

**PLANNING BOARD MEETING  
TOWN OF STILLWATER  
STILLWATER TOWN HALL  
June 27, 2022 @ 5:00 PM**

**Present:**

**Chairman Peter Buck (PB)  
Frank Bisnett (FB), Member  
Heather Keefer (HK), Member  
Carol Marotta, (CM), Vice-Chairperson (via Zoom)  
Randy Rathbun (RR) Member (arrived at 5:05 pm)  
Marybeth Reilly (MR) Member  
Dale Smith (DS), Member  
Kimberlee Marshall (KM) Alternate Member**

**Also Present:**

**Ryan Pezzulo Attorney for the Town  
Paul Male, Town Engineer, (PM)  
Lindsay (Zepko) Buck, Senior Planner (LB)  
Sheila Silic, Secretary  
Joseph Lanaro, LaBella Associates, Town Designated Engineer**

**Absent:**

**Ellen Vomacka, Town Board Liaison**

**Town of Malta:**

**Adrian Cattell, Planning Technician & Board Secretary**

**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:**

Ms. Keefer made a motion to table the May 23, 2022 meeting minutes, seconded by Mr. Bisnett. Motion passed unanimously.

**PB2022-10 Global Foundries Fab 8.2 Site Plan, LFTC, SEQRA Lead Agency Deferral to The Town of Malta**

**Greg Connors, Office of Government Affairs for GlobalFoundries was present.  
Peter Lilholt, CT Male Associate, Matthew Jones, Jones Steves LLP, Ryan Jones.**

Chairman Buck recognized Mr. Matthew Jones of Jones Steves LLP on behalf of Global Foundries. Mr. Jones stated that the last time that Global Foundries was before the Stillwater

Planning Board was at Malta/Stillwater Joint Planning Board meeting on April 26, 2022. Mr. Jones turned the presentation over to Mr. Greg Connors.

Mr. Connors stated that proposed plan is to expand Global Foundries Manufacturing Project at Fab8. Mr. Connors stated that he would like to thank Ms. Lindsay Buck and her staff, Mr. Male and LaBella Engineering for their review of the admission for the project to date. Mr. Connors stated that this a transformative project and when it is approved it will add between 6 or 8 billion dollars to the current 15-billion-dollar investment to the Town of Stillwater, Town of Malta and Saratoga County. Mr. Connors stated that this project will add another 1,000 fulltime jobs to the 3,000 existing positions currently at Global Foundries Fab8. Mr. Connors stated that Global Foundries has grown to be the largest employer in Saratoga County with 60% of the employees who are residents of Saratoga County. Mr. Connors stated that Global Foundries Fab8 is the largest most successful mega economic development project in New York history. Mr. Connors stated that they have focused on the needs most important to the residents of the Town of Stillwater and the Town of Malta. Mr. Connors stated regarding noise, economic impact and most importantly traffic. Mr. Connors stated that they received from LaBella Associates on June 21, 2022 their written opinion stating “that there are no new or environmental impacts from Fab8.2 that have not already been evaluated and/or mitigated in prior SEQRA record and therefore Labella Engineering concludes that no further SEQRA review is required.” Mr. Connors stated that they continue to wait for action in Washington that will allow the public/private partnership with the passage of the Federal Legislation and are encouraged that the Congressional approval of that legislation will occur soon. Mr. Connors stated that the presentation will be presented by Mr. Jones and Mr. Lilholt. Mr. Connors stated that the hope is to have the project continue on its current schedule and that they are happy to answer any questions or concerns that the Planning Board may have this evening. Mr. Connors thanked the Planning Board for their interest, cooperation and support with this project.

