

**Stillwater Planning Board
August 16, 2010 7:00PM
Stillwater Town Hall**

Present: Chairperson Bob Barshied; John Murray; Paul Tompkins; Beverly Frank; Peter Buck and Richard Butler

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

Absent: Carol Marotta

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

**Garth Briscoe
Lot Line Adjustment
PB2010-81
SBL # 243.82-1-31 & 243.82-1-30**

Garth Briscoe spoke on behalf of himself. He gave a brief overview of what why he was looking for a Lot Line Adjustment. A corner of his house was on his neighbor's property. He went to the ZBA and was approved for an Area Variance. The Board held a brief discussion on the application. The Board offered the following resolutions:

Resolution # 19

SEQRA- Approved

Motion by J. Murray and seconded by P. Tompkins to adopt resolution # 19 as follows:

WHEREAS, Garth D. Briscoe and Gregory P. Stowell have submitted an application for a Lot Line Adjustment regarding properties located at 14 High Street and 11 Center Street in the Town of Stillwater, more fully identified as Tax Map Numbers 243.82-1-31 and 243.82-1-30; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is an Unlisted 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 applicant, Garth D. Briscoe and Gregory P. Stowell, for a Lot Line Adjustment regarding properties located at 14 High Street and 11 Center Street in the Town of Stillwater, more fully identified as Tax Map Numbers 243.82-1-31 and 243.82-1-30, is an Unlisted action and will not have a significant impact on the environment.

A roll call vote was taken on Resolution No. 19 as follows:

Chairman Barshied	Yes
Member Buck	Yes
Member Butler	Yes
Member Frank	Yes
Member Marotta	Absent
Member Murray	Yes
Member Tompkins	Yes

Resolution No. 19 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 16, 2010.

Motion carried unanimously.

Resolution # 20

Lot Line Adjustment- Granted

Motion by D. Butler and seconded by B. Frank to adopt resolution # 20 as follows:

WHEREAS, Garth D. Briscoe and Gregory P. Stowell has submitted an application for a Lot Line Adjustment regarding properties located at 14 High Street and 121 Center Street in the Town of Stillwater, more fully identified as Tax Map Numbers 243.82-1-31 and 243.82-1-30; 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. 19 of 2010; and

WHEREAS, the Town Engineer has reviewed the application 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 Garth D. Briscoe and Gregory P. Stowell for a Lot Line Adjustment regarding properties located at 14 High Street and 11 Center Street in the Town of Stillwater, more fully identified as Tax Map Numbers 243.82-1-31 and 243.82-1-30, is hereby GRANTED provided the applicant comply with the following conditions, and that these conditions be met prior to approval of the application:

1. The filed map must include the standard Town of Stillwater Approval Block which is found on the filed application; and
2. The following note be added to the plan:

“By Zoning Board of Appeals Resolution No. 19 of 2010, Tax ID 243.82-1-30 (11 Center Street) and 243.82-1-31 (14 High Street) have been provided area variances from the Town of Stillwater Zoning Law. The area variances granted are for deficient lot sizes and set backs for both lots.”

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. 20 as follows:

Chairman Barshied	Yes
Member Buck	Yes
Member Butler	Yes
Member Frank	Yes
Member Marotta	Absent
Member Murray	Yes
Member Tompkins	Yes

Resolution No. 20 of 2010 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 19, 2010.

Motion carried unanimously.

TDNI Properties
Minor Subdivision
PB2010-80
SBL # 230.-1-20.111

Bobby Iovinella spoke on behalf of the application to request a 3-lot Minor Subdivision. They are looking to add two townhouses to the lots with water and sewer. The Board held a discussion about what the project would entail and talked about the Commercial property there for the future. The Board offered the following resolutions:

Resolution # 21

SEQRA- Approved

Motion by J. Murray to put SEQRA in compliance with the prior SEQRA record and seconded by B. Frank to adopt resolution # 21 as follows:

WHEREAS, TDNI Properties, LLC has submitted an application for a Minor Subdivision regarding property located on Secretariat Lane in the Town of Stillwater, more fully identified as Tax Map Number 230.00-1-20.111; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is in conformance with the prior SEQRA record and no further review is required;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, TDNI Properties, LLC, for a Minor Subdivision regarding property located on Secretariat Lane, more fully identified as Tax Map Number 230.00-1-20.111, is in conformance with the prior SEQRA record and no further review is necessary.

A roll call vote was taken on Resolution No. 21 as follows:

Chairman Barshied	Yes
Member Buck	Yes
Member Butler	Yes
Member Frank	Yes
Member Marotta	Absent
Member Murray	Yes
Member Tompkins	Yes

Resolution No. 21 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 16, 2010.

Motion carried unanimously.

Resolution # 22

Minor Subdivision- Approved

Motion by J. Murray and seconded by P. Buck to adopt resolution #22 as follows:

WHEREAS, TDNI Properties, LLC has submitted an application for a Minor Subdivision regarding property located on Secretariat Lane in the Town of Stillwater, more fully identified as Tax Map Number 230.00-1-20.111; 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 that the proposed action is in conformance with the prior SEQRA record pursuant to Resolution No. 21 of 2010; 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 TDNI Properties, LLC for a Minor Subdivision regarding property located on Secretariat Lane in the Town of Stillwater, more fully identified as Tax Map Number 230.00-1-20.111, 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. 22 as follows:

Chairman Barshied	Yes
Member Buck	Yes
Member Butler	Yes
Member Frank	Yes
Member Marotta	Absent
Member Murray	Yes
Member Tompkins	Yes

Resolution No. 22 of 2010 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 16, 2010.

Motion carried unanimously.

Adoption of Minutes: Motion by P. Tompkins and seconded by B. Frank to adopt the July 19, 2010 Planning Board Minutes. **Motion carried unanimously.**

Old Business

Recyck Auto- Jack Cox spoke about getting a vote from the Board about getting his Stop Work Order lifted.

The Board discussed how they still do not have a complete application from the applicant. They explained that they needed to submit a proper map and response to the letter provided to the applicant.

New Business

Esplanade- A representative from the Esplanade project came in to speak and give brief up to date on the project. The applicant will be on the Agenda for the September 20, 2010 meeting.

Rezoning of Rt. 67- Paul Cummings, Chazen Engineers, gave a presentation to explain some of the proposed changes of Rt. 67.

Motion by J. Murray and seconded by B. Frank to go into executive session to discuss potential litigation issues at 9:10pm.

Motion by J. Murray and seconded by B. Frank to come out of executive session.

Motion by J. Murray and seconded by P. Tompkins to adjourn the Planning Board Meeting.