

**Stillwater Planning Board
December 21, 2009 7:00PM
Stillwater Town Hall**

Present: Chairperson Jo-Ann Winchell; Peter Buck; Robert Barshied; Beverly Frank; Carol Marotta; John Murray and Paul Tompkins

Also Present: Daryl Cutler, Attorney for the Town; Ray Abbey, Building Inspector/Code Enforcement; Joel Bianchi, Engineer for the Town; and Jessica Valcik, Secretary for the Planning Board

Chairperson Winchell called the meeting to order and led everyone in the Pledge to the Flag.

**Victor DeGrasse
Minor Subdivision
PB2009-71
SBL # 219.-1-115**

Victor DeGrasse gave a brief presentation of what he was looking to do. He wants to break away nearly 2 acres of his 40 acres of land to give to a family member to build a house on.

Chairperson Winchell noted for the record that application fees have been paid. After a discussion with the Board Members, the Town Engineer, and the Applicant, there were still some missing things that needed to be acquired to move ahead such as seeing a new map showing lots 1 & 2, a perk test, the 911 address and also to get the GEIS figure. The consensus of the Planning Board was to table the request and put it on for the next meeting.

Motion by C. Marotta and seconded by J. Murray to table the application to the next January 19, 2010 Planning Board Meeting. **Motion carried unanimously.**

**Ann MacMurray
Minor Subdivision
PB2009-70
SBL # 232.-1-17.1**

Ann MacMurray gave a brief statement explaining what she would like to do. She is trying to split her property into 2 parts to be able to sell the house, which is nearly 6 acres. It is approximately 26 acres of property that is divided by Jack Hollarn Rd. (6 acres) and frontage on Rt. 423 (20 acres).

A brief discussion was held between the Board Members and the Town Engineer. The Engineer explained that there was only one issue that needed to be fixed. The survey

failed to show a note on the map, which entailed the minimum lot size, was and what the width of the building was. As a conclusion, the following resolution was offered.

Resolution # 39 (SEQRA- Approved)

Motion by J. Murray and seconded by C. Marrota to adopt resolution # 39 as follows:

WHEREAS, Ann MacMurray has submitted an application for a Minor Subdivision regarding property located at 134 NYS Route 423, more fully identified as Tax Map Number 219.-1-60.1; and

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

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

WHEREAS, the applicants have 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;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Ann MacMurray, for Minor Subdivision regarding property located at 134 NYS Route 423, more fully identified as Tax Map Number 219.-1-60.1, will not have a significant impact on the environment.

A roll call vote was taken on Resolution No. 39 as follows:

Chairwoman Winchell	Yes
Member Buck	Abstain
Member Frank	Yes
Member Tompkins	Yes
Member Marotta	Yes
Member Murray	Yes
Member Barshied	Yes

Resolution No. 39 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on December 21, 2009.

Motion carried unanimously with one abstention (Member Buck)

Resolution # 40

(Minor Subdivision- Granted)

Motion by B. Barshied and seconded by J. Murray to adopt resolution # 40 as follows:

WHEREAS, Ann MacMurray has submitted an application for a Minor Subdivision regarding property located at 134 NYS Route 423, more fully identified as Tax Map Number 219.-1-60.1; and

WHEREAS, pursuant to the Stillwater Zoning Law, a public hearing is not required to be held for this type of application; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 39 of 2009; and

WHEREAS, the Town Engineer has reviewed the application and the proposed site plan and confirms that the plan complies with all Town, County and State requirements; and

WHEREAS, the Planning Board has reviewed the application and has duly considered the criteria for Minor Subdivisions;

Now, therefore, be it

RESOLVED, that the application of Ann MacMurray for a Minor Subdivision regarding property located at 134 NYS Route 423, more fully identified as Tax Map Number 219.-1-60.1, is hereby GRANTED, under the following conditions: Applicant complies with the conditions which were included in the December 11, 2009 Memorandum from the Town Engineers, The Chazen Companies, and that these conditions be met prior to final approval of the application; 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 roll call vote was taken on Resolution No. 40 as follows:

Chairwoman Winchell	Yes
Member Buck	Abstain
Member Frank	Yes
Member Tompkins	Yes
Member Marotta	Yes
Member Murray	Yes
Member Barshied	Yes

Resolution No. 40 of 2009 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on December 21, 2009.

Motion carried unanimously with one abstention (Member Buck)

Elinor & Trevor Coulter
Minor Subdivision
PB2009-69
SBL # 221.-1-9

A representative of Mr. and Mrs. Coulter spoke on behalf of the applicants. He stated that they went before the ZBA and were granted the area variance. The house had been changed back to the original design.

After a brief discussion with the Planning Board Members and the Lawyer, it was said that the ZBA found the house to be an appropriate position due to the setting of the other houses around. Also the septic has been moved and the GEIS figures remain the same. The following resolution was offered.