Mr. Connors turned the presentation over to Mr. Jones. Mr. Jones showed a rendering to the Planning Board with the current view of Global Foundries. Mr. Jones stated to the east of Global Foundries is a residential subdivision. Mr. Jones stated that Fab8.1 was approved in 2008 with zoning changes and in 2009 with Site Plan approval. Mr. Jones stated that the Technology Development Center (TDC) was approved in 2012. Mr. Jones stated that in 2013 Global Foundries was before the Planning Board with a concept for Fab8.2. Mr. Jones stated that in 2013 Global Foundries was back before the Planning Board with a new configuration for Fab8.2. which reviewed the environmental impact. Mr. Jones stated that Global Foundries is back before the Planning Board in 2022 with the Site Plan Review for Fab8.2. Mr. Jones stated that LaBella Associates have spent the last 2 to 3 months reviewing the SEQRA findings from 2013. Mr. Jones stated that the matrix of Fab8.2 needs to meet those requirements and conditions. Mr. Jones stated that the Malta Planning Board will be reviewing that information for a Resolution on June 29, 2022. Mr. Jones stated that if the Resolution is agreed to and that no further SEQRA action is required. Mr. Jones stated that will allow for action from the Town of Malta and the Town of Stillwater to approve the Site Plan and the conclusion to the process. Mr. Jones showed a rendering with the location of the buildings that surround Fab8.1. Mr. Jones turned the presentation over to Mr. Lilholt.

Mr. Lilholt explained the material that was included in the binder which was submitted on May 31, 2022. Mr. Lilholt stated that the material is regarding the environmental updates, SEQRA, noise assessment, air quality, traffic study, preliminary drawings, engineering reports, water and sewer, and stormwater. Mr. Lilholt explained the plans which included the utilities, lighting, landscaping, grading and site layout. Mr. Lilholt stated that they are realigning and widening the roadway into Global Foundries and enlarging the parking area to provide more parking for employees and visitors. Mr. Lilholt stated that the proposed plan has a covered walkway between the two buildings. Mr. Lilholt stated that they have moved the construction laydown areas closer to the buildings. Mr. Lilholt stated that the ingress and egress access will be from Luther Forest Blvd. Mr. Lilholt turned the presentation over to Mr. Jones.

Mr. Jones stated that they had a joint meeting with the Town of Malta and Town of Stillwater, they have met with Saratoga County Water Authority and Saratoga County Planning Board. Mr. Jones stated that they met with Malta Zoning Board of Appeals and were approved for a 6ft. Area Variance on June 7, 2022. Mr. Jones stated that they will be before the Malta Planning Board on June 29, 2022 and will consider SEQRA Action. Mr. Jones stated that the objective is that the Malta Planning Board will find the Site Plan is consistent with the threshold, conditions and limitations of the 2013 SEQRA Record. Mr. Jones stated that if the Town of Malta Planning Board determines that no further SEQRA Action is needed the project can then move into the approval process. Mr. Jones stated that the reviews and coordination with all the agencies, the Malta/Stillwater Planning Boards and LaBella have had bi-weekly meetings regarding any concerns or issues that needed to be addressed. Mr. Jones recapped the projects progress thus far as the next step would be final approval at the next Planning Board meeting.

Chairman Buck stated that he would like to thank Mr. Bisnett and Ms. Marotta for attending the Town of Malta Planning Board meetings as the Town of Stillwater liaisons.

Mr. Bisnett asked about the projects progress with the Saratoga County Sewer District. Mr. Lilholt stated that they meet every week with the Saratoga County Sewer District. Mr. Lilholt stated that they are aware of the waste water issues and are working closely with the Saratoga County Sewer District. Mr. Lilholt stated that there are no issues getting the sewer to the treatment plant. Mr. Lilholt stated that there are pretreatment requirements in regards to the ammonia. Mr. Lilholt stated that they are committed to working with Saratoga County Sewer District as the design moves forward. Mr. Lilholt stated that they are committed to an industrial waste water permit that is required for the project.

