 99 campsites with an office/storage area. Mr. Hitchcock stated that Phase 2- of the buildout are the remaining 56 campsites with a ballfield/recreation type area. Mr. Hitchcock stated that the total buildout of Phase 1 and Phase 2 would be 155 campsites. Mr. Hitchcock stated that Mr. Dyer and his lawyer have starting the process of working on the lease agreements for the campers. Mr. Hitchcock stated the campground will operate 180 days as allowed by the Town of Stillwater Zoning Code. Mr. Hitchcock stated that they are in the process of working on the rules and regulations for the campground. Mr. Hitchcock stated that they are proposing a smaller fire ring then what is required by the Town of Stillwater Zoning Code. Recreational vehicles, guns and fireworks are not permitted on the campground. Mr.

Hitchcock stated that in 2019 New York State adopted the Unruly Camper Law. Mr. Hitchcock stated that this law allows the owner of the campsite to give the camper a warning and can remove the camper from the campsite.

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

James & Karline Roberts 335 River Road

Ms. Roberts read items 1 through 5 of the letter dated on May 18, 2021. Copied below:

- 1. How is the Planning Board going to address the health, welfare, and safety of our residents in our T2 rural conservation zone? Our neighborhood on River Road is incredibly quiet and is made up of single-family residences, with most of us living here as year-round residents. Enclosed are some photographs of our neighborhood for your reference.**
- 2. The application for Stillwater campground has a proposed 155 campsites on 16.85-acre parcel. How will the Planning Board address the fact that this proposed project is not in harmony with our current residential community? The zoning code has a minimum lot size of 2 acres for the T2 rural conservation zone, so this property would be able to accommodate at most 8 residential lots, but this proposal will allow 155 families (and potentially many more with friends/relatives visiting) to use the property. The project would allow roughly 20 times the number of people than is otherwise allowed on the property!**
- 3. How is the Planning Board going to address the vehicular congestion with 155 campers with additional cars on rural roads (less than 20' in width) that are not designed to accommodate the additional traffic, especially with proposed campsite entrance on Ensign Lane and not on Route 4? Has the Board requested that the applicant conduct a traffic study?**
- 4. There are less than 30 homes on River Road. Considering that the proposed 155 site campground would literally expand the population of our community by over 600 people if there were an average of 4 people per campsite, how will you revise the emergency preparedness program to handle the increase?**
- 5. How will the Board address increased vehicle traffic on River Road, and the increased risk to bicyclists and pedestrians, being aware of the current activities, such biking and hiking as there is exceptionally low traffic volume today?**

Mrs. Roberts stated that she is representing the majority of the residents that reside on River Road, Wilbur Road and Ensign Lane. Mrs. Roberts stated that the Planning Board were furnished with the list of concerns. Mrs. Roberts stated that she and two other residents will be sharing these concerns this evening. Mrs. Roberts stated that the residents have concerns about the campground and this project does not belong in the area of River Road. Mrs. Roberts stated that the residents hope that the Planning Board will take into consideration their letters and the petition that has been submitted. Mrs. Roberts stated that according to the Town of Stillwater Zoning Code Section 210-43, that this proposed project requires special consideration because it can cause certain problems or difficulties. Mrs. Roberts stated that a Special Use Permit is not

granted as of right and the application for the project requiring a Special Use Permit can be denied by the Planning Board. Mrs. Roberts stated that the residents are requesting that the Planning Board use its discretion to deny the proposed project because it will have a negative impact on our neighborhood and will cause traffic congestion problems. Mrs. Roberts stated that will have a negative impact on the environment and natural resources of the site and the surrounding area.

David & Daria Britt 3 Ensign Road

Mrs. Britt read items 6 through 10 of the letter dated May 18, 2021. Copied below:

- 6. We are interested in determining from the applicant how any negative impact from the increased usage of utilities and public services including water, electrical, and emergency services will be addressed especially considering the number of power outages experienced on River Rd. Will there be backup power so that every camper is not causing increased noise level using their individual generators?**
- 7. How will the Planning Board address the fact that part of this parcel is in a flood zone, may have wetlands onsite, and may be contaminated with PCBs from the waters that flow onto this property?**
- 8. How will be Planning Board address the chance of fire from 155 campers from embers that could start a fire including a forest fire or a roof fire on one of the surrounding homes?**
- 9. How will the Planning Board address the smoke from the campfires and the impact the smoke will have on the surrounding residential homes? At least one current resident living in close- proximity has a medical condition where smoke can exacerbate breathing problems.**
- 10. Can the Board explain to us what the benefit of this project has to our community?**

Mrs. Britt stated that their residence is right next to the proposed entrance of the campground on Ensign Lane.

