

**TOWN OF STILLWATER**  
**PLANNING BOARD MEETING MINUTES**  
March 4, 2013 @ 7:00 PM  
STILLWATER TOWN HALL

**Present:** Vice-Chairman John Murray (JM)  
Carol Marotta (CM)  
Peter Buck (PB)  
Randy DeBacco (RD)  
Randy Rathbun (RR)  
Beverly Frank (BF)

**Absent:** Chairman, Bob Barshied (BB)  
Ray Abbey, Code Enforcement Officer(RA)

**Also Present:** Daryl Cutler (DC)-Attorney for the Town  
Sean Doty (SD)- Engineer for the Town  
Richard Butler (RB), Director of Building, Planning & Development

**Pledge:** Co-Chairman Murray called the meeting to order at 7:00 PM and led everyone in the Pledge to the Flag.

**Review and approval of minutes of Planning Board meeting:**  
Minutes of January 7, 2013 were approved with no modifications. All approved.

**Agenda Items:**

**Old Business**

**Stewarts Shop, 501 Route 9P (SBL# 230.-1-26) - Commercial Site Plan**

Mr. Butler stated that the Saratoga County Planning Board responded to this application with a finding of 'No-Significant County Wide Impact'. Mr. Doty stated the change to the sewer line was to accommodate the need for the shop to move the bathroom inside the building. Mrs. Marotta asked what the change was to the gas line on the site. Mr. Doty stated that he was not sure why the line was shown in the location on the current site plan. Vice-Chairman Murray made a motion to table the item to contact the applicant for more information on this matter. The applicant had previously stated that they were not going to move the gas line due to expense purposes. Mr. Doty stated that the applicant would have to choose one layout or the other and a conditional approval could be made tonight on the additional information being submitted to the Building Department.

**There was no Resolution No. 6.**

TOWN OF STILLWATER  
PLANNING BOARD  
2013 RESOLUTION NO. 7

RESOLUTION REGARDING SEQRA FOR THE COMMERCIAL SITE PLAN FOR STEWART'S SHOPS LOCATED AT 501 ROUTE 9P IN THE TOWN OF STILLWATER

WHEREAS, Stewarts Shop Corp. has submitted an application for site plan approval regarding property located at 501 Route 9P, more fully described as Tax Map Nos. 218.20-2-28, 218.20-2-31, and 230.1-17.1; 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 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 applicant, Stewarts Shop Corp. for site plan review regarding property located at 501 Route 9P, more fully identified as Tax Map Nos. 218.20-2-28, 218.20-2-31, and 230.1-17.1 will not have a significant impact on the environment.

A motion by Member Frank, seconded by Member Rathbun, to adopt Resolution No. 7.

A roll call vote was taken on Resolution No. 7 as follows:

Chairman Barshied	Absent
Member Buck	Yes
Member DeBacco	Yes
Member Frank	Yes
Member Marotta	Yes
Member Rathbun	Yes
Vice Chair Murray	Yes

Resolution No. 7 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on March 4, 2013.

**TOWN OF STILLWATER  
PLANNING BOARD  
2013 RESOLUTION NO. 8**

RESOLUTION TO APPROVE THE COMMERCIAL SITE PLAN FOR STEWART'S SHOPS LOCATED AT 501 ROUTE 9P IN THE TOWN OF STILLWATER

WHEREAS, Stewarts Shop Corp. has submitted an application for site plan approval regarding property located at 501 Route 9P, more fully described as Tax Map Nos. 218.20-2-28, 218.20-2-31, and 230.1-17.1; and

WHEREAS, the Town Zoning Law does not require that a public hearing be held in order for the Planning Board to act on an application for a minor subdivision; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 7 of 2013; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Stewarts Shop Corp. for site plan approval of lands located on 501 Route 9P, more fully identified as Tax Map Nos. 218.20-2-28, 218.20-2-31, and 230.1-17.1, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the following conditions, and that these conditions be met prior to approval of the application:

1. That the final map show where the gas lines are to be located at completion of the project; 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 Buck, seconded by Member DeBacco, to adopt Resolution No. 8.

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

Chairman Barshied	Absent
Member Buck	Yes
Member DeBacco	Yes
Member Frank	Yes
Member Marotta	Yes
Member Rathbun	Yes
Vice Chair Murray	Yes

Resolution No. 8 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on March 4, 2013.

**TOWN OF STILLWATER**

**PLANNING BOARD  
2013 RESOLUTION NO. 9**

RESOLUTION REGARDING SEQRA FOR THE ZULLO LOT LINE ADJUSTMENT LOCATED ON  
NYS ROUTE 4&32 IN THE TOWN OF STILLWATER

WHEREAS, Gloria Zullo has submitted an application for a lot line adjustment regarding property located at 43 East Street, more fully identified as Tax Map Number 262.05-1-77; 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 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 applicant, Gloria Zullo, for a lot line adjustment regarding property located at 43 East Street, more fully identified as Tax Map Number 262.05-1-77, will not have a significant impact on the environment.

A motion by Member Buck, seconded by Member Marotta to adopt Resolution No. 9.

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

Chairman Barshied	Absent
Member Buck	Yes
Member DeBacco	Yes
Member Frank	Yes
Member Marotta	Yes
Member Rathbun	Yes
Vice Chair Murray	Yes

Resolution No. 9 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on March 4, 2013.