Ms. Marotta stated that she is pleased with the logistic plans off Cold Springs Road. Ms. Marotta asked if there is new technology for the scrubbers and/or wafers. Mr. Connors stated that there are no changes with the technology. Ms. Marotta asked if the technology for the fly wheels have improved. Mr. Lilholt stated that the issues with the fly wheels have resolved by both the Town of Malta and the Town of Stillwater Planning Boards. Mr. Lilholt stated that mitigation measures and in the SSDEIS prepared by Global Foundries and SSFEIS that was prepared by the Towns of Malta/Stillwater. Mr. Connors stated that they organized with a community action group which any/all complaints go directly into my email in box. Mr. Connors stated that they have not received any complaints in 3 years.

Mr. Bisnett made a motion to table the project until the July 25, 2022 meeting, seconded by Ms. Keefer. A roll call vote was taken

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

**BP2022-11 Town of Stillwater Shared Services Building Site Plan, County Route 76**

Chairman Buck recognized Mr. Male Town Engineer, who is representing the Town of Stillwater and presenting the project this evening. Mr. Male stated that the building is located on the north side of County Route 76 approximately 600 ft west of the intersection of County Route 76 and County Route 75 in LDR Zoning District. Mr. Male stated that the building is 15,500 sq. ft. +/- will be three entities within the building Town of Stillwater Police Department, Malta/Stillwater EMS Service and the Stillwater Town Court. Mr. Male stated that the town has brought fill in over the last couple of years. Mr. Male stated that the Town of Stillwater purchased the property in 2019. Mr. Male stated that the parcel was subdivided on December 13, 2021 and a reverse subdivision of the two properties will be merged back into one parcel as the plans for Lot #2 did not materialize. Mr. Male stated that there is a stream at the rear of property. Mr. Male stated that he contacted NYS DEC who forwarded the information onto the Army Corp of Engineers. Mr. Male stated that NYS DEC response was “there are no wetlands on the property” and the Army Corp of Engineers did not send a response regarding the stream. Mr. Male stated that they are proposing parking spaces on both sides of the building, on-site septic system, public water, there will be drive through garage bays for both the Stillwater Police and the Malta/Stillwater EMS Services. Mr. Male stated that there are no wetlands on the parcel. Mr. Male stated that the Town of Stillwater will bond this project with an interest rate of 1.25%.

Mr. Smith asked who will maintain the septic system. Mr. Male stated that the Town of Stillwater would be responsible for the septic system.

Chairman Buck asked if there will be signage placed that can be seen as vehicles approach the building and about the line of site. Mr. Male stated that he met with Saratoga County DPW on site and they had no issues with the line of site.

Mr. Rathbun asked if the Town of Stillwater Highway Department will continue to maintain the brush along County Route 76. Mr. Male stated that he is not sure who will be maintaining brush.

M. Bisnett stated that SEQRA Items #1 and #9 were left blank and the Planning Board cannot approve the project with those items left blank. Mr. Male stated that the project will meet all the Building Code requirements. Mr. Bisnett asked if there will be solar panels installed on the

building. Mr. Male stated that he is not sure. Mr. Bisnett stated that the NYS DEC letter is from 2019.

Ms. Marotta stated that SEQRA item #13 regarding wetlands is not checked. Ms. Marotta stated that there is a stream in the back of the parcel, NYS Dec wetlands and Army Corp wetlands on the parcel have not been addressed. Mr. Male stated that he received an email from Ms. Magee on August 20, 2019 which states that the determination is there are no NYS DEC wetlands on the parcel. Mr. Male stated that Ms. Delorier of the Army Corps of Engineers was copied on the email. Ms. Marotta asked Mr. Male if he has received a response from the Army Corp of Engineers. Mr. Male stated that he has not received a response back. Mr. Male stated that the stream in the rear of the parcel is a drought line. Ms. Marotta stated that Mr. Male's review letter dated June 21, 2022 states that a long EAF was submitted on June 9, 2022. Mr. Male stated that was an error on his part. Ms. Marotta stated that Item 13A of the EAF Form should be checked yes and that Item 13D should be checked no. Mr. Male stated that he has no issues with the changes to Item 13A and Item 13D. Ms. Marotta asked about the placement of the building. Mr. Male stated that it had to do with the amount of fill that had to be brought onto the site and cost.