Donald & Susan Abrams 191 River Road (Town of Saratoga)

Mr. Abrams read comments and questions 11 through 16 from the letter dated May 18, 2021. Copied below:

11. How is the Planning Board going to ensure our residential River Road community is not negatively affected?
12. Can the applicant address how long the camping season will be and if the campers will be allowed to store campers there year-round? We believe that this is not allowed in a flood zone.
13. How will the applicant address security? Residents are concerned with noise levels, illegal fireworks, increased crime, and campers wondering onto their property. Will there be 24- hour staff on-site and will there be a quiet time in the evening established and enforced? How will campers be prevented from trespassing across the campground's boundary lines?
14. Can the Board address the issue of odors? Besides the smell of campfires, the residents are concerned with the smell of garbage and the attraction of animals, such as raccoons and bears as well as possible litter on the roads as campers walk along the roadways.
15. Can the Board address the issue of dust and noise since the proposed access road does not appear to be paved? Also, can the Board address why the project is allowed to use the 50' buffer space for its proposed access road? The proposal should not have the proposed access road located within the 50' buffer area that must be landscaped with trees.
16. Can the Board address possible PCB ground level contamination prior to any excavation since this area is in a flood zone and neighboring homes are concerned with runoff as a result of the excavation and dust during the excavation?

Mr. Abrams stated with all the problems and difficulties posed by this proposed project the residents feel that the Planning Board must deny the proposed project because of its numerous negative impacts and little to no positive impacts to the community. Mr. Abrams stated if the Planning Board has any concerns regarding the potential for significant adverse impacts from this project then the Planning Board must require that applicant to conduct additional studies. Mr. Abrams stated that these additional studies would include a traffic study and environmental impact statement. Mr. Abrams stated that we are grateful that we live in a country where we can express our ideas in front of a Government Board and as a result we see the careful consideration of our comments and the Planning Board consideration of this plan. Mr. Abrams stated that the residents strongly urge the Planning Board to not give up a little piece of heaven for the sake of a few dollars.

Michael & Nicolle Alonzo 333 River Road

Read letter copied below:

Nicolle and Michael Alonzo
333 River Road
Stillwater, NY 12871

Town of Stillwater
Planning Board Members
881;Hudson Avenue
Stillwater, NY12170

May 21, 2021

Dear Members,

We express our concern for the proposed River Road Campground development. Our concerns are:

River Road has enjoyed a residential environment for several decades. A campground with 155 campsites would cause noise pollution, air pollution from camp fires, safety issues with a potential of 620 people sharing a small space, road traffic causing wear and tear on Ensign Road and River Road, water table decrease with increase on demand, sewage seepage into wet lands and possibly the Hudson River, residential properties decreasing in value and decreasing the tax base for the town and school.

We are concerned these problematic issues with the proposed campground will become a financial burden for the town with little benefit to the local residents nor the town itself.

We implore you to vote no for the special use permit submitted by Route 4 D&R Ventures for a campground.

Thank you for your valued service to the Town of Stillwater.

Nicolle and Michael Alonzo

Ms. Alonzo stated that they own this property and like to enjoy the property and the river on nice days with all the beautiful nature that surrounds the property. Ms. Alonzo stated that she would like to thank the Planning Board for their service to the Town of Stillwater. Ms. Alonzo stated that the Town of Stillwater takes pride in being the site of the Turning Point of the Revolutionary Way. Ms. Alonzo stated that Mr. and Mrs. Roberts have a monument on their property that recognizes the surrender of the Battle of Saratoga and they take care of and honor the monument. Ms. Alonzo stated that when you stop at site 9 on the tour road of the Saratoga National Park it overlooks this serene country setting. Ms. Alonzo stated that this proposed project will ruin the ambiance and integrity of the area. Ms. Alonzo asked the Planning Board to save the integrity of the Town's history.

