

**PLANNING BOARD MEETING  
TOWN OF STILLWATER  
STILLWATER TOWN HALL  
July 25, 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:**

**James Trainor Attorney for the Town  
Paul Male, Town Engineer, (PM)  
Lindsay (Zepko) Buck, Senior Planner (LB)  
Ellen Vomacka, Town Board Liaison  
Sheila Silic, Secretary  
Joseph Lanaro, LaBella Associates, Town Designated Engineer**

**Town of Malta:**

**Floria Huizinga, Town Planner  
Jean Lowenstein, Co-Chairperson, Planning Board**

**Pledge:**

Chairman Buck called the meeting to order at 5:00 PM and led everyone in the Pledge to the Flag.

**Review and approval of minutes of Planning Board meeting:**

Ms. Marotta made a motion to approve the May 23, 2022 meeting minutes, seconded by Mr. Bisnett. Motion passed unanimously. Ms. Keefer made a motion to table the June 27, 2022 meeting minutes, seconded by Ms. Marshall. 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. Also present was Deb Leach, Executive Sponsor for the Fab 8.2 expansion, Peter Lilholt, CT Male Associate, Matthew Jones, Jones Steves LLP, and Ryan Jones, Jones Steves LLP .**

Chairman Buck recognized Ms. Huizinga from the Town of Malta Planning Department and Ms. Lowenstein from the Malta Planning Board who are also present this evening.

Chairman Buck recognized Mr. Matthew Jones of Jones Steves LLP, Attorney for Global Foundries. Mr. Jones turned the presentation over to Mr. Connors. Mr. Connors stated that he would like to thank the members of the Planning Board, Ms. Lindsay Buck and her staff, Mr. Male and the attorney for the Town Mr. Trainor. Mr. Connors stated that the project will enhance the economic opportunity for the residents of the Town Stillwater and the Town of Malta. Mr. Connors stated that these are exciting times for the Towns of Stillwater/Malta, Saratoga County and the United States. Mr. Connors stated that the U.S. Senate is proposing a procedural motion for 5:30pm this evening which is a cultural vote and will end the debate on the chip legislation. Mr. Connors stated that once the bill is passed in the U.S. Senate it will then go to the U.S. House of Representatives. Mr. Connors stated that the local representatives have informed Global Foundries that they have language that has been agreed upon by both the House of Representative and the Senate. Mr. Connors stated that once the President of the United States has signed the bill. Global Foundries can then apply for the Grant Application process with the Department of Commerce. Mr. Connors stated that Global Foundries will be before the Town of Malta Planning Board on July 26, 2022. Mr. Connors stated that they will be happy to answer any questions.

Mr. Connors turned the presentation over to Mr. Jones. Mr. Jones showed the Planning Board the outlined presentation boards for Global Foundries. Mr. Jones stated that the Town of Malta Planning Board adopted a resolution on June 29, 2022 which was consistent with the 2013 SEQRA findings and no further SEQRA Action was required. Mr. Jones stated that the preliminary Site Plan was submitted on May 31, 2022, with the final Site Plan being submitted on July 8, 2022. Mr. Jones stated that there were very few changes made to the final Site Plan. Mr. Jones stated that those changes were to the SWPPP and lighting. Mr. Jones stated that they wanted to focus on the approvals this evening which have met the needs of the Town of Stillwater and the needs of the Planning Board.

Chairman Buck stated that he would like to thank Global Foundries for all the information that was provided to the Town of Stillwater Planning Board, Planning Department and the Town Engineer. Mr. Jones stated that Global Foundries is represented by people who have worked on a similar project in the past.

Ms. Marotta asked about the property that had been purchased from Luther Forest Corp. and Luther Forest Technology Campus. Ms. Marotta asked if it is due to mitigation for possible contaminants in the air emissions. Mr. Lilholt stated that the property is being purchased to meet the air emissions analysis and the SEQRA requirements. Mr. Jones stated that there are conditions that are attached to the resolution and there are regulatory permits that will have to be acquired. Mr. Larano stated that in order to meet the threshold for the emissions, Global Foundries had to purchase additional property.

Mr. Trainor read the conditions that pertain to the resolution into the minutes.

Chairman Buck asked if anyone had any further questions or concerns, hearing none he asked for motion to accept the Town of Malta SEQRA findings.