Ms. Marshall asked if the Town of Stillwater should contact the Army Corp of Engineers regarding the wetlands. Mr. Pezullo stated that the letter that Mr. Male received states that there are no wetlands on the parcel. Mr. Pezullo stated that the Town of Stillwater has done its due diligence regarding the wetlands. Mr. Male stated that there is a 30 ft. to 40 ft. drop from the rear of the parcel to the creek. Mr. Pezullo stated that wetland maps change as DEC wetlands tend to change.

Chairman Buck asked for a motion to waive the public hearing. Motion made by Mr. Bisnett to waive the public hearing, seconded by Mr. Rathbun.

Chairperson Buck	Yes
Vice Chairwoman Marotta	Yes (Via Zoom)
Member Bisnett	Yes
Member Keefer	Yes (via Zoom)
Member Reilly	Yes
Member Rathbun	Yes
Member Smith	Yes

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

**TOWN OF STILLWATER  
PLANNING BOARD  
2022 RESOLUTION NO. 8**

**A RESOLUTION MAKING A SEQRA DETERMINATION REGARDING  
THE STILLWATER SHARED SERVICES BUILDING**

WHEREAS, The Town of Stillwater has submitted an application for site plan review to construct a Shared Services Building on a property located on County Route 76 Road, more fully described as Tax Map Parcels 232-1-43.21 and 232-1-43.22; and

WHEREAS, the applicant and its representative, Paul Male, P.E., appeared before the Planning Board on June 27, 2022 for conceptual review; and

WHEREAS, pursuant to 6 NYCRR section 617.6, the Stillwater Planning Board is the appropriate lead agency for SEQRA review; 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, the applicant has submitted a short environmental assessment form (“SEAF”); and

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

WHEREAS, the Planning Board has also reviewed each of the 11 factors contained in Part Two of the SEAF to determine whether the proposed action will have significant environmental impacts on this and upon nearby properties.

NOW, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, The Town of Stillwater, for site plan review regarding property located on County Route 76, more fully identified as tax maps 232-1-43.21 and 232-1-43.22, will not result in significant impacts on the environment and a negative declaration is hereby issued.

A motion by Member Keefer seconded by Member Bisnett to adopt Resolution No. 8 of 2022.

A roll call vote was taken on Resolution No. 8 as follows:

Chairman Buck	YES
Member Bisnett	YES
Member Keefer	YES
Member Marshall	YES
Member Marotta	YES
Member Rathbun	YES
Member Reilly	YES
Member Smith	YES

Resolution No. 8 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 27, 2022.

**TOWN OF STILLWATER  
PLANNING BOARD  
2022 RESOLUTION NO. 9**

**A RESOLUTION REGARDING  
THE STILLWATER SHARED SERVICES BUILDING**

WHEREAS, The Town of Stillwater has submitted an application for site plan review to construct a Shared Services Building on a property located on County Route 76 Road, more fully described as Tax Map Parcels 232-1-43.21 and 232-1-43.22; and

WHEREAS, the applicant and its representative, Paul Male, P.E., appeared before the Planning Board on June 27, 2022 for conceptual review; and

WHEREAS, pursuant to 6 NYCRR section 617.6, the Stillwater Planning Board is the appropriate lead agency for SEQRA review and made its SEQRA determination of in Resolution 8 of 2022; and

WHEREAS, the applicant has asked the Planning Board to waive the public hearing requirement.