Dave Ferrone 279 Wilbur Road

Mr. Ferrone stated that he has not made a decision for or against the proposed project. Mr. Ferrone stated that he would like to know how to go about receiving the answers to the questions that have been raised this evening. Ms. Lindsay Buck stated that the Planning Board had discussed leaving the Public Hearing open which allows for additional comments to be heard. Ms. Lindsay Buck stated that the Planning Board and the Planning Department will listen to the public comments and will compile a list of the concerns. Ms. Lindsay Buck stated the Planning Board stated that they would like to further review the Environmental Assessment Form and the

Engineering review for additional comments. Ms. Lindsay Buck stated that as the Planning Department compiles the list of concerns and receives the additional material from the applicant we will have the answers for the public. Ms. Lindsay Buck stated that the answers to the residents' concerns would be heard at a public meeting. Mr. Ferrone asked if he would receive another letter in the mail for any further meetings on the campground. Ms. Lindsay Buck stated that he would not receive any further public notices on the project. Ms. Lindsay Buck stated that the Planning Board meetings are held every fourth Monday of the month and that the residents are welcome to call or email her at the office to inquire if the applicant is on that month's agenda.

Dave Cox 1438 Hudson Ave

Mr. Cox stated that the proposed project is between the Saratoga National Park and the Saratoga National Cemetery. Mr. Cox stated that he had spoken to the Park Ranger regarding the proposed project who were unaware of the proposed project. Mr. Cox stated that they are concerned that the campground will be seen from one of their observation sites. Mr. Cox stated the campground would be a distraction from these two sites which are hollow ground. Mr. Cox stated that we should not change the atmosphere of this region. Mr. Cox stated that there are visitors and residents that visit these two sites.

Lillian Bullis 329 River Road

Ms. Bullis stated that she has resided at 329 River Road for 30+ years, has raised her children there and it has been a very safe area. Ms. Bullis stated that the thought of having the potential for 100's of strangers to be in the neighborhood every weekend with no connection to the neighborhood, residents of the community walking on River Road does not make me feel safe. Ms. Bullis stated that a housing development would be more appropriate than a campground. Ms. Bullis stated that there will be an increase in boat traffic with campers accessing the water and alcohol consumption. It will put a strain on our resources. Ms. Bullis asked what would happen if a serious accident were to happen. Ms. Bullis stated that emergency medical services are not in close proximity to this area. Ms. Bullis stated that the smoke from the campfires will drift into our neighborhood. Ms. Bullis stated that we do not need a neighborhood full of strangers.

Josh Whiting 11 Soul Shine Farm Road

Mr. Whiting stated that he did not have much notice regarding the proposed project. Mr. Whiting stated that the power grid is a very weak in this area and adding 155 campsites to the aging infrastructure is not a wise idea. Mr. Whiting stated that NYS Route 4 has been in terrible shape for many years and could cause vehicle damage to the tires. Mr. Whiting stated that residents live in this area because it is quiet. Mr. Whiting stated that the river has a lot of traffic and adding 155 more people is not a good idea. Mr. Whiting asked what is the campground adding to the Town of Stillwater regarding the economy, jobs, revenue, or increasing the tax base. Mr. Whiting asked about the sewage holding tank and the odor that it will generate. Mr. Whiting asked if solar panels will be installed to help with the green energy incentive in this area. Mr. Whiting stated that this not a source of income revenue for the Town of Stillwater. Mr. Whiting stated that residents oppose this proposed project.

Thomas Mulderry 1400 Hudson Ave

Mr. Mulderry stated that he has lived in the area for 32 years. Mr. Mulderry stated that the section of NYS Route 4 where the project is being proposed floods. Mr. Mulderry stated his concerns regarding the flooding of the parcel and the septic system overflowing into the Hudson River.