**TOWN OF STILLWATER**  
**PLANNING BOARD**  
**2022 RESOLUTION NO. 12**  
**RESOLUTION OF THE STILLWATER PLANNING BOARD GRANTING SITE PLAN**  
**APPROVAL TO GLOBALFOUNDRIES U.S. INC. ON ITS APPLICATION FOR FAB**  
**8.2**

**WHEREAS**, the Stillwater Planning Board has received from GlobalFoundries U.S. Inc, (“Applicant”) a Site Plan Application in connection with the Applicant’s construction of a semiconductor manufacturing facility known as Fab 8.2 (the “Project”) within the Luther Forest Technology Campus PDD, partially within the Town of Malta and partially within the Town of Stillwater; and

**WHEREAS**, by Resolution 2022-6, the Malta Planning Board declared its intention to serve as SEQRA Lead Agency and notice of its intention was provided to all Involved Agencies as defined by the State Environmental Quality Review Act and its implementing regulations (“SEQRA”); and

**WHEREAS**, the Malta Planning Board adopted a resolution on June 29, 2022,

- (i) To serve as lead agency in connection with the Project, and
- (ii) Determining that the Project falls within the scope of the prior SEQRA review as the Project will not exceed the thresholds thereby established, and
- (iii) Determining that the Project will not result in any new or different environmental impacts which were not previously reviewed and thoroughly analyzed by the Malta Town Board, and
- (iv) As a result of the foregoing no further SEQRA review is warranted in regard to the Project, and

**WHEREAS**, Applicant acknowledges its obligations for the Project as set forth in (a) the Second Supplemental Draft Environmental Impact Statement (SSDEIS) last revised March 1, 2013, (b) the Second Supplemental Final Environmental Impact Statement (SSFEIS) dated July 26, 2013, (c) the Statement of Findings dated August 19, 2013 (the foregoing hereinafter referred to as the “SEQRA Record”), and (d) ART XI, § 160-192 of the Town Code of the Town of Stillwater – Luther Forest Technology Campus Planned Development District, hereinafter “LFTC PDD,” particularly including provisions pertaining to or involving matters of:

- Noise mitigation,
- Soil Disturbance in excess of 5 acres under Part II.D.3 of the General Permit,
- Submission under the Soil Disturbance Permit of a Construction Sequencing Plan and Erosion & Sediment Control Plans prior to Soil Disturbance; and

- Compliance with Fire Code during Building Permit Application; and
- Wastewater Pre-Treatment Requirements of SCSD #1 for potential ammonia loadings from the Project, and the NYS DEC SPDES Industrial Permit as necessary to accommodate the Project requirements.

**WHEREAS**, the Planning Board has received from the Applicant’s representatives (i) a Concept Site Plan Application dated March 21, 2022 as revised and amended by a (ii) Site Plan Application – Preliminary Submission dated May 31, 2022 as further revised and amended by (iii) the Final Site Plan Submission dated July 8, 2022; and

**WHEREAS**, the Planning Board has received and reviewed (i) the resolution of July 21, 2022 of the Saratoga County Planning Board containing its comments and recommendations, (ii) the report of LaBella Associates (signed by Paul Guillet) dated June 21, 2022 as revised and updated on July 21, 2022; and

**WHEREAS**, consistent with the review of the lighting plan (Sheet C-203, Luminaries Schedule) by the Malta Planning Staff and LaBella Associates, the Planning Board finds that the plan consists of landscape design elements that are integral to the aesthetic value of the design and, as such, are exempt from the requirements of the lighting regulations; and

**WHEREAS**, the Planning Board deems the Project to be consistent with the Stillwater Zoning Code and such other local laws and ordinances as may be applicable to the Project and the Planning Board further determines that the best interests of the Town of Stillwater are served by approval of the pending site plan application; and

**WHEREAS**, the Planning Board reviewed a presentation by the Applicant on this date and engaged in a question and answer dialog with the Applicant’s representatives on matters of interest to the Planning Board; and

**WHEREAS**, the Planning Board is satisfied that all necessary and appropriate procedural requirements have been met so as to enable it to render a determination on the application; and

**WHEREAS**, the Planning Board deems it necessary and appropriate to condition approval of the Site Plan on the following conditions (the “Conditions of Approval”):

1. Applicant shall obtain an Air State Facility Permit from NYS DEC for Fab 8.2 to comply with applicable State and Federal Air Emissions Regulations. As necessary to obtain that permit, acquire additional adjacent lands from Luther Forest Technology Campus Economic Development Corporation (“LFTCEDC”) (tax parcels 230.-1-76.112 and 230.-1-72.111), and from Luther Forest Corporation (an approximate 3.424 acre portion of tax parcel 230.-1-16.11 also adjacent to the lands of Applicant) as shown within previous submission relative to Air Dispersion Modeling. Upon start-up of first emission unit associated with the construction of the 8.2 Facility; Applicant will obtain an Air Title V Permit from NYSDEC to consolidate operations from each Fab into a single permit.