NOW, therefore, be it

RESOLVED, that the Planning Board hereby waives the public hearing requirement for site plan review regarding the application by the Town of Stillwater for site plan review to construct a Shared Services Building on property located on County Route 76, more fully identified as tax maps 232-1-43.21 and 232-1-43.22; and be it further,

RESOLVED, that the application by the Town of Stillwater for site plan review to construct a Shared Services Building on a property located on County Route 76 Road, more fully described as Tax Map Parcels 232-1-43.21 and 232-1-43.22 is hereby GRANTED; 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 Rathburn to adopt Resolution No. 9 of 2022.

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



Chairman Buck	YES
Member Bisnett	YES
Member Keefer	YES
Member Marshall	YES
Member Marotta	YES
Member Rathbun	YES
Member Reilly	YES
Member Smith	YES

Resolution No. 9 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 27, 2022.

**PB2022-01 Luther Forest Business Park Site Plan, Luther Forest Blvd**

Chairman Buck recognized Mr. Scott Lansing of Lansing Engineering who is representing Luther Forest Corporation. Mr. Lansing stated that the project was last before the Board on February 28, 2022. Mr. Lansing stated that they have submitted preliminary final drawings, subdivision plans and a traffic impact study. Mr. Lansing stated that they would like to receive the Planning Board's comments and concerns this evening. Mr. Lansing stated that they are also requesting that the public hearing be set for the project. Mr. Lansing recapped the project for the Planning Board. Mr. Lansing stated that there are two parcels which were part of the Forest Ridge apartment subdivision which consist of 62-acres. Mr. Lansing stated that Shenandoah Drive separates the two parcels. Mr. Lansing stated that Shenandoah Drive is under construction. Mr. Lansing stated that these parcels are vacant and are in the BP Zoning District. Mr. Lansing stated that there are 6-lots which 4-lots having 1 building 2-lots having 2 buildings for a total of 8 buildings. Mr. Lansing stated that the 2-lots with the two buildings total 7,420 sq. ft. which is in accordance with the business park. Mr. Lansing stated that uses are warehouses and the tenants are to be determined. Mr. Lansing stated that all the vehicle access for ingress and egress will be Shenandoah Drive. Mr. Lansing stated that they are proposing 686 parking spaces which meets the Town of Stillwater Zoning Code requirements. Mr. Lansing stated that the project will be serviced by public water, public sewer and on-site storm water management. Mr. Lansing stated that there will be buffers, screening and greenspace. Mr. Lansing stated that as part of the Cold Spring Road subdivision there is a requirement for a multi-use path which connects Luther Forest Blvd with the single-family development. Mr. Lansing stated that the trail is being maintained as part of this project along Shenandoah Drive. Mr. Lansing stated there will be sidewalks that connect all the units to the multi-use trail. Mr. Lansing stated that project includes three internal parks for the employees of the facilities to use. Mr. Lansing stated that the project is in compliance with the Zoning Code. Mr. Lansing stated that they submitted a lot by lot analysis to the Planning Department for review. Mr. Lansing stated that they received comments from Ms. Lindsay Buck and Mr. Male regarding not knowing who may be the potential tenants and could potentially impact the traffic. Mr. Lansing stated that without knowing these potential impacts they are proposing to advance with this lot which are business suites. Mr. Lansing stated that as the owner acquires tenants they will submit a Site Plan for each individual lot.



Ms. Lindsay Buck stated regarding the uses for each site which has not been determined that each lot would require a Site Plan, SEQRA Review, possible segmentation and would have to meet the Town of Stillwater Zoning Code requirements. Ms. Lindsay Buck asked the Planning Board for their opinion regarding the concept and the subdivision layout. Ms. Lindsay Buck asked Mr. Lansing about the parcel boundaries lines being proposed. Mr. Lansing stated that the boundaries lines are for financial purposes and for each lot to have frontage onto a roadway. Ms. Lindsay Buck asked about the northern parcel. Mr. Lansing stated that was to meet the green space requirements. Ms. Lindsay Buck stated that this project may need an environmental analysis.

