

Town of Stillwater  
Planning Board Minutes  
Meeting Of 1/21/08

Present: Chairwoman Joann Winchell, Carol Marotta, John Murray, Peter Buck,  
Paul Tompkins, Patricia Paduano

Absent: John Girard

Also Present: James P Trainor ESQ-Town Attorney, Joel Bianchi-Town Engineer, Ray  
Abbey Building Department, Virginia Whitman-Town Council, Lisa Bruno-Town  
Council

7:30 PM Chairwoman JoAnn Winchell called the meeting to order, and led everyone in  
the pledge to the flag. She requested the applicants exercise patience as she modified the  
agenda to allow for re-organizational matters. They both agreed.

Chairwoman JoAnn Winchell requested each member introduce themselves and give a  
brief overview of their qualifications. She circulated a roster for the members to sign that  
would allow for better communications in the future. The roster would be made available  
at the next meeting.

The first order of business was to nominate a Vice Chairperson. JoAnn Winchell  
nominated Peter Buck. Hearing no other nominations, a motion was in order.

**Motion to approve Resolution 2008-01  
Nomination of Peter Buck as  
Vice- Chairperson of the  
Stillwater Planning Board for 2008.  
Moved by J. Winchell, seconded by J. Murray**

**Motion carried 6-0**

A schedule of Planning Board Meetings for 2008 was reviewed. The frequency would allow for up to 17 meetings per year, beginning at 7:30 PM and held in the Town Board Room at Town Hall. The consensus was to follow the schedule presented, however due to the holiday modify the February meeting from February 18 to Tuesday, February 19, 2008. The Schedule would be posted.

After a brief discussion and consultation with Jim Trainor, Ray Abbey and Joel Bianchi, the consensus was to keep the application deadline/agenda creation date the same (two weeks prior to all Planning Board Meetings).

The next item was to make a recommendation to the Stillwater Town Board regarding a Planning Board Member being placed on the Conservation Advisory Committee. The consensus was to recommend Patricia Paduano continue that capacity.

The Stillwater Planning Board has had two members serve on the Joint Planning Commission with Malta for the Luther Forest Technology Campus. In 2007 the members were John Girard and Michael Van Patten. The consensus is to recommend to the Town Board that they appoint John Girard and Peter Buck to the Joint Planning Commission for 2008. Joel Bianchi reminded Peter Buck that a meeting was scheduled for Tuesday, January 22, 2008 in Malta.

The minutes of the December 17, 2007 Planning Board Meeting were reviewed. A motion to ratify was in order.

**MOTION to ratify the December 17,2007  
Planning Board Meeting Minutes.  
Made by P. Buck, seconded by C. Marotta  
Motion Carried 6-0**

**John Shook Sr.  
174 County Rte 76  
MNS (PB2008-20)**

John Shook Sr was present along with his two children. Mr. Shook addressed the Planning Board on behalf of his application for a minor subdivision for property he owns on County Road #76. He stated he was before the Planning Board at the August 20<sup>th</sup> meeting. On the basis of that meeting the Planning Board encouraged Mr. Shook to file a formal application. Chairwoman JoAnn Winchell requested a brief presentation. Mr. Shook explained that his intentions are to divide the property to create a total of three lots. He would retain one of the lots and his children would each get a lot.

Chairwoman JoAnn Winchell inquired as to the determination between a Major and a Minor Subdivision. It was stated and later substantiated in the Ordinance that once five years time has passed on a subdivision, the counting of proposed subdivision lots begins over. The original subdivision is part of an approved Major Subdivision granted for John and Mary Collaruuso in the early 1990's.

The Board members inquired about the driveway. Mr. Shook indicated that the driveway climbs a steady grade and then branches off diagonally. He included a Driveway Agreement with his application. Attorney Jim Trainor advised the Board to recommend slight additions to the Driveway Agreement. The Board and the applicant agreed. Peter Buck inquired about emergency vehicles having sufficient room to pass. Mr. Shook explained that the driveway is 26 foot wide and will support two-way traffic. There is no significant wetlands on the property. It was noted that the soils are typically clay in the area.

Chairperson JoAnn Winchell asked Joel Bianchi if there were any problems with the SEQRA form attached to the application. Joel Bianchi indicated that there was not. Joel Bianchi did state that there appears to be only one perk test noted. There will need to be a perk test on each lot. It was also noted that one house footprint would have to be modified to allow sufficient frontage at the building line.

Engineer Joel Bianchi stated that there does not exist sufficient frontage leading up to the driveway to the flag lots. It has been a standard of the Planning Board to require the frontage. Hearing this, the consensus of the Board was the application as presented does not conform to regulations and to recommend the applicant first obtain an AREA VARIANCE. The typical process and timeframe was explained to the applicant. A motion was in order.

**MOTION to TABLE the MINOR SUBDIVISION**  
**Submitted by John Shook Sr. for property**  
**He owns on County Road 76**  
**Because it does not conform to regulations**  
**Was made by P. Buck, seconded by J. Murray**  
**MOTION CARRIED 6-0**

**Thomas Amato**  
**2 Leeward Lane**  
**LLA (PB2008-2)**

Thomas and Colleen Amato addressed the Planning Board on behalf of their request for a Boundary Line Amendment. Chairwoman JoAnn Winchell requested a brief

presentation. Mr. Amato explained that with the Lot Line Adjustment they would increase the width of 5 Leeward Lane to 75 feet. This increase would be conforming to the RRD zone and support a new proposed dwelling. Their application would also modify

the lot they own on NY Route 9P to allow for additional frontage. Their intentions are to construct a new dwelling on 5 Leeward Lane. Mrs. Amato explained that once the all the lines are amended as proposed, they would have the necessary road frontage to make 5 Leeward Lane comply with the RRD ordinance.

