

**JOINT PLANNING BOARD MEETING MINUTES  
TOWN OF STILLWATER/VILLAGE OF STILLWATER  
STILLWATER TOWN HALL  
June 28, 2021 @ 6:30 PM**

**Present:**

Chairman Peter Buck (PB)  
Frank Bisnett (FB), Member  
Heather (Ferris) Keefer (HK), Member  
Randy Rathbun (RR) Member  
Marybeth Reilly (MR), Member  
Dale Smith (DS), Member

**Village Trustees:**

Judy Wood-Shaw, Mayor  
John Basile, Trustee  
Judy Wood-Zeno, Trustee  
Dorothy DeMarco, Trustee  
Patrick Nelson, Trustee

**Also Present:**

Ryan Pezzulo, Attorney for the Town (RP)  
Paul Male, Town Engineer, (PM)  
Lindsay (Zepko) Buck, Town Planner (LB)  
Ellen Vomacka, Town Board Liaison  
Sheila Silic, Secretary

**Also Present:**

Ed Hernandez, Village Engineer

**Absent:**

Carol Marotta, (CM), Vice-Chairperson  
Kimberlee Marshall (KM) Alternate Member

**Absent:**

Sher Tedesco  
James Peluso, Village Attorney

**Pledge:**

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

**The following item was a joint presentation and review by the Town of Stillwater Planning Board and the Village of Stillwater Village Board of Trustees as the property proposed to be developed is in both municipalities**

**PB2019-07 Colonial Road Apartments Site Plan, 19 Colonial Road**

Chairman Buck recognized Mr. Nicholas Costa of Advance Engineering and Surveying PLLC who will be representing The BDC Group this evening. Mr. Costa stated that Mr. Cosmo Marfione of The BDC Group and Mr. Derrick Cotler of Cotler Architecture are also present this evening. Mr. Costa stated that the property is located on the west side of Colonial Road in the T5(Town) and V5(Village) Zoning District and consists of 25+/- acres. Mr. Marfione stated that they were before the Village of Stillwater Board of Trustees and the Town of Stillwater Planning Board on October 26, 2020 when the project was formally presented to both Boards Mr. Marfione stated that the project consists of 198 rental apartment units off of Colonial Road. Mr. Marfione stated that the property is divided by the Town of Stillwater and the Village of Stillwater line which goes through the project. Mr. Marfione stated that both Boards requested that we review the density and the architecture of the buildings in regard to the facade and the roofs. Mr. Marfione stated that the footprint of the building has been reduced and the number of

units per buildings have been reduced. Mr. Marfione stated that there are eight 16-unit buildings and five 10-unit buildings. Mr. Marfione stated that they reduced the number of units from 198 units down to 178 units. Mr. Marfione stated that they re-submitted the plans in April and are addressing Mr. Male's comment letter. Mr. Costa stated that they received comments from the Village of Stillwater Board of Trustees and the Town of Stillwater Planning Board in regards to the buildings and the layout of the project. Mr. Costa stated that they re-arranged the layout of the project with the size of the buildings, the parking and the façade of the buildings. Mr. Costa stated that the entrance has stayed the same as previously proposed. Mr. Costa stated that the project has 198 ft. of frontage on Colonial Road. Mr. Costa stated that the project will be serviced with public water and public sewer and the roadway will remain private. Mr. Costa stated that with the re-designing of the project, a gravity fed sewer line can be used which removes the need for a pump station. Mr. Costa stated that there are stormwater management areas throughout the project. Mr. Costa pointed out the NYS DEC wetland and 100 ft. buffer and the Army Corp of Engineers (ACOE) wetlands on the map to the Board members. Mr. Costa stated that they will need a permit from the Army Corp of Engineers to cross the wetlands. Mr. Cotler stated that they reduced the number of units per building from 20 units buildings down to 16 units and the buildings with 18 units down to 10 unit. Mr. Cotler stated that they reviewed the T5 Zoning Design Standards and redesigned the buildings. Mr. Cotler showed the Board Members the renderings of the 3-story buildings with the different types of siding, the addition of the stone façade, the enlarged windows, and all first-floor units have front porches. Mr. Cotler stated that the 16-unit buildings have 14 garages and the 10-unit buildings have 7 garages. Mr. Cotler stated that they are proposing 9 ft. ceilings in the apartments.