Linda Roberts Albany Ny

Ms. Roberts stated that she owns a camp at 321 River Road that has been in her family for 70 years and enjoys the peace and quiet of the area. Ms. Roberts stated that she has been to other campgrounds and knows how hard it is to control that many people regarding noise, campfires and you cannot watch that many people. Ms. Roberts stated her concerns regarding the water table, sewage, trash, and children who will ride their bikes on River Road. Ms. Roberts stated that using Ensign Lane to reach the campground will increase traffic on the road. Ms. Roberts asked if an ecological study had been in regard to wildlife on the property. Ms. Roberts asked how are you going to control the noise level from the campsite. Ms. Roberts stated that the view will be destroyed.

James Carter 307 River Road

Mr. Carter stated that there is an easement between my property and Mr. Dyer's property. Mr. Carter asked if there is going to be a fence, highway and if the pond will be drained back to the river. Mr. Carter asked what is going to happen to my property.

Dave Fagan Brunswick NY

Mr. Fagan stated that he is friends with Mr. Dyer and they have camped at the site with Mr. Dyer. Mr. Fagan stated that he has heard a lot of negative comments and wants the Planning Board and the residents to know that they are not bad people. Mr. Fagan stated that we are cognizant and we are aware of the neighbor's feelings. Mr. Fagan stated that some neighbors are supportive and some are not supportive of the project. Mr. Fagan stated that they are very careful how we treat the neighborhood. We do not use fireworks and are we not there to hurt anyone. Mr. Fagan stated that he has been a Police Officer for 20 years and a Melrose Fire Fighter for 30 Years. Mr. Fagan stated that his fiancé is a Social Worker with children.

Donald Abrams 191 River Road

Mr. Abrams stated that he agrees with Mr. Fagan's statements. Mr. Abrams asked if the Planning Board is aware that there are currently seven campsites on the parcel that have been there for about 3 years. Mr. Abrams stated that the behavior of the current campers is exceptional and there have been no problems with the neighbors. Mr. Abrams stated that is not going to happen with 155 campers.

Joanie Young

Ms. Young stated that she is a friend of Mr. Dyer's and Mr. Fagan's fiancé. Ms. Young stated the campground is family oriented and that they respect each other and the campground. Ms. Young stated that she has anxiety and a fear of fireworks and they all know and respect that fact. Ms. Young stated the fireworks the neighbors are hearing are not from the campsite but from a residence across the river.

Daria Britt 3 Ensign Lane

Ms. Britt stated that if the proposed project does get passed, the people who live on River Road will try sell their residences, and would request to be reassessed which we have because we have riverfront property. Ms. Britt asked if the Town of Stillwater would be willing to lower our property assessment. Ms. Britt asked if the Town of Stillwater is willing to risk our lives. Ms. Britt stated that the current people that camp at the site do respect the neighborhood. Ms. Britt stated that we do not want 90 or 155 campers. Ms. Britt stated that we have a beautiful family neighborhood.

Ms. Reilly made a motion to leave the public hearing open for the project seconded by Mr. Smith. A roll call vote was taken.

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

Mr. Male stated that the Planning Department would like a full Environmental Assessment Form. Mr. Male stated that the Planning Board can then review Part II and can determine an Environmental Assessment.

Mr. Trainor stated for Mr. Shaw, the applicant's counsel, that the Planning Board ask that the applicant consider extending the 31-day deadline in Section 210-45A Subparagraph 7 of the Town of Stillwater Zoning Code indefinitely since the application is in the conceptual stage. Mr. Trainor stated that Mr. Shaw should submit that in writing. Mr. Trainor stated that the FOIL Request submitted by Mr. Shaw requested copies of the letters, public comments from this evening, and the petition submitted with Mrs. Roberts' May 18th comment letter. Mr. Male stated that it will take some time to gather the information.