Resolution # 41

(SEQRA- Approved)

Motion by J. Murray and seconded by P. Buck to adopt resolution # 41 as follows:

WHEREAS, Elinor and Trevor Coulter have submitted an application for a Minor Subdivision regarding property located at 71 Wrights Loop, more fully identified as Tax Map Number 221.-1-9; 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 applicants have 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;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicants, Elinor and Trevor Coulter, for Minor Subdivision regarding property located at 71 Wrights Loop, more fully identified as Tax Map Number 221.-1-19, will not have a significant impact on the environment..

A roll call vote was taken on Resolution No. 41 as follows:

Chairwoman Winchell	Yes
Member Buck	Yes
Member Frank	Yes
Member Tompkins	Yes
Member Marotta	Yes
Member Murray	Yes
Member Barshied	Yes

Resolution No. 41 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on December 21, 2009.

Motion carried unanimously.

Resolution # 42

(Minor Subdivision- Approved)

Motion by B. Barshied and seconded by P. Tompkins to adopt resolution # 42 as follows:

WHEREAS, Elinor and Trevor Coulter have submitted an application for a Minor Subdivision regarding property located at 71 Wrights Loop, more fully identified as Tax Map Number 221.-1-9; and

WHEREAS, pursuant to the Stillwater Zoning Law, a public hearing is not required to be held for this type of application; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 41 of 2009; and

WHEREAS, the Town Engineer has reviewed the application and the proposed site plan and confirms that the plan complies with all Town, County and State requirements; and

WHEREAS, the Planning Board has reviewed the application and has duly considered the criteria for Minor Subdivisions;

Now, therefore, be it

RESOLVED, that the application of Elinor and Trevor Coulter for a Minor Subdivision regarding property located at 71 Wrights Loop, more fully identified as Tax Map Number 221.-1-19, 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 roll call vote was taken on Resolution No. 42 as follows:

Chairwoman Winchell	Yes
Member Buck	Yes
Member Frank	Yes
Member Tompkins	Yes
Member Marotta	Yes
Member Murray	Yes
Member Barshied	Yes

Resolution No. 42 of 2009 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on December 21, 2009.

Motion carried unanimously.

Workshop (continued from 11/16/2009 meeting)

Jib Drive

PB2009-60

SBL # 206.1-38

Peter Lynch representing the applicant was present to answer any questions the Planning Board had. He spoke on the revisions of the previous document (HOA) submitted. A discussion was held on some concerns that needed to be clarified to the Board about the HOA. Keel Lane was not clearly stated as to if the homeowners had a right or privilege to be a member of the HOA and whether Jib Drive should possibly be covered under the HOA. Discussion was also held on Keel Lane in regard to the road being an emergency exit with a break away gate.

The consensus of the Planning Board Members, the Town Attorney and the Town Engineer was to close the public hearing and move along with the recommendation to bring to the Town Board.

Motion by B. Barshied and seconded by J. Murray to close the public hearing on Jib Drive.

Motion carried unanimously.

Mason Street LLC-Saratoga Pointe (continued from 11/16/2009 meeting)

Workshop

PB2009-65

SBL # 219.5-1-3

A discussion was held water & sewer capacity and the practicality of commercial business in the area. The Saratoga Glen Hollow water provided documentation from the public service commission showing that the water supply was sufficient. It was also noted that the County Sewer District has a project scheduled next year in regard to the sewer lines, upgrades and upgrading the capacity. They also discussed the traffic studies and primary & emergency exit entrances.

After a brief discussion the Planning Board came to the consensus to deem the application complete and hold a public hearing on January 19, 2010 at 7:10pm.

Motion by B. Barshied and seconded by C. Marotta to hold a public hearing on January 19, 2010 at 7:10pm.

Motion carried unanimously.

Old Business

Saratoga Hills Mobile Home Ordinance: The Town Attorney stated that a productive meeting was held and gave a brief overview of the meeting with PNL. PNL (Saratoga Hills/Hillside Colony) will be providing a concept map. The proposed updated ordinance was referred back from the Town Board.

Non-Conforming lots: Chairperson Winchell and the Town Engineer are going to look into seeing if the Town Board has passed anything.

New Business

Pan-Am: There will be a special meeting held in January possibly. It will be a closed event and a sitting member from the Planning Board will be attending.

Adoption of Minutes: Motion by B. Barshied and seconded by B. Frank to adopt the November 16, 2009 Planning Board Minutes. **Motion Carried.**

Motion by J. Murray and seconded by B. Barshied to adjourn the Planning Board Meeting at 8:40pm.

A very special Thank You to Jo-Ann Winchell for all the hard work and dedication you have put into the Planning Board. You will be missed.