2. Applicant shall, upon receipt by Applicant or by the Town of Stillwater of noise complaints from property owners or tenants in the vicinity of Fab 8.2, provide post-construction noise monitoring at the nearest residential receptor under a plan developed in conjunction with the planning staff of the Town of Stillwater.
3. Applicant shall complete new or amend current service agreements sufficient to accommodate the Project from the Saratoga County Water Authority and the Saratoga County Sewer District #1. In addition, Applicant shall obtain all necessary approvals related to water and sanitary sewer from involved municipal and State agencies, including the SCWA, SCSD#1, NYSDOH and NYSDEC.
4. Applicant shall obtain design approvals and highway work permits from the appropriate authorities of NYSDOT, Saratoga County and the Town of Stillwater for, and construct the following six (6) off-site transportation mitigation measures by or on behalf of the Applicant prior to full production ramp for Fab 8.2.
  - a. Construction of an eastbound right-turn lane at the US Route 9/Malta Avenue/Malta Avenue Extension intersection.
  - b. Construction of northbound and southbound left-turn lanes on East Line Road at NY Route 67.
  - c. The impacts to the US Route 9/NY Route 67 /Dunning Street roundabout will be mitigated by decreasing intersection usage and thereby improving intersection operation by constructing connector roads around the intersection (i.e., northwest-Kelch and northeast-Hemphill quadrants) instead of adding new slip lanes, as proposed in the SSEIS. In addition, modifications will be made to the Route 9/Route 67/Dunning Street roundabout to allow east/west through movements to use the existing eastbound and westbound left-turn only lanes. Eastbound and westbound approaches to the roundabout will also be modified to improve deflection angles and decrease approach and entering speed.
  - d. Modification to the travel lane assignments of the US Route 9/NY Route 67/Round Lake Bypass roundabout to provide an eastbound left-turn lane and vehicle deflection on the eastbound approach.
  - e. Installation of a traffic signal at the Interstate 87 Exit 11 southbound ramp with Round Lake Road.
  - f. Traffic signal coordination between the new traffic signal at the southbound ramp with the existing traffic signal at the northbound ramp at Exit 11.

5. Applicant shall address any minor site related items that correlate with building design, concurrent with the building permit process (e.g. pending administrative action).
6. Applicant shall post a bond or letter of credit in the amount of \$ (To Be Determined) in accordance with Stillwater Town Code section 211-169 prior to the issuance of a building permit for the project.
7. Applicant shall pay the Town of Stillwater \$3million toward the purchase of Brown's Beach upon "Groundbreaking" for the project in compliance the 2013 Joint Community Benefit Development Agreement ("JCBDA") between the Applicant and the Towns of Malta and Stillwater. As specified in the JCBDA, "Groundbreaking" is defined as the commencement of construction of Fab 8.2, following final site plan review and approval by the Towns and their respective planning boards, and the issuance of building permit(s) from the Town(s)' building inspector(s).
8. Applicant shall pay the Town of Stillwater \$100,000.00 toward the Town's Master Plan or Zoning Ordinance update prior to the issuance of a building permit for the Project in compliance with section 211-183 (F)(1) of the Stillwater Town Code.
9. The Applicant shall pay the Town of Stillwater \$.69 per square foot of development, or \$ (To Be Determined), prior to the issuance of a building permit, in compliance with section 211-183(F)(2)(b) of the Stillwater Town Code.

NOW THEREFORE, be it

**RESOLVED**, that the Site Plan Application for the GlobalFoundries 8.2 Project is adopted and approved upon the conditions aforesaid in this resolution.

A motion by Member Bisnett, seconded by Member Marotta to adopt Resolution No. 12 of 2022.

A roll call vote was taken on Resolution No. 12 as follows:

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

Resolution No. 12 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 25, 2022

**PB2022-13 Luther Forest Business Park Major Subdivision, Luther Forest Blvd.**

Chairman Buck recognized Mr. Scott Lansing of Lansing Engineering who is representing Luther Forest Corporation. Mr. Lansing stated that they are seeking the Planning Board's approval this evening for the project. Mr. Lansing stated the northern parcel is 15.89-acres and

the southern parcel is 46.13-acres. Mr. Lansing stated that the parcels were subdivided previously. Mr. Lansing stated that Shenandoah Drive separates the two parcels. Mr. Lansing stated that the lots were approved as part of the Forest Ridge Apartment project.

Mr. Lansing stated that Shenandoah Drive is currently under construction and is proposed as a town road. Mr. Lansing stated that they are proposing to further subdivide the parcels. Mr. Lansing stated the norther parcel would be subdivided into 2-lots and the southern parcel will be subdivided into 4-lots. Mr. Lansing stated that this subdivision is part of the master plan which was reviewed by the Planning Board on June 27, 2022.