PB2021-07 and 08 Dalrymple Site Plan and Special Use Permit, County Route 76

Chairman Buck recognized Mr. Scott Lansing of Lansing Engineering who is representing Mr. PJ Peculis of R M Dalrymple. Mr. Lansing stated that Mr. PJ Peculis is also present this evening. Mr. Lansing stated that this is a concept plan to receive comments from the Planning Board and will be back before the Planning Board to address Mr. Male's comments. Mr. Lansing stated that the applicant is proposing a 16,400 sq. ft commercial building with 3,600 sq. ft of office space and the remaining 12,800 sq. ft. would be warehouse space. Mr. Lansing showed the Planning Board the location of the building on the map. Mr. Lansing stated that the eastern side of the of the proposed parcel is proposed for material storage. Mr. Lansing stated that there will be access to County Route 76 at the bottom of the parcel and also to Grace Moore Road. Mr. Lansing stated that they will be consolidating the existing lot to the new lot and it will contain all commercial activity. Mr. Lansing stated that as part of the project the applicant is proposing the

extension of the sanitary sewer line from the Whitney Road area that will go through the parcel to service the commercial building, the proposed building, and 3 single-family dwellings. Mr. Lansing stated that applicant is proposing a new driveway for the residence in the rear of the parcel to access County Route 76 so it is no longer a landlocked parcel and would no longer have access through the commercial site. Mr. Lansing stated that the sanitary sewer is gravity fed and 2,107 linear feet in length.

Chairman Buck asked if the second driveway will be on the left side of Mr. Mallard's dwelling. Mr. Lansing stated that is correct. Mr. Lansing stated that the two structures are proposed to be demolished and that is the area that the driveway would access. Chairman Buck asked about the curb cuts. Mr. Lansing stated that they have received the curb cut for the one access point and will check on the other curb cut. Chairman Buck asked Mr. Peculis if he received notification from the Town of Stillwater Building Department to remove the material from the parcel. Mr. Peculis stated that he received an email from Mr. Rutland and the material was removed from the parcel.

Ms. Lindsay Buck asked Mr. Lansing if they are leaving the one dwelling on the parcel Mr. Lansing stated that is correct. Ms. Lindsay Buck stated that would have to be subdivided off from the proposed parcel. Ms. Lindsay Buck asked Mr. Lansing to review the map to insure the correct parcels are shown on the map. Mr. Lansing stated that he would review the map. Ms. Buck stated that the parcels will need to be subdivided further to ensure that all landlocked parcels have frontage and that the mixed use the currently exists on the commercial site is corrected. There is currently a residential dwelling to the rear of the commercial site that is used as a rental unit. Ms. Lindsay Buck stated that there are some Lot Line Adjustments that will be needed to make conforming lots. Mr. Lansing stated that they will be submitting some Lot Line Adjustment Application to the Planning Department.

Ms. Lindsay Buck stated that she had sent Mr. Peculis an email date June 11, 2020 stating that no material was to be stored on the parcel. Ms. Lindsay Buck stated that there are some Lot Line Adjustments that will be needed to make conforming lots. Mr. Lansing stated that they will be submitting some Lot Line Adjustment Application to the Planning Department.

Mr. Male asked Mr. Lansing for a drawing with the all of the tax map numbers and existing structures on the parcels. Mr. Male asked if the sewer line will be extended to Grace Moore Road. Mr. Lansing stated that is a forced main sewer line that is gravity fed and will not be extended to Grace Moore Road due to the grades of the parcel. Mr. Male asked if Saratoga County Sewer District #1 would consider an easement in order to bring the sewer line closer to Grace Moore Road. Ms. Lindsay Buck stated that an easement could hinder any further expansion of the site. Mr. Male asked Mr. Peculis if he had spoken to the neighbor to the south of where the fill was placed. Mr. Peculis stated that he had spoken to the neighbor.

Mr. Smith stated that fill had been brought onto the site without the proper Site Plan approvals. Mr. Smith stated that the Town of Stillwater Building Department posted a Stop Work Order on the site. Mr. Peculis stated that he was under the understanding that the completed the SWPPP Report and that gave him permission to continue bringing in the fill. Mr. Peculis stated that NYS DEC were out at the site every week doing inspections. Ms. Lindsay Buck stated to clarify they

had started clearing the back portion of the property which was brought to our attention. Ms. Lindsay Buck stated at that point they were informed to stop all work on the property, an Erosion Sentiment Control Plan was requested, and the clearing was not approved at that time as it was part of the Site Plan review. Ms. Lindsay Buck stated that they submitted the Erosion and Sentiment Control plan. Mr. Lansing stated that the applicant hired him to put together a plan for the proposed project. Mr. Lansing stated that he is sorry for what had happened in the past. Mr. Smith asked if the fill that was brought in was clean fill or is it contaminated. Mr. Lansing stated that he does not believe the fill is contaminated.

