

Stillwater Town Planning Board
October 19, 2009 7:00 PM
Stillwater Town Hall

Present: Chairwoman JoAnn Winchell, Robert Barshied, Peter Buck, Carol Marotta, John Murray, Beverly Frank, 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

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

Sue Cunningham, secretary at this time introduced Jessica Valcik to the Planning Board. As of January she will be taking over as Planning Board secretary.

Adoption of Minutes: B. Barsheid requested that under Jib Drive Workshop that it be noted that Mr. Lynch would invite their engineer to the next meeting to discuss retention ponds.

Motion by C. Marotta seconded by J. Murray to accept the minutes of the September 7, 2009 meeting with the requested addition. **Motion carried 5 to 2 with 2 abstentions.** (Tompkins & Buck)

Beverly Dunn (for C. Cowin) Cowin/Cassier
Lot Line Adjustment
PB2009-67
SBL # 253.33-1-30 & 33

Chairwoman Winchell stated that the applicant was sent to the ZBA for an area variance and inquired if the applicant received the necessary variance to move forward.

Attorney Cutler informed the Planning Board that the ZBA held a special meeting and approved the necessary variance for the applicant to move forward.

Dwane Rabidon representing the applicants Beverly Dunn and Charles Cowin was present to give a brief presentation to the Board on a lot line adjustment they were seeking. A survey discovered the driveway was encroaching on a neighbor's property. They wish to correct the problem by doing a fair and equal trade, conveying 3'7" on Railroad Ave to Cowin and granting 3'7" of the rear to the neighbor, Kay Cassier (35 Railroad Ave.). The result would be making the southern boundary of Cowin squared and in compliance.

Resolution # **SEQRA** **(Granted)**

Motion by J. Murray and seconded by C. Marottato adopt Resolution #35 as follows.

WHEREAS, Charles C. Cowin and Beverly Dunn have submitted an application for a Lot Line Adjustment regarding property located at 33 and 35 Railroad Avenue in the Town of Stillwater, more fully identified as Tax Map Numbers 253.33-1-30 and 253.33-1-33; 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, Charles C. Cowin and Beverly Dunn for a Lot Line Adjustment regarding property located at 33 and 35 Railroad Avenue in the Town of Stillwater, more fully identified as Tax Map Numbers 253.33-1-30 and 253.33-1-33, will not have a significant impact on the environment.

A roll call vote was taken on Resolution No. 35 as follows:

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

Motion carried unanimously.

Resolution #36 Lot Line Adjustment (Approved)

Motion by P. Buck and seconded by B. Barshied to adopt Resolution # 36 as follows.

WHEREAS, Charles C. Cowin and Beverly Dunn have submitted an application for a Lot Line Adjustment regarding property located at 33 and 35 Railroad Avenue in the Town of Stillwater, more fully identified as Tax Map Numbers 253.33-1-30 and 253.33-1-33; 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. 35 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 Lot Line Adjustments;

Now, therefore, be it

RESOLVED, that the application of Charles C. Cowin and Beverly Dunn for a Lot Line Adjustment regarding property located at 33 and 35 Railroad Avenue in the Town of Stillwater, more fully identified as Tax Map Numbers 253.33-1-30 and 253.33-1-33, 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. 36 as follows:

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

Motion carried unanimously

Old Business

Zoning Changes-Non Conforming Uses: Engineer Bianchi stated that he talked with Chris Rounds regarding the changes and was informed that the recommendation would be forwarded to the Town Board at their next meeting. At that point it is in the Town Boards hands to proceed. The consensus of the Planning Board was that they would like to review the draft prior to the Town Board adopting the changes.

Mobile Home Park Ordinance (Steering Committee): Chairperson Winchell informed the Planning Board members that the Town Board would like to put a steering committee together and is asking for 2 members of the planning to sit on the committee.

A brief discussion was held in regard to the status of the updates.

Engineer Bianchi informed the Board that the revisions are close to being done.

The consensus of the Planning Board was that appointing a steering committee at this time is not the way to go since the revisions are close to being completed. Chairperson Winchell will relay this information back to the Town Board.

PNL (Saratoga Hills/Hillside Colony): Attorney Cutler stated that a meeting was held with PNL and they are going to give a timeframe of when to expect copies of maps that show existing utilities and occupied lots vs. vacant lots. He stated that they will provide plot plans with pins every time they request a building permit.

Further discussion was held on recreation, the lots and marketing of sales.

**Jib Drive
Work shop
PB2009-60
SBL # 206.-1-38**

Peter Lynch representing the applicant stated that he does not have the proposed Home Owners Association with him and requested that the Planning Board hold another workshop to go over the HOA.

P. Buck inquired if there would be more than one Homeowners Association proposed or was there just one being proposed.

Mr. Lynch stated that they would be proposing one Homeowners Association manual.

The consensus of the Planning Board was to hold another workshop on November 2nd on the condition that the HOA is presented.

Mr. Lynch did bring the Engineer for the project in order to answer questions regarding Artesian wells, stormwater drainage, and catch basins.

Discussion was held on erosion and sediment control, fencing around the retention ponds, who would maintain the retention ponds, who would maintain the retention ponds and whether a drainage district should be created.

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

New Business

Pan Am: There was no word as to when or if the project would come before the Planning Board.

Motion by J. Murray and seconded by P. Tompkins to adjourn the Planning Board meeting at 8:50 PM. Motion carried.

Respectfully submitted by

Sue Cunningham
Planning Board Secretary