**TOWN OF STILLWATER**

**PLANNING BOARD  
2013 RESOLUTION NO. 10**

RESOLUTION TO APPROVE THE ZULLO LOT LINE ADJUSTMENT LOCATED ON NYS ROUTE 4&32 IN  
THE TOWN OF STILLWATER

WHEREAS, Gloria Zullo has submitted an application for a lot line adjustment regarding property located at 43 East Street, more fully identified as Tax Map Number 262.05-1-77; and

WHEREAS, the Town Zoning Law does not require that a public hearing be held in order for the Planning Board to act on an application for a minor subdivision; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 9 of 2013; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Gloria Zullo, for a lot line adjustment regarding property located at 43 East Street, more fully identified as Tax Map Number 262.05-1-77 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 Marotta, seconded by Member Rathbun, to adopt Resolution No. 10.

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

Chairman Barshied	Absent
Member Buck	Yes
Member DeBacco	Yes
Member Frank	Yes
Member Marotta	Yes
Member Rathbun	Yes
Vice Chair Murray	Yes

Resolution No. 10 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on March 4, 2013.

**New Business**

**Global Foundries US Inc., Luther's Forest Technology Campus – Commercial Site Plan**

Mr. Ed Garrigan of C.T. Male Associates stated that he was here tonight to present the Commercial Site Plan to the Board. There was an excess of soil material that was placed in the area where the proposed TDC (Technology Development Center) building will be placed. In order to make the site more manageable and to allow parking off site for the construction workers to increase security for this stage,

they have found a place still within Pod 1 that is low. The fill materials would be placed there in order to create a 3000 car parking area for the construction workers and construction trailers. Shuttles would move the workers to the active construction site of the TDC. If a batch plant is needed an area has been designated for that use that would be connected to the rest of the site via interior temporary roads. Water supply is available to the batch plant by making a connection to the water supply that services the Malta baseball fields. Temporary haul roads would also be used to transport materials from the existing location to the proposed parking lot.

Mrs. Marotta stated that she had concerns with additional curb cuts as well as the decrease in vegetation within the buffer along the boundary of Pod 1. Mr. Garrigan stated that there is a 100ft buffer along the perimeter. Mrs. Marotta stated that she also had concerns with the size of the proposed lot. Mr. Garrigan stated that the lot would be used for future expansion as well should Fab 8.2 progress. He further explained that the material would stay permanently in this area and would eventually be grassed when there is no longer need for the parking area.

Stormwater management would be handled by catchments which are linear running collection areas that would be 20ft wide and 2 ½ to 3ft deep and would be filled with 2 stone, crusher run, and perforated pipe. This option was successful in the first phase of development.

The old helicopter pad would be used for laydown space and as a staging area. The lighting for the new lot would be temporary on poles.

Mrs. Marotta stated concern regarding the elevation difference between this new parking area and Cold Springs and would like to reduce the visibility of this lot from the road and to have the applicant consider removing the curb cut onto Cold Springs Road. Mr. Garrigan stated that in the event of an emergency having a second means of egress from and to the lot is prudent.

Mr. Sean Doty of Chazen Engineering asked for some profile cuts from Cold Springs Road that shows the grading, the tree heights, and the height of the proposed lighting. Mr. Garrigan stated that they would supply that.

Mr. Butler asked what percentage of the total land area of the park would be open space. Mr. Garrigan stated approximately 60% is greenspace that includes the 100ft buffer along Cold Springs Road.

This item was tabled and will be placed on the March 18<sup>th</sup> agenda.

### **Global Foundries US Inc., Luther's Forest Technology Campus – PDD Amendment**

Mr. Matt Jones stated that he wished to present the proposed PDD Amendment to affirm a complete application and to set a Public Hearing for the April 8<sup>th</sup> Planning Board meeting. Mr. Jones presented a power point presentation that included the history and future endeavors of Global Foundries and explained what the proposed TDC (Technology Development Center) building will offer the company. The points to touch on tonight include traffic, noise, and visual impacts and what the next steps in the process will be. The Town of Stillwater has consented Lead Agency pursuant to SEQRA to the Town of Malta. The applicant hopes to move forward to construction as early as late May or early June. Exit 11A was required in the original PDD prior to a Certificate of Occupancy being issued for the 3<sup>rd</sup> Nano-Technology Center. That wouldn't allow for the expansion of the Fab 8.2 facility. Global Foundries is therefore asking to remove the construction of Exit 11A and to instead include various mitigation techniques within the existing road infrastructure to include turn lanes, the coordination of traffic lights, the addition of slip roads, etc. These improvements are conceptual at present and would achieve what Exit 11A would have achieved.

Other changes to the PDD include the height of the stacks (approximately 30 of them) that will protrude from the roofline which will need to be 15ft higher than currently allowed up to 125ft. There is a balance between the visual impact and the emission dispersion so that the air that goes out is not brought back into the clean room. There is no requirement by the FAA for flashing lights on the stacks.

Noise complaints have been handled with the use of noise monitoring studies which seem to have been drastically alleviated and continue to have a committee dedicated to the issue.

There are simultaneous PDD Amendment applications and Commercial Site Plan Applications before the Town of Malta and the Town of Stillwater.

This item was tabled and will be placed on the April 8<sup>th</sup> agenda.

**DISCUSSION:**

Mr. Butler stated that the zoning sub-committee met in early December and there are no updates.

Mr. Butler gave an update of ongoing violations.

Mrs. Frank stated that she received a complaint from a resident regarding a parcel that appears to be in violation of the Zoning Ordinance.

The Board discussed additional items regarding Global Foundries including the traffic impact on Cold Springs Road, the buffer, the option of a berm, and the height of the stacks.

Motion to adjourn: made by Mrs. Marotta, seconded by Mr. Buck, motion passed unanimously at approximately 9:50PM.

**The Next Planning Board Meeting will be Monday,  
March 18, 2013**