Mr. Lansing stated that they will back before the Planning Board with Site Plans for each lot. Mr. Lansing stated that they submitted the Site Plan for Lot-2 on July 13, 2022. Mr. Lansing stated that there are 6-lots with following acreage Lot-1 11.34-acres, Lot-2 4.55-acres, Lot-3 9.52-acres, Lot-4 10.11-acres, Lot-5 10.57-acres and Lot-6 16.05-acres. Mr. Lansing stated that all the lots are in accordance with the Zoning Code.

Ms. Lindsay Buck asked Mr. Lansing about the Lot Line Adjustment. Mr. Lansing stated that the request for the Lot Line Adjustment is in order to enlarge the stormwater basin so, it will work more efficiently.

Chairman Buck opened the public hearing and asked if anyone wished to comment and hearing none, he closed the public hearing. Ms. Marotta made a motion to close the public hearing 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 Rathbun	Absent
Member Reilly	Yes
Member Smith	Yes

Ms. Marotta asked about the trail that was approved prior to this application. Ms. Marotta stated that the trail will be located to the east and south of the parcel. Mr. Lansing stated that the trail is part of the Cold Springs Road Mixed Use Subdivision. Mr. Lansing stated that they had considered connecting the trail to Luther Forest Blvd. Mr. Lansing stated that he is not sure what happened with the acreage to the north that would have connected the two sections of the trail. Mr. Lansing stated that Forest Ridge Apartments has a trail that connects to and runs along side Shenandoah Drive. Mr. Lansing stated that they are showing the extinguishment of the easement. Ms. Marotta stated that he sidewalk will now become part of the trail. Mr. Lansing stated that the sidewalk is much larger and will be used as a multi-use path. Mr. Lansing stated that the multi-



use path connects to Cold Springs Road, Forest Ridge Apartments, Cold Springs Road subdivision and over to Luther Forest.

Ms. Lindsay Buck asked if there are any outstanding issues from Mr. Male's June 22, 2022 comment letter. Mr. Male stated that all the comments have been addressed.

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. 13  
A RESOLUTION MAKING A SEQRA DETERMINATION REGARDING  
THE LUTHER FOREST BUSINESS PARK SUBDIVISION**

WHEREAS, the Luther Forest Corporation has submitted an application for a major subdivision to construct a business park on a property located on Shenandoah Drive, more fully described as Tax Map Parcels 241.-1-6.1 and 6.3; and

WHEREAS, the applicant and its representative appeared before the Planning Board on February 28, 2022 for conceptual review and on July 25, 2022 for a public hearing; 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 ("FEAF"); and

WHEREAS, the Planning Board has duly reviewed the FEAF 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 FEAF 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 Luther Forest Corporation, for a major subdivision to construct a business park on a property located on Shenandoah Drive, more fully described as Tax Map Parcels 241.-1-6.1 and 6.3, 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. 13 of 2022.

A roll call vote was taken on Resolution No. 13 as follows:

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

Resolution No. 13 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 25, 2022.

**TOWN OF STILLWATER  
PLANNING BOARD  
2022 RESOLUTION NO. 14  
A RESOLUTION REGARDING  
THE LUTHER FOREST BUSINESS PARK SUBDIVISION**

WHEREAS, the Luther Forest Corporation has submitted an application for a major subdivision to construct a business park on a property located on Shenandoah Drive, more fully described as Tax Map Parcels 241.-1-6.1 and 6.2; and

WHEREAS, the applicant and its representative appeared before the Planning Board on February 28, 2022 for conceptual review and July 25, 2022 for a public hearing; 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 13 of 2022; and

WHEREAS, a traffic study was performed and submitted by VHB Engineering.

NOW, therefore, be it

RESOLVED, the application of the Luther Forest Corporation for a major subdivision to create 6 parcels from the existing 2 parcels as well as a lot line adjustment for the addition of lands to the existing stormwater management area on property located on Shenandoah Drive, more fully described as Tax Map Parcels 241.-1-6.1 (15.89-acres) and 241.-1-6.3 (46.13-acres), and that all proposed parcels are conforming to the BP (Business Park) Zoning District, is hereby GRANTED, conditional upon the applicant's satisfaction of all remaining punch list items contained in the review letters of Lindsay Buck, Town Planner, dated June 6 and June 22, 2022,

and Paul Male, Town Engineer dated February 14 and June 22, 2022; and be it further,

RESOLVED, that the Secretary is authorized and directed to transmit a copy of this Resolution to the Applicant, the Town Clerk and the Building Inspector-Code Enforcement Officer.