Mr. Basile asked what is the front and the back of buildings from Colonial Road. Mr. Colter showed what would be the front and back of the buildings on the plans to the Board members. Mr. Basile asked if the second-floor apartment residents would be entering from the parking area at the rear of the building. Mr. Cotler stated that is correct. Mr. Basile asked if all of the 16-unit buildings will have a community room. Mr. Marfione stated that is correct. Mr. Basile asked how the garages are allocated to the units. Mr. Cotler stated that the first-floor apartment will have garages and the second-floor apartments that are adjacent to a garage will be assigned that particular garage. Mr. Cotler stated that not all the second-floor apartments will have garages. Mr. Marfione stated that the arrangement of the garages that are assigned to the second-floor is based on architect proximity and design. Mr. Basile stated that sidewalks leading to Ten Brock Street and along Colonial Road are needed for the children who will be walking to school from the development. Mr. Basile asked Mr. Rathbun about the sewer line replacement south on Colonial Road to Major Dickerson Park. Mr. Rathbun stated that the existing sewer line was replaced with an 8-inch sewer line but, did not replace the sewer line all the way to the park. Mr. Basile asked for clarification on the banked parking areas. Mr. Costa stated that the banked parking areas would be built out if needed for additional parking within the development.

Village Mayor Wood-Shaw asked if every unit has its own entrance. Mr. Marfione stated that the first-floor entrances for the units are in the front of the buildings and the top floor entrances for the units are in the rear of the building. Mayor Wood-Shaw stated that there was a discussion regarding sidewalks leading north to Ten Brock Street. Mr. Costa stated that they did agree to sidewalks leading to Major Dickerson Park. Mayor Wood-Shaw asked Mr. Marfione if he has committed to installing sidewalks north to along Colonial Road to Ten Brock Street. Mr.

Marfione stated that he believed it was south to Major Dickerson Park. Mr. Marfione stated that he would be willing to meet with Mayor Wood-Shaw and Ms. Lindsay Buck and Board Members to discuss sidewalk options.

Ms. Wood-Zeno, Village Trustee asked how would a visitor enter the building to access a unit. Mr. Cotler stated that the visitors would use the common stairway to access a unit. Mr. Cotler stated that the entrances will be clearly marked. Ms. Wood-Zeno stated that the second-floor apartments have the bedrooms on the third-floor. Mr. Cotler stated that is correct.

Mr. Patrick Nelson, Village Trustee asked if the residents will be made aware that their apartment is in the Village of Stillwater or in the Town of Stillwater. Mr. Marfione stated that each apartment has an informational binder and this information will be added to the binder. Mr. Nelson asked about charging stations for electric vehicles. Mr. Marfione stated that the electrical charging stations will be shown on the plans.

Ms. Lindsay Buck stated that the applicant has done a good job with the new design in keeping with the V5 and T5 Zoning Design Standards.

Chairman Buck stated that there is 198 ft. of road frontage along Colonial Road. Mr. Marfione stated that is correct. Chairman Buck asked about the line of site for ingress and egress. Mr. Costa stated that they would measure the line of site and refer the information to Mr. Male.

Ms. Vomacka asked about the new roadway that is being proposed. Mr. Costa stated that there is not a new proposed roadway and showed Ms. Vomacka the proposed roadway on the plans. Ms. Vomacka asked about the results of the traffic study. Ms. Wood-Zeno stated that the traffic study showed no impact. Ms. Vomacka stated that installing sidewalks could raise some issues regarding the property along Ten Brock Street.

Mr. Smith stated that the sidewalk issue needs to be addressed due to the number of people who are walking along Colonial Road and Ten Brock.

Mr. Rathbun stated that the traffic study that stated that there would be no increased impact on Colonial Road is very hard to believe. Mr. Male stated that the traffic study did not show that there would not be an increase in traffic. Mr. Male stated that Creighton Manning Engineering projected the traffic volume through the intersection that were requested. Mr. Male stated that all the Board Members received a copy of the traffic study report. Mr. Rathbun asked Mr. Hernandez if the water and sewer systems have been reviewed for any potential impacts on the systems. Mr. Hernandez stated that the Village of Stillwater's Board of Trustees requested an engineering study and hydraulic evaluation on the water and sewer systems. Mr. Rathbun stated that the Village of Stillwater and the Town of Stillwater would both approve the project. Ms. Lindsay Buck stated that it would be two separate actions for the approval. Mr. Rathbun stated that each of the Boards would approve the project separately. Ms. Lindsay Buck stated that is correct.

Ms. Keefer stated that the traffic study was discussed at the prior meeting. Ms. Keefer stated that the traffic study found little to no impact.

Mr. Hernandez asked Mr. Costa if the engineering study has been completed. Mr. Costa stated that they are still working on the engineer's report. Mr. Hernandez asked about a sidewalk from the development to the back of the Stillwater Town Hall property that could connect to Hudson Avenue. Mr. Hernandez stated that the Town of Stillwater owns the property. Ms. Silic stated that the property that Mr. Hernandez is referring to is private property and not owned by the Town. Mr. Basile stated that the Village of Stillwater has a sewer easement that goes through the property but does not connect to Colonial Road. Mr. Hernandez asked if the Town of Stillwater would send the list of residents for the public hearing who reside in the Village of Stillwater and are within the 500 ft. radius of the project to Ms. Tedesco, Village Clerk. Ms. Lindsay Buck stated that the Planning Department would send the list to Ms. Tedesco.