Mr. Rathbun stated that he agrees with Mr. Smith regarding the fill being brought onto the site without the proper approvals. Mr. Rathbun asked if the sewer line will be privately owned. Mr. Lansing stated that Saratoga County Sewer District #1 will own the sewer line. Mr. Rathbun asked if the kennel will be demolished. Mr. Peculis stated that is correct.

Mr. Bisnett asked Mr. Peculis if he has any documentation that shows that the fill that was brought onto the site was inspected and is not contaminated since it was not able to be inspected by the Town of Stillwater. Mr. Lansing stated that he would supply a letter regarding the fill.

PB2021-12 and 13 DeCresente Site Plan and Special Use Permit Best Avenue

Chairman Buck recognized Mr. Frank Palumbo, Landscape Architect, with C T Male Associates who is representing DeCresente Distributing Co. Inc. Mr. Palumbo stated that there are also representatives from DeCresente Distributing Co present this evening. Mr. Palumbo stated that this is the concept plan for the warehouse expansion. Mr. Palumbo stated the properties are located on Best Avenue in the T-5 Zoning District. Mr. Palumbo showed the Planning Board members the buildings on the map. Mr. Palumbo stated that they are proposing a 66,000 sq. ft addition to the warehouse space. Mr. Palumbo stated that DeCresente Distributing has purchased the Patenaude properties located on Best Avenue. Mr. Palumbo stated that the existing building will be removed and the applicant is proposing a new warehouse building with a truck loading zone. Mr. Palumbo stated that this will allow for more products, better organization, shipping, receiving and easier truck flow from Best Avenue onto Hudson Avenue. Mr. Palumbo stated that there will be very little increase in traffic on Best Avenue. Mr. Palumbo stated that there will be a new washing bay and the fuel station will be relocated.

Mr. Palumbo stated that Mr. Male's comment letter dated May 17, 2021 in regards to Item #2 regarding setbacks and buildings that are closer to the roadway. Mr. Palumbo stated that regarding the uniqueness of the project that would be difficult to accomplish with this type of business. Item #3 maximum lot coverage, Mr. Palumbo stated that he provided documentation to both Ms. Buck and Mr. Male regarding a previous decision on this site from the Zoning Board of Appeals in 2012 which allows the maximum coverage of 90.4%. lot coverage. Items #4 and #5 regarding the land issues, Mr. Palumbo stated that they will work on the land issues with regard to the multiple parcels. Item #15 culvert that goes under the building, Mr. Palumbo stated that a small portion will still be under the building, the culvert is under ownership of the property owner and there not an easement in regards to the culvert. Mr. Palumbo stated that they will submit the SWPPP information to the Planning Department. Mr. Palumbo stated that the project goes from impervious to pervious and they are trying to capture as much green space as possible.

Chairman Buck stated that this is a more organized plan for ingress and egress for the truck traffic. Chairman Buck asked the number of additional parking spaces that will be provided. Mr. Palumbo stated that he will supply the information to the Planning Board. Chairman Buck asked the number of new employees. Mr. Palumbo stated that he will get all that information to Planning Board.

Mr. Male asked about the geometry of the road and is the structure of the road adequate for the increase in truck traffic. Mr. Palumbo stated that he will submit the information on the number and size of vehicles that will be using Best Avenue to the Planning Department.

Ms. Lindsay Buck stated that the warehouse is a permitted use in the T5 Zoning District. Ms. Lindsay Buck asked about the building on the corner of Best Avenue and Hudson Avenue that is owned by the City of Mechanicville. Mr. Palumbo referred to Mr. Keis who stated that the building is under the City of Mechanicville IDA.

Mr. Keis stated that DeCrescente Distributing Co. bought the Patenaude buildings on January 21, 2021. Mr. Keis stated that contaminants were removed from the property with NYS DEC. Mr. Palumbo stated that the properties are being cleaned-up and they are following all the proper regulations. Mr. Male stated that the Planning Department will need a copy of the sign off letter from NYS DEC. Mr. Palumbo stated that NYS DEC has not signed off on the project as of yet.