A motion by Member Reilly seconded by Member Keefer to adopt Resolution No. 14 of 2022.

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

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

Resolution No. 14 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 25, 2022.

**PB2021-14 and 15 Bocrest Fields PDD Amendment, Halfway House Road/ Brickvard Road Referral from Town Board for Recommendation**

Chairman Buck recognized Mr. Frank Palumbo of CT Male Associates, also present this evening Ed Keis who is representing Bocrest Fields LLC. Mr. Palumbo stated that the applicant received PDD approval for the project. Mr. Palumbo stated that Mr. Keis, C.T. Male and the applicant has actively been pursuing a builder. Mr. Palumbo stated that if they had found a builder and a building type they would have submitted a Site Plan under the Industrial Zoning District. Mr. Palumbo stated that the type of building that were being proposed did not appear to attract the interest of builders. Mr. Palumbo stated that they have continued to work with Ms. Lindsay Buck and Mr. Male in regards to which type of building the PDD would allow.

Mr. Palumbo stated that the PDD had a one-year expiration date. Mr. Palumbo stated that they had progressed activity of the PDD and that is the reason for the modification of the PDD.

Mr. Palumbo stated that they are working with a builder which is J. Luke Construction and Hodorowski Development. Mr. Palumbo stated that the builder has suggested a type of building for the site which would be attractive to potential tenants.

Mr. Palumbo stated that they have taken into consideration the public comments from the public hearing held by the Stillwater Town Board. Mr. Palumbo stated that the public's concerns were

with the type of housing, level of housing from the market standpoint. Mr. Palumbo stated that the apartments are based on market rate and will not be subsidized housing.

Mr. Palumbo stated that they went from 215 apartment units to 312 apartment units which was accomplished by proposing thirteen 3-story apartment buildings instead of nineteen 2-story apartment buildings. Mr. Palumbo stated that by building the 3-story apartment buildings it has increased the space between the buildings. Mr. Palumbo stated that this parcel was originally zoned Industrial (ID) and was changed to the T3N Zoning District.

Mr. Palumbo stated that the applicant has tried to incorporate some of the requirements that are within the T3N Zoning District. Mr. Palumbo stated that there are 1.8 parking spaces per apartment unit and green space along the roadway. They have updated the NYS DEC wetlands in the center of the parcel and the 100 ft. buffers. Mr. Palumbo stated that the access to the site is off Halfway House Road as originally proposed.

Mr. Palumbo stated that there are shrubs which impacts the line of site to the north at the intersection of Halfway House Road and Hudson Avenue. Mr. Palumbo stated that the traffic study was done by the Town of Stillwater.

Mr. Palumbo stated that they continue to work with the Saratoga County Sewer District #1 regarding the pump station. Mr. Palumbo stated that Saratoga County Sewer District #1 has requested the use of grinder pumps instead of the pump station. Mr. Palumbo stated that public project on NYS Route 4 was not cost efficient.

Mr. Palumbo showed the rendering of the apartments to the Planning Board. Mr. Palumbo stated that the density of the site has been decreased with the proposed plan.

Mr. Bisnett asked about the wetlands. Mr. Palumbo stated that the stream that goes through the site are both NYS DEC and Army Corp (ACOE) wetlands. Mr. Bisnett asked about the non-jurisdictional wetlands with the 100 ft buffer. Mr. Palumbo stated that they will not be disturbing those particular wetlands. Mr. Palumbo stated that the other non-jurisdictional wetlands will be used as stormwater management.

Mr. Bisnett stated that there is no place for the tenants to sit outside and relax. Mr. Bisnett stated the tenants want some amenities. Mr. Palumbo stated that he will speak with the builder regarding some amenities. Ms. Vomacka stated that a small concrete slab would be nice to sit a chair on and relax.

Ms. Marotta stated that the additional 98-units is an increase in density. Ms. Marotta stated that the 3-story buildings will be more visible to the surrounding area. Ms. Marotta stated that there is significantly more landscaping proposed to buffer the parking area, buildings, stormwater and the town trails. Ms. Marotta asked about the zoning regarding the density and if the zoning reverted back to Industrial instead of using the T3N Zoning. Ms. Lindsay Buck stated that Town Board's position was to revert back to the Industrial Zoning District as that was in place at the time of the original proposal.

Mr. Palumbo stated that they met with the neighbors to discuss the project. Mr. Palumbo stated that the concerns the neighbors had were with the view and the buffer along the side. Mr. Palumbo stated that the first apartment building on the plans has been moved further back than what was proposed on the original plan. Mr. Palumbo stated that the trees buffer the view of the parking area and there is less impact to the wetlands with the current plan.