Ms. Marotta asked if there are currently three or more lots. Mr. Lansing stated that when they originally submitted the subdivision maps there was an error which has been corrected. Mr. Lansing stated that there are three lots. Mr. Lansing stated that one lot is being subdivided into 7-lots with 3-lots on the north, 4-lots on the south and a Lot Line Adjustment. Ms. Marotta asked if this project is under one million square feet. Ms. Lindsay Buck stated that it is 700,004 sq. ft.

Chairman Buck stated that the Planning Board needs to know what the building are being used as. Chairman Buck stated that the surrounding property owners may also be interested in that information.

Mr. Bisnett stated that the applicant is doing everything that was requested of them.

Mr. Rathbun asked what will be in the buildings. Mr. Lansing stated that each building is a module which is 1,500 sq. ft. Mr. Lansing stated that the buildings are met for an electrical/HVAC contractor or individuals who do not need a large work space. Mr. Lansing stated that each module is 15 ft by 30 ft. with an ADA restroom.

Ms. Keefer asked if there is a demand for this type of office space. Mr. Lansing stated that is correct.

Mr. Male stated that Creighton Manning's traffic study mentioned mitigation measures which included a traffic light. Mr. Male stated that the traffic study that was submitted by the application states that there is no traffic light needed. Mr. Male stated the other parcels which are all developable parcels will generate traffic. Mr. Lansing stated that he will have HVB who did the traffic study at the next Planning Board meeting.

Ms. Keefer made a motion to schedule the public hearing, seconded by Mr. Rathbun. A roll call vote was taken.

Chairperson Buck	Yes
Vice Chairwoman Marotta	Yes (Via zoom)
Member Bisnett	Yes
Member Keefer	Yes
Member Reilly	Yes
Member Marshall	Yes
Member Rathbun	Yes

### **PB2022-06 Forest Ridge Site Plan Amendment, Cold Springs Road**

Chairman Buck recognized Mr. John Romeo of M.G. McLaren Engineering and Land Survey who is representing Gala Builders. Mr. Romeo stated that Mr. Zackary Durrough is also present this evening. Mr. Romeo stated that the changes to the Site Plan is the expansion of the parking area. Mr. Romeo stated that they have increased the parking to 625 spaces and will bank 35 parking spaces. Mr. Romeo stated that if the additional parking spaces are not needed it would remain green space. Mr. Romeo showed the Planning Board members the location of the parking spaces for each apartment building on the map. Mr. Romeo stated that he received Ms. Lindsay Buck's and Mr. Male's comment letter dated March 23, 2022. Mr. Romeo stated that the development is not a gated community and there will be electric charging station throughout the development. Mr. Romeo stated that Mr. Durrough will speak in regards to the landscaping. Mr. Durrough stated that there is a section of trees between the club house and the apartment buildings which will act as a natural buffer. Mr. Durrough stated what they have a vet-patrol which is retired veterans that patrol the apartment complex. Mr. Durrough stated that they have done this in their other apartment complexes. Mr. Durrough asked about adding a guard shack on the site. Ms. Lindsay Buck stated that they would need to amend the Site plan.

Ms. Marotta stated her concerns with the parking and sidewalk location. Ms. Marotta thanked Mr. Durrough for changing the location of the garbage bins. Mr. Durrough stated that the proposed lay out for the sidewalks is to give the first-floor tenants privacy from people walking past their windows. Ms. Marotta stated that the plans should be more detailed. Ms. Marotta asked about the doors in the rear of the building which have no sidewalks leading to the doors. Mr. Durrough stated that the doors in the rear of building lead out to a patio area. Mr. Durrough stated that each apartment will have two assigned parking spaces. Mr. Romeo stated that this layout is more ecstatically pleasing.

Mr. Rathbun stated that the parking spaces goes up to the apartment buildings. Mr. Durrough stated that tis correct.