Chairwoman JoAnn Winchell inquired about the single well on the property that currently serves the Amato residence and the two seasonal camps. The Amato's stated that they will eventually be connected to the public water system once it becomes available, but in the interim they plan to continue with the single well. Engineer Joel Bianchi stated that without New York State approvals, the single well could only be used for one dwelling.

Carol Marotta inquired why the new Lot Line was jagged instead of straight. She further stated that she visited the property and was concerned with the green wooden retaining wall that straddles the two lots. Mrs. Amato explained the newly drawn boundary would give it the necessary 75 feet and the house placement would allow for minimum side yard setbacks. Mr. Amato stated that the status of the fence is unknown.

Chairwoman JoAnn Winchell requested a copy of the **SEQR**. It is noted that no **SEQR** was included with the application.

After a brief discussion and consultation with the engineer and attorney, the consensus was to table the application due to lack of sufficient frontage and square footage for 2 Leeward Lane. The applicants would first need to secure an Area Variance from the Zoning Board of Appeals. Joel Bianchi informed the Planning Board that a condition of approval for the Lot Line Amendment should be that each lot have its own water supply or public tap. The property can't be built on until there is water verification. Chairwoman JoAnn Winchell informed the Amato's of the process and time frame involved. She noted that the **SEQR** form will be addressed before the Zoning Board of Appeals. A motion was in order.

**MOTION to table the Lot Line  
Adjustment submitted by Thomas Amato  
For property they own on Leeward Lane  
As it doesn't conform to zoning.  
Made by P. Paduano, seconded by P. Buck**

**MOTION CARRIED 6-0**

Old Business: Joel Bianchi informed the Planning Board that Mike Ingersoll would be coming into the next Planning Board meeting to update the new members on the LFTC a

and any questions regarding the power lines and the approved 1,000 foot corridor could be addressed at that time.

The Board also discussed the request to set the Public Hearing for the Major Subdivision known as Robinson Knoll on Elmore Robinson Road proposed by Joe Urbanski. The consensus was to schedule the hearing for the February 19<sup>th</sup> meeting at 7:40 PM, but reserve decision until all matters under review are satisfied.

Hearing no further business before the Board a motion was in order.

**MOTION to adjourn the 1/21/08  
Planning Board Meeting  
Made by P. Buck, seconded by J. Murray**

The meeting adjourned at 9:40 PM.

Respectfully Submitted,

Sheila Silic  
Secretary  
Stillwater Planning Board

**TONW OF STILLWATER  
PLANNING BOARD  
2008 RESOLUTION NO.1**

**WHEREAS**, the Town Board, by Resolution NO.1 of 2008, has appointed Chairwoman JoAnn Winchell and new Planning Board members Carol Marotta and John Murray; and

**WHEREAS**, Section 271 and 272 of the New York State Town Law, and section 1.4 of the Town of Stillwater Zoning Code, identifies the composition and powers of Town Planning Board, including the inherent powers to designate a Vice-Chairperson.

**RESOLVED**, that Peter Buck is hereby appointed by the Planning Board to serve as its Vice Chair for 2008; and be it further

**RESOLVED**, that the Vice Chair shall have all duties and powers of the chair in her absence.

A motion by JoAnn Winchell, seconded by John Murray, to adopt Resolution NO. 1

A roll vote was taken on Resolution No, 1 as follows:

Chairwoman Winchell – Yes  
Member Buck – Yes  
Member Girard – Absent  
Member Paduano- Yes  
Member Tompkins – Yes  
Member Marrota – Yes  
Member Murray – Yes

Resolution No. 1 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 21, 2008.

Peter Buck inquired about the February 18<sup>th</sup> 2008 meeting being held on a Holiday. It was asked if could be changed to another day. It was agreed that date be changed to February 19<sup>th</sup> 2008

MOTION to change the date of the February meeting. Made by P. Paduano, seconded by P. Tompkins.

MOTION CARRIED 6-0

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Chairwoman Winchell inquired if Patricia would continue with the Conservation Board. Chairwoman JoAnn Winchell also asked if Patricia would give the Planning Board updates from the conservation meetings. Patricia informed Chairwoman JoAnn Winchell that she would.

MOTION to keep Patricia Paduano on the Conservation Board. Made by P. Buck, seconded by J. Murray.

MOTION CAARRIED 6-0

Peter Buck and John Murray showed interest in being on the Luther Forest Tech Board. Chairwoman JoAnn Winchell asked if they would give the Planning Board updates on the progress of the Luther Forest Tech Park. They informed Chairwoman JoAnn Winchell that they would.

MOTION to have P. Buck and J. Murray on the LFTP Board. Made by C. Marotta seconded by P. Tompkins.

MOTION CARRIED 6-0

Old Business: Joel Bianchi informed the Planning Board that Mike Ingelsol would be coming into update the new board members on the 1,000 foot Corridor.

New Business: Public Hearing for Mr. Urbanski on February 19<sup>th</sup> 2008 at 7:40 PM.

MOTION to adjourn the 1/21/08 Planning Board meeting. Made by P. Buck, seconded by J. Murray.

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MOTION CARRIED 6-0

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Respectfully submitted,

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Member Buck – Yes  
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Member Marotta – Yes  
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