Mr. Palumbo stated that the current plan compared to the original plan the density is less. Ms. Lindsay Buck stated that the density is under the T3N Zoning and the PDD was approved under the Industrial Zoning.

Mr. Palumbo stated that there are no garages because tenants do not want a garage.

Ms. Marotta stated that there are no balconies or patios for the tenants. Mr. Palumbo stated that he would speak with the builder regarding the balconies and patios. Mr. Palumbo stated that there is a space where picnic tables can be placed for the tenants to use.

Ms. Keefer asked what the square footage of the apartment units. Mr. Palumbo stated most of the 2-bedroom apartments are 860 sq. ft. up to 1195 sq. ft. and there is one 1-unit bedroom that is 870 sq. ft.

Mr. Palumbo stated that they will build 4-apartment buildings and when those 4-apartment buildings are completely rented they will then build 4 more apartment buildings.

Ms. Lindsay Buck asked Mr. Palumbo about the location of the elevator. Mr. Palumbo showed Ms. Lindsay Buck the location of the elevator on the plans.

Chairman Buck stated that he agrees with Ms. Marotta and Mr. Bisnett regarding the balconies and patios for the tenants to be able to sit outside and relax.

Mr. Smith asked about the traffic study onto Halfway House Road. Mr. Palumbo stated that they had no part in the traffic study as it was performed by a third party agency contracted through the Town and that the number did not have a significant impact according to Creighton Manning. Ms. Lindsay Buck stated that she would provide a copy of the traffic study to the Planning Board. Mr. Male stated that the numbers are updated yearly by the Institute of Traffic Engineers with current trip information. Mr. Palumbo stated that Mr. Lanaro addressed the public comments regarding the traffic study at the Town Board meeting.

Ms. Vomacka stated that Halfway House Road is not a heavily used roadway. Ms. Vomacka stated that not all tenants will have two vehicles. Ms. Vomacka stated that she does not believe that Halfway House Road will be overwhelmed by traffic. Ms. Vomacka asked about an area where children can play.

Ms. Lindsay Buck read the conclusion of the traffic study stating "The proposed project includes the construction of 312 apartment units in 13 separate buildings on the south side of Halfway House Road in the Town of Stillwater. Access to the site is proposed via one new unsignalized driveway located

on Halfway House Road approximately 1,000-feet west of US Route 4. The project is expected to be complete and fully occupied by 2027. The following is noted regarding the proposed project:

- The proposed project will generate 120 new vehicle trips during the AM peak hour and 155 new vehicle trips during the PM peak hour, based on ITE equations.

□ The level of service analysis indicates that the signalized and unsignalized study area intersections will operate adequately during the AM and PM peak hours after full build-out of the site. Mitigation is not recommended at these locations.

□ The level of service analysis indicates that the northbound Site Driveway approach to Halfway House Road will operate at LOS A during the AM and PM peak hours under stop-sign control. In addition, the level of service analysis indicates that the westbound left-turn movement into the site will also operate at LOS A during both peak hours. It is recommended that a stop-sign be installed on the northbound Site Driveway approach to control vehicles making left and right-turns from the site.

□ A review of the site plan indicates that the *Stillwater Multi-Use Trail* runs along the southeastern border of the project; therefore, it is recommended that an internal pedestrian/bicycle connection be provided from the site to the trail in order to improve multi-modal transportation associated with the residential development.

□ The available intersection and stopping sight distances for a passenger car at the proposed Halfway House Road/Site Driveway intersection meet AASHTO guidelines for the applicable operating speed. It is recommended that vegetation along the project frontage near the Site Driveway be removed in order to maximize sight lines looking left and right for vehicles exiting the driveway. It is also recommended that any site signing be placed a minimum of fifteen feet back from the travel way and that the landscaping plan consider sight lines in order to maintain visibility at the Site Driveway.

□ The sight distance assessment at the existing US Route 4/Halfway House Road intersection indicates that the available intersection sight distance looking left and right from Halfway House Road to make a left or right turn onto US Route 4 does not meet AASHTO guidelines for the operating speed due to vegetation located on a property north and south of the intersection. It is noted that the limited existing sight lines have not been a contributing factor for collisions at this intersection based on a review of the collision summary since there were no right-angle or left-turn crashes reported at this location. This suggests that motorists are pulling forward past the traditional 14.5-foot position from the travel way in order to see around the sight line limitations. Field observations indicate that motorists pull forward to approximately 10-feet from the travel lane, which increases sight lines to meet AASHTO guidelines for the operating speed.