Mr. Male asked if any of the proposed buildings will have elevators. Mr. Cotler stated that there are no elevators proposed for the buildings.

The joint public hearing was scheduled for the next Planning Board meeting on July 26, 2021. A roll call vote was taken.

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

Mayor Wood-Shaw scheduled the joint public hearing for the Village Board of Trustees for July 26, 2021. A roll call vote was taken.

Mayor Wood-Shaw	Yes
Trustee Wood-Zeno	Yes
Trustee Basile	Yes
Trustee DeMarco	Yes
Trustee Nelson	Yes

**TOWN OF STILLWATER  
PLANNING BOARD  
2021 RESOLUTION NO. 16**

WHEREAS, BDC Group has submitted an application for The Colonial Road Apartment Complex regarding property located at 19 Colonial Road, more fully identified as Tax Map Numbers 243.00-1-79 and 243.75-1-2; and

WHEREAS, the Town Zoning Law requires that a public hearing be held in order for the Planning Board to act on the application.

Now, therefore, be it

RESOLVED, that a Public Hearing to consider the application of BDC Group, for an Apartment Complex on lands located on 19 Colonial Road, more fully identified as Tax Map Numbers 243.00-1-79 and 243.75-1-2 is hereby scheduled for July 26, 2021 at 6pm at Town Hall, 881 Hudson Avenue, Stillwater, NY, and be it further,

RESOLVED that the Department of Building, Planning & Development is directed to publish appropriate notice of the Public Hearing at least 10 days before the Public Hearing date of July 26, 2021, in the Town's official newspaper.

A motion by Member Keefer, seconded by Member Bisnett, to adopt Resolution No.16 of 2021.

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

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

Resolution No. 16 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 28, 2021.

**PB2021-09 Grayson Mobile Home Park, 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 Mr. Grayson has made progress with the eviction notices and has also been removing debris from the site.

Mr. Rathbun asked about the status of the eviction notices. Mr. Grayson stated that the eviction notices have been sent to the residents but, with the covid restrictions, the stay on evictions does not end until September. Mr. Grayson stated that he has to give the residents 90-days after Labor Day to vacate the premises.

Chairman Buck asked if the debris along Ms. Maynard's property line has been cleaned up. Mr. Grayson stated that the debris has been cleaned up. Mr. Male stated that Mr. Myers went out this morning and took pictures of the mobile home park..

Ms. Lindsay Buck stated that all the Area Variances are contingent on the approval of the Site Plan by the Planning Board.

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  
2021 RESOLUTION NO. 14**

WHEREAS, Grayson Properties LLC has submitted an application for Grayson Mobile Home Park regarding property located at 96 County Rt. 76, more fully identified as Tax Map Number 243.-1-26.2; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is an unlisted action requiring SEQRA review; and

WHEREAS, pursuant to 6 NYCRR §617.6, the Stillwater Planning Board is the lead agency for SEQRA review; and

WHEREAS, the applicant has submitted a fully completed Short Environmental Assessment Form (EAF); and

WHEREAS, the Planning Board has duly reviewed the EAF and has considered the criteria contained in 6 NYCRR §617.7(c), to determine if the proposed action will have a significant impact on the environment;

WHEREAS, the Planning Board reviewed each of the 11 factors contained in Part 2 of the EAF and determined that the proposed action will have no, or only a small, environmental impact;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Grayson Properties LLC, for a Mobile Home Park regarding property located at 96 County Road 76, more fully identified as Tax Map Number 243-1-26.2 will not have a significant impact on the environment.

A motion by Member Keefer, seconded by Member Rathburn, to adopt Resolution No.14 of 2021.

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

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

Resolution No. 14 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 28, 2021

**TOWN OF STILLWATER  
PLANNING BOARD  
2021 RESOLUTION NO. 15**

WHEREAS, Grayson Properties LLC have submitted an application for a Mobile Home Park regarding property located at 96 County Rt. 76, more fully identified as Tax Map Number 243.-1-26.2; and

WHEREAS, a public hearing was conducted on June 28, 2021 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 issued a negative declaration pursuant to Resolution No. 14 of 2021; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Grayson Properties LLC, for a Mobile Home Park of lands located on 96 County Rt. 76, more fully identified as Tax Map Number 243.-1-26.2, is hereby GRANTED, and be it further

RESOLVED, that the application is Granted, provided the applicant comply with the conditions set forth in the letters of May 11, 2021 & June 28, 2021 by Paul Male, Town Engineer, and Zoning Board of Appeals Resolutions #4 of 2020 and #3 of 2021.

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 Keefer, to adopt Resolution No.15 of 2021.

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

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

Resolution No. 15 of 2021 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 28, 2021.

A motion to adjourn was made by Ms. Keefer and seconded by Mr. Rathbun at approximately 7:28 pm.