Mr. Rathbun asked if they plan on removing the parking area that is currently used for the trailers. Mr. Palumbo stated that site will continue to be used to park the trailers.

Mr. Rathbun made a motion to table the project seconded by Mr. Bisnett. A roll call vote was taken.

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

PB2021-14 and 15 Bocrest Fields Site Plan and PDD Amendment, Halfway House Road

Chairman Buck recognized Mr. Frank Palumbo, Landscape Architect with CT Male Associates, who is presenting Bocrest Fields PDD before the Board this evening. Mr. Palumbo stated that the property is located on the corner of Halfway House Road and Brickyard Road which consists of 86.5-acres. Mr. Palumbo gave a brief overview to the Planning Board members when the project was before the Planning Board on October 22, 2018. Mr. Palumbo stated that they are working with Hodorowski Builders. Mr. Palumbo stated that the PDD Amendment allows for a 3-story building with 24-units. Mr. Palumbo stated that are requesting an increase in units from 230 to

336 units. Mr. Palumbo stated that all apartments are market-based (standard rate) housing. Mr. Palumbo stated that the rest of the project has stayed the same as it was previously proposed. Mr. Palumbo stated that he will submit a phased construction plan. Mr. Palumbo stated that the applicant will be asking for a modification to the PDD. Mr. Palumbo stated that he will be submitting a more detailed parking plan. Mr. Palumbo stated that the project will be serviced by public water and public sewer. Mr. Palumbo stated that they met with representatives from Saratoga County Sewer District #1 in regards to the new project submission. Mr. Palumbo stated that Saratoga County Sewer District had some concerns with a high-pressure system. Mr. Palumbo stated that there will be a grinder a pump for every two building. Mr. Palumbo stated that the builder would like to start construction in late summer or early fall.

Chairman Buck stated that the PDD allows for a 3-story building. Ms. Lindsay Buck stated that the current zoning allows a 3- story building. Chairman Buck stated that a lot of builders have stopped building due to the increased cost in building material. Mr. Palumbo stated that the builder believes that the cost of the construction material will decrease by fall.

Mr. Smith asked about the increase in traffic on the surrounding roadways. Mr. Palumbo stated that he will update the traffic study from 2014.

Mr. Bisnett asked what time of year the traffic study was performed. Mr. Palumbo stated that he believes that the traffic study was done during the last few days of the school year. Mr. Bisnett asked where the project ends. Mr. Palumbo stated that the project ends north of the culvert and the bridge. Mr. Bisnett asked if there will be elevators to access the third-floor apartment units. Mr. Palumbo stated that is correct.

Ms. Lindsay Buck asked if there is a layout that the applicant would consider to move the buildings that are closest to Halfway House Road further into the development. Mr. Palumbo stated that there will be trees to buffer the head lights of the vehicles from going into the residences. Mr. Palumbo stated that there is also a NYS DEC 100 ft. buffer to consider. Ms. Lindsay Buck asked if there are any amenities for the residents. Mr. Palumbo stated that the clubhouse is not presently part of the plan.

Mr. Trainor stated that the PDD that was approved has since expired. Mr. Trainor asked Mr. Palumbo how they will be addressing the expired PDD. Mr. Trainor stated that the applicant will need to go back before the Town Board. Mr. Palumbo stated that when they do the PDD Amendment they will have to change some of the PDD language and will extend the PDD at that time. Ms. Lindsay Buck stated the applicant will need to submit the amended PDD Language. Mr. Trainor stated that the Town Board will need to be involved with extension and/or the PDD Amendment. Ms. Lindsay Buck stated that the Planning Department has the PDD Application but did not have the proposed PDD Language changes at this time. Ms. Lindsay Buck stated that the Planning Department is waiting on the red lined version of the PDD Language.

Mr. Male stated that the elevators should be large enough to accommodate an EMS stretcher that can be laid flat instead of having to be in an upright position.

This project was tabled for additional information to be submitted.

A motion to adjourn was made by Ms. Reilly and seconded by Mr. Rathbun at approximately 9:43 pm.