□ A review of the NYS Supplement to the NMUTCD indicates that the available sight distance looking left and right from Halfway House Road is critically limited for the operating speed on US Route 4 based on the 14.5 driver position on Halfway House Road. It is recommended that the Applicant investigate the available ROW to determine if the existing vegetation is located on public or private property. Then, in consultation with the Town/NYS DOT/private property owners, the Applicant should, remove or relocate the vegetation as necessary, or install "Intersection Warning" signs north and south of the Halfway House Road intersection to warn motorists of the limited sight distance condition. If the vegetation cannot be removed or relocated, motorists will continue to pull forward to see beyond the existing sight line limitations."

Ms. Lindsay Buck stated that this is a Type 1 Action and was referred to NYS DOT.

Mr. Keis stated that he spoke to the builder and that they have no problems adding balconies to the apartments. Mr. Keis stated that this was a shared traffic study. Ms. Lindsay Buck stated that the traffic study also included the Hudson Heights project in its projections. Bocrest Fields paid for the traffic study. Mr. Palumbo stated that the traffic is reviewing what may have happened in the past and what is going to happen in the future to know what potential impact may happen.

Ms. Marshall stated that the amenities, buffers, landscaping and parking are the recommendations that need to be considered. Mr. Male stated that the amenities, buffers, landscaping and parking can be conditions placed on the recommendation.

Councilwoman. Masterson stated regarding the cost for these apartments and balconies. Ms. Masterson stated that her niece moved into an apartment on the Hudson River which is Section-8 Housing and those apartments have balconies.

Ms. Cowin, Stillwater Town Clerk, asked what the market rate would be for an apartment. Mr. Palumbo stated that a 2-bedroom apartment is \$1,400.00.

**TOWN OF STILLWATER  
PLANNING BOARD  
2022 RESOLUTION NO. 15**

**A Resolution Making Recommendations Regarding the Bocrest Fields PDD Amendment**

WHEREAS, Bocrest Fields LLC has proposed the Bocrest Fields PDD Amendment via Local Law No. \_\_\_\_ of 2022, to be known as the Bocrest Fields PDD Amendment; and

WHEREAS, the Town Board conducted Public Hearings on September 16, 2021 and June 16, 2022, where the Proposed Local Law for the Bocrest Fields PDD Amendment was reviewed and comments from the public were received; and

WHEREAS, the Town Planning Board conducted a review of the proposed PDD amendment on July 25, 2025 in order to provide the Town Board with its recommendations; and

WHEREAS, the application narrative, maps, proposed local law and Full Environmental Assessment Form were duly considered as well as several relevant and previous studies affecting the Bocrest Fields PDD Amendment, including but not limited to, the following:

- 2001 Zoning Code (Local Law No. 1 of 2001) and amendments thereto;
- 2006 Town Comprehensive Plan;
- Town wide GEIS with incorporated environmental and traffic impact studies;
- Town Law Article 16 regarding zoning amendments;
- General Municipal Law Section 239-l and 239-m; and

- Lindsay Buck's, Paul Male, P.E.'s and James Trainor, Esq.'s written comments on the project;
- The traffic study done by Creighton Manning regarding the project.

Now therefore be it

RESOLVED, that the Planning Board hereby renders a positive recommendation to the Town Board for the proposed Bocrest Fields PDD Amendment, but also recommends that the Town Board consider incorporating the following items into the local law requirements:

1. Provision for balconies to be added to each apartment unit;
2. Provision for outdoor seating;
3. Provision for outdoor patios;
4. Other outdoor amenities, including, but not limited to, recreational opportunities;

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 Marotta, seconded by Member Bisnett, to adopt Resolution No. 15 of 2022.

A roll call vote was taken on Resolution No. 15 of 2022 as follows:

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

Resolution No. 15 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 25, 2022.

### **Scenic View Estates PDD, County Route 76, Referral from TOWN Board for Recommendation**

Chairman Buck recognized Mr. Al Parella who is the property owner. Mr. Parella stated that the property is located on the westerly side of County Route 76 which consists of 73.5-acres and is located in the LDR Zoning District. Mr. Parella stated that the proposed development is a mix of single-family dwellings and apartments. Mr. Parella stated that the 12 apartment buildings will have 4-units per building for a total of 48 apartments on 30.2-acres and 16 single -family dwellings with lot sizes ranging from 1.5+/- acres to 2.0+/- acres. Mr. Parella stated that the



development will have two roadways connecting to County Route 76. Mr. Parella stated that the roadway for ingress and egress for the singles-family dwellings and the apartments will consist of 2,700+/- linear ft. Mr. Parella stated that the second roadway will consist of 2,000+/- linear ft. proposed to be dedicated to the Town of Stillwater along with the utilities. Mr. Parella stated that there will be attached garages, public water and sewer, community walking trails, landscaping, lighting and on-site stormwater maintenance.