Mr. Male asked Ms. Marotta if she would like the patios labeled on the plans. Ms. Marotta stated the patios and parking spaces should be labeled. Ms. Marotta asked about the landscaping. Mr. Durrough stated that the landscaping has not changed from the first submission.

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

### **TOWN OF STILLWATER PLANNING BOARD 2022 RESOLUTION NO. 10**

#### **A RESOLUTION MAKING A SEQRA DETERMINATION REGARDING THE FOREST RIDGE MIXED USE DEVELOPMENT**

WHEREAS, Gala Building and Construction Management, LLC has submitted an application for site plan amendment to construct a mixed use development on a property located on Forest Ridge, more fully described as Tax Map Parcel 242.-1-96.11; and

WHEREAS, the applicant and its representative appeared before the Planning Board on June 27, 2022 for conceptual review; and

WHEREAS, pursuant to 6 NYCRR section 617.6, the Stillwater Planning Board is the appropriate lead agency for SEQRA review; 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, the applicant has submitted a long environmental assessment form (“EAF”); and

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

WHEREAS, the Planning Board has also reviewed each of the 18 factors contained in Part Two of the EAF to determine whether the proposed action will have significant environmental impacts on this and upon nearby properties.

NOW, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Gala Building and Construction Management, LLC, for site plan amendment to construct a mixed use development on a property located on Forest Ridge, more fully described as Tax Map Parcel 242.-1-96.11, will not result in significant impacts on the environment and a negative declaration is hereby issued.

A motion by Member Keefer seconded by Member Bisnett to adopt Resolution No. 10 of 2022.

A roll call vote was taken on Resolution No. 10 as follows:

Chairman Buck	YES
Member Bisnett	YES
Member Keefer	YES
Member Marshall	YES
Member Marotta	YES
Member Rathbun	YES
Member Reilly	YES
Member Smith	ABSTAIN

Resolution No. 10 was adopted at a meeting of the Planning Board of the Town of Stillwater

duly conducted on June 27, 2022.

**TOWN OF STILLWATER  
PLANNING BOARD  
2022 RESOLUTION NO. 11**

**A RESOLUTION REGARDING  
THE FOREST RIDGE MIXED USE DEVELOPMENT**

WHEREAS, Gala Building and Construction Management, LLC has submitted an application for site plan amendment to construct a mixed use development on a property located on Forest Ridge, more fully described as Tax Map Parcel 242.-1-96.11; and

WHEREAS, the applicant and its representative appeared before the Planning Board on June 27, 2022 for conceptual review; and

WHEREAS, pursuant to 6 NYCRR section 617.6, the Stillwater Planning Board is the appropriate lead agency for SEQRA review and made its SEQRA determination of in Resolution 10 of 2022; and

WHEREAS, a public hearing was conducted on April 25, 2022.

NOW, therefore, be it

RESOLVED, Gala Building and Construction Management, LLC has submitted an application for site plan amendment to construct a mixed use development on a property located on Forest Ridge, more fully described as Tax Map Parcel 242.-1-96.11 hereby GRANTED; 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 Keefer seconded by Member Rathburn to adopt Resolution No. 11 of 2022.

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

Chairman Buck	YES
Member Bisnett	YES
Member Keefer	YES
Member Marshall	YES
Member Marotta	NO
Member Rathbun	YES
Member Reilly	YES

Member Smith	ABSTAIN
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Resolution No. 11 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on June 27, 2022.

