

Stillwater Town Planning Board
October 5, 2009 7:00 PM
Stillwater Town Hall

Present: Chairwoman JoAnn Winchell, Robert Barshied, Carol Marotta, John Murray, Beverly Frank, Paul Tompkins

Absent: Peter Buck and Paul Tompkins

Also Present: Ray Abbey-Building Inspector/Code Enforcement; Daryl Cutler-Attorney for the Town; Joel Bianchi, Engineer for the Town; and Sue Cunningham, Secretary for the Planning Board; Councilman Ken Petronis

Chairwoman Winchell called the meeting to order at 7:00 P.M., and led everyone in the Pledge to the Flag.

Chairperson Winchell questioned if members had sufficient material and time to review documents pertaining to the agenda. Every member responded they had time and materials.

7:00 PM Public Hearing
Jib Drive PDD
PB 2009-62
SBL#206.-1-38

Chairwoman Winchell reopened the Public Hearing at 7PM.

Chairperson Winchell read a letter from Supervisor Connelly stating that it was not the intention of the Town Board to accept dedication of land for parks.

Councilman Petronis commented that a majority of the land is wetland and that the land has no benefit to the Town.

Discussion was held between the Planning Board members and Peter Lynch referencing the most recent revisions to the project. The revisions were: 1) the common lands, including Connelly Rd and Keel Lane will be conveyed to a Homeowners Association; 2) The area offered to dedication to the Town will be limited to Jib Dr. and the storm water detention areas and 3) they have added a 5' wide concrete sidewalk throughout the project.

Further discussion was held on the Homeowners Association as to who would be allowed to join and how many would benefit from the HOA, Jib Drive would be the only access road for construction, and drainage & retention ponds.

The consensus of the Planning Board was to conduct a workshop at their next schedule meeting of October 19, 2009 tentative on receiving an updated HOA prior to the meeting for review.

Note: The public hearing from the September 21, 2009 for the Jib Drive PDD is still open.

Schawn Murdock
Special Use Permit – Emergency Temporary Housing
PB2009-68
SBL # 218.12-1-2.12

The applicant was seeking to put a temporary 12x60 mobile home on his lot while repairs are made to his residence that was damaged due to a fire.

After a brief discussion on the whether the lot was large enough, location of property and timeframe of special use permit the following resolutions were offered.

Resolution #33 **SEQRA** **(Approved)**

Motion by C. Marotta and seconded by J. Murray to adopt the following Resolution:

WHEREAS, Schawn and Tammy Murdock have submitted an application for a special use permit to allow for the placement of a 12 foot by 60 foot 3 bedroom mobile home for temporary housing while repairs are made to residence that was damaged due to fire at property located at 636 Route 9P, Saratoga Springs, New York, more fully identified as Tax Map Number 218.12-1-2.12; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is a Type II action requiring no further 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;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicants, Schawn and Tammy Murdock, to allow for the placement of a 12 foot by 60 foot 3 bedroom mobile home for temporary housing while repairs are made to residence that was damaged due to fire at property located at 636 Route 9P, Saratoga Springs, New York, more fully identified as Tax Map Number 218.12-1-2.12, will not have a significant impact on the environment.

A roll call vote was taken on Resolution No. 33 as follows:

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

Motion carried unanimously.

Resolution #34

Special Use Permit

(Approved)

Motion by R. Barshied and seconded by J. Murray to adopt the following Resolution:

WHEREAS, Schawn and Tammy Murdock have submitted an application for a special use permit to allow for the placement of a 12 foot by 60 foot 3 bedroom mobile home for temporary housing while repairs are made to residence that was damaged due to fire at property located at 636 Route 9P, Saratoga Springs, New York, more fully identified as Tax Map Number 218.12-1-2.12; 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 determined it is a Type II action pursuant to Resolution No. 33 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 Sign Permits;

Now, therefore, be it

RESOLVED, that the application of Schawn and Tammy Murdock have submitted an application for a special use permit to allow for the placement of a 12 foot by 60 foot 3 bedroom mobile home for temporary housing while repairs are made to residence that was damaged due to fire at property located at 636 Route 9P, Saratoga Springs, New York, more fully identified as Tax Map Number 218.12-1-2.12, is hereby GRANTED for a period of six (6) months, conditioned upon the mobile home being within Applicants' lot and satisfying all set back requirements, 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. 34 as follows:

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

Motion carried unanimously.

Old Business

Zoning Regulations-Non Conforming Uses: Paul Cummings stated that after discussions with the Town Building Inspector, Planning Board and Zoning he drafted and submitted suggested revisions to the Planning Board for their review and comment.

The Planning Board was asked to review the draft revisions and contact Paul Cummings with any comments or recommendations.

Global Foundries: The tour for Global has scheduled a new tentative date of October 24th.

Mobile Home Ordinance: Chairperson Winchell stated that she looked through the archives downstairs and copied information pertaining to Saratoga Hills (formerly known as Hillside Mobile Home Park). She had copies available for any Board member who wanted to review the documentation. The Board was informed that Saratoga Hills owners have been requested to provide drawings of the existing park as well as proposed changes.

A lengthy discussion took place regarding the status of the proposed revisions/recommendations for the 1974 Mobile Home Ordinance and again some members of the Planning Board expressed a need for expediting the revisions.

New Business

Chairperson Winchell stated that she had three items for under new business.

Boundary Line Application-Ropitzky: Chairperson Winchell gave a brief overview of what the applicant wants to do. The application requires a perk test but the applicant is requesting that at this the Planning Board if possible can waive the perk test.

Discussion was held on whether this is a lot line adjustment or a subdivision.

The consensus was that this was possibly more than a lot line adjustment.

Chairperson Winchell will notify the applicant and inform him that the application is being referred back to the Engineer for further review.

Pan Am Project: Discussion was held on the Pan Am Railroad project in regard to Halfmoon being lead agency, site plan, heavy traffic and under what circumstances the applicant would have to come before the Town Planning Board.

They would have to come before the Town Planning Board under three bases: if they disturb more than one acre within the Town, if they are within a flood plain and the construction of a road is a component of use is subject to site plan.

Building Dept Workshop: Chairperson Winchell reported that she attended a workshop on October 1st regarding the Building Department and changes that will be made. She also informed the Planning Members that as of January they will have a new secretary.

Adoption of Minutes: Motion by R. Barshied and seconded by J. Murray to adopt the minutes of the September 21, 2009 Planning Board Meeting. **Motion carried.**

Motion by J. Murray and seconded by C. Marotta to adjourn the Planning Board meeting. **Motion carried.**

Respectfully submitted by

Sue Cunningham
Planning Board Secretary