Mr. Rathbun asked about the wetlands and the Village of Stillwater water tank. Mr. Parella stated that the wetland areas are protected.

Mr. Parella stated that the Village of Stillwater has access to the water tank through the Saratoga Hills Mobile Home Park. Mr. Rathbun asked about the shale pit on the property. Mr. Parella stated that the shale pit will be part of the cul-de-sac.

Mr. Rathbun asked if there is any mitigation on the property. Mr. Parella stated that there is not any mitigation on the property.

Mr. Rathbun asked who is supplying the water to the development. Mr. Parella stated the Village of Stillwater. Ms. Lindsay Buck stated that the water would be supplied by the Village of Stillwater.

Mr. Rathbun asked if the project will have a pump station. Mr. Parella stated that the single-family dwellings are gravity fed and the apartments will have grinder pumps. Mr. Rathbun asked if residents near the development would be able to tie into the sewer line. Mr. Parella stated that residents near the development would be able to tie into the sewer line. Mr. Rathbun asked Mr. Parella if he will own the sewer line. Mr. Parella stated that the sewer line will be turned over to the Town of Stillwater. Ms. Lindsay Buck stated that we would need to clarify if the sewer line would be owned by the Village of Stillwater or the Town of Stillwater.

Ms. Vomacka asked about the falls behind this parcel. Ms. Vomacka asked where the location of the entrance is to the development. Mr. Parella stated that is 200+/- ft. from the Patenaude property on County Route 76.

Ms. Marotta stated that on the plans the water will be forced up to the cul-de-sac instead of the water being looped around the development. Ms. Marotta asked how this project is considered a PDD when the lots conform to the LDR Zoning. Ms. Lindsay Buck stated that the apartment portion of the project is what triggers this as a PDD.

Ms. Marotta asked about the water runoff. Mr. Parella stated that there are 8.2-acres of wetland which are in front of the apartments. Ms. Lindsay Buck stated that there are proposed on-site stormwater areas.

Ms. Marotta asked about the walking trails. Mr. Parella stated that they are proposing walking trails and benches around the pond area.

Mr. Male stated that they have to submit a SWPPP to the Planning Department for review during the Site Plan and Subdivision review phase.

Mr. Bisnett stated that on page 5 and page 6 it mentions natural gas. Mr. Bisnett stated that natural gas is not available. Mr. Parella stated that he did not notice that on the report.

Ms. Lindsay Buck asked about the proposed sidewalks. Mr. Parella stated that there are sidewalks proposed for the apartment portion of the development.

**TOWN OF STILLWATER  
PLANNING BOARD  
2022 RESOLUTION NO. 16  
A Resolution Making Recommendations Regarding the Scenic View Estates PDD**

WHEREAS, Scenic View Development LLC has submitted an application to establish the Scenic View Estates PDD on County Route 76; and

WHEREAS, the applicants presented the project to the Town Board on April 21, 2022 and a Public Hearing was held on and June 16, 2022, to consider the proposed PDD; and

WHEREAS, the Town Planning Board conducted a review of the Project on July 25, 2022 in order to provide the Town Board with its recommendations regarding the proposed PDD; and

WHEREAS, the application, project narrative, maps and the Full Environmental Assessment Form were duly considered as well as several other relevant and previous studies affecting the Scenic View Estates PDD, including but not limited to, the following:

- 2001 Zoning Code (Local Law No. 1 of 2001) and amendments thereto;
- 2006 Town Comprehensive Plan;
- Town wide GEIS with incorporated environmental and traffic impact studies;
- Town Law Article 16 regarding zoning amendments;
- General Municipal Law Section 239-l and 239-m; and
- Lindsay Buck's, Paul Male, P.E.'s and James Trainor, Esq.'s written or verbal comments on the project;

Now therefore be it

RESOLVED, that the Planning Board hereby renders a positive recommendation to the Town Board for the proposed Scenic View Estates PDD, but also recommends that the Town Board consider incorporating the following items into the local law requirements:

1. Consideration of a walking trail for passive recreational use around the wetland area

2. That sidewalks are installed in the apartment area;

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 Marotta, seconded by Member Smith, to adopt Resolution No. 16 of 2022. A roll call vote was taken on Resolution No. 16 of 2022 as follows:

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

Resolution No. 16 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 25, 2022.

Motion to adjourn made by Ms. Keefer seconded by Ms. Marotta at approximately 8:15