**PB2022-07 Colonial Road Cluster Subdivision, Colonial Road**

Chairman Buck recognized Mr. Joseph Dannible of Environmental Design Partnership who is representing Malta Development. Mr. Dannible stated that Mr. Wayne Samascott and Mr. Thomas Samascott of Malta Development are also present this evening. Mr. Dannible stated that the application was submitted in February and was before the Planning Board on March 28, 2022. Mr. Dannible stated that the proposed project is a 24-lot cluster conservation subdivision located on Colonial Road. Mr. Dannible stated that they received some concerns from the Planning Board at the March meeting. Mr. Dannible stated that those concerns were regarding the interpretation of the conservation cluster subdivision regulations which were lot size, lot width, information on the HOA, permitted open space and the value of the open space. Mr. Dannible stated that they have been working with the Planning Department to submit an updated subdivision plan which are in accordance with the regulations of the cluster conservation subdivision. Mr. Dannible stated that the plans which the Planning Board has are the updated plans with the changes that were made. Mr. Dannible stated that they have added 8-acres to the open space, relocated the storm water basins which allows for an increased buffer at along Colonial Road. Mr. Dannible stated that these changes have added 4.3-acres of buildable land. Mr. Dannible stated that there are sidewalks proposed for one side of the development, there is a mail kiosk, project entrance, the development will be serviced by public water and public sewer. Mr. Dannible stated that there will be a HOA that will own and maintain the open space. Mr. Dannible stated that they have prepared a conventional layout for a 23-lot subdivision. Mr. Dannible stated that with this layout there are 5-lots with ingress and egress onto Colonial Road. Mr. Dannible stated that the entrance would remain as previously submitted with a hammerhead at the top of the development for the remaining 18-lots. Mr. Dannible stated that the cluster conservation subdivision is more cohesive than the conventional subdivision which would need more grading and would also loose the buffer along Colonial Road. Mr. Dannible stated that they would like to receive the Planning Board's comments and concerns this evening on the project.

Ms. Marotta asked if the conventional subdivision is based on the T3N Zoning District. Mr. Dannible stated that is correct. Ms. Marotta stated that they cannot build within the wetlands. Ms. Marotta stated that this is a tough piece of property to develop. Ms. Marotta asked about an additional cul-de-sac on the northeast section where the development curves on the new plans. Mr. Dannible stated that the issue with the additional cul-de-sac is the 100 ft. of frontage for each lot.

Ms. Lindsay Buck asked the Planning Board for their opinion on the proposed project and if the cul-de-sac meets the intent of the cluster conservation subdivision Zoning Code. Mr. Male stated that in his opinion the cluster conservation subdivision does not meet the zoning code. Ms. Lindsay Buck stated that there is a large portion of the development that is wetlands. Mr. Dannible stated there would be less tree clearing and that is why they believe that the cluster conservation subdivision is the best plan. Ms. Lindsay Buck stated that she believes this is where

the Planning Board is having issues with the layout. Ms. Lindsay Buck stated does the subdivision layout meet the intent of the cluster conservation subdivision with the restraint on the property or does the conventional layout work better with the reduction of lots. Ms. Lindsay Buck asked Mr. Dannible if the reason for the cluster conservation subdivision was to narrow the lots. Mr. Dannible stated that is correct. Mr. Dannible stated that when the density was calculated for the allowed building lots that number was 72 lots.

Mr. Smith stated that there are more wetlands on the parcel then there is dry ground.

Mr. Male asked about the connection to the adjacent parcel. Ms. Lindsay Buck stated that a connection to the adjacent property would be a benefit to the development. Mr. Male stated that they can submit another plan. Mr. Male stated that they probably will not get the number of building lots that they would like.

Ms. Keefer stated that the cluster conservation subdivision is visually a more pleasing layout. Ms. Keefer stated that in her opinion the proposed plan does not meet the zoning for the cluster conservation subdivision as it is shown.

Mr. Rathbun asked Mr. Samascott if they are willing to review other layouts or is this what works for the business plan. Mr. Samascott stated that this plan is what works for the business plan.

Mr. Samascott stated that if the Planning Board does not like the subdivision as proposed and if that is the case then we will withdraw our submission for the cluster conservation subdivision.

Motion to adjourn made by Ms. Keefer seconded by Ms. Reilly at approximately 7:18