

Town of Stillwater
Zoning Board Minutes
Meeting Of 1/28/08

Present: Chairman James Ferris, William Ritter, Joseph Urbanski, Donald D' Ambro

Excused: Alec Mackey

Also Present: James P Trainor, Esq.-Attorney for the Town, Michael Welti-Town Engineer, Ray Abbey Building Department, JoAnn Winchell-Planning Board Chairperson

7:30 PM Chairman James Ferris called the meeting to order. The Board reviewed the December minutes and Chairman James Ferris requested a motion to approve the minutes of the 12/10/07 meeting as prepared.

MOTION to approve the minutes of the December 10, 2007 Zoning Board Of Appeals Meeting. Made by D. D' Ambro, seconded by J. Urbanski.

Motion carried 3-0-1 (Ritter-Abstained)

The first order of business was to nominate a Vice-Chairman. Chairman James Ferris asked for nominations, Donald D' Ambro nominated Alec Mackey. Hearing no other nominations, a motion was in order.

MOTION to Approve Resolution 2008-01
Nomination of Alec Mackey as
Vice-Chairman of the
Stillwater Zoning Board for 2008
Moved by D. D'Ambro, seconded by
J. Urbanski.

MOTION CARRIED 4-0

7:40 PM Public Hearing
Crown Communications
2 Radar Road (**SBL207.-1-13.1**)
Stillwater, NY 12170
Use Variance (**ZB2008-19 207.-1-13.1**)

Chairman James Ferris requested information from the attorney and engineer consultants. for any in sight he may have, the notice identifies the applicant as Crown Communications. In the packages there is no information that shows Crown Communications has any legal standing before the Zoning Board of Appeals.

The only paper work that the Zoning Board has is that signed by Thomas Gorsky owner of the property. Stating that Crown Communications will be representing him before the Zoning Board. There is no **Purchase or Lease Agreement** which has always been required to have any status before the Zoning Board of Appeals.

Chairman James Ferris inquired if we need an agreement with Mr. Gorsky, if Crown Communications is allowed to get the USE VARIANCE. Will they in fact lease the property. Jim Trainor informed the Zoning Board that he had sent Mr. Stockley a list of requested documents to supplement the application. One of them being the LEASE AGREEMENT, of the proposed site.

Jim Trainor informed the Zoning Board that he and Crown Communications had a conference outside the Board Room. Jim Trainor informed the members that it appears this property splits two zoning district. The proposed facilities is within the industrial

zone the rest of the property is in the rural residential zone. The zoning code allows the facilities to over step the district by 30 feet.

The access road is what has to be moved closer to the industrial district, when that happens the access road will fall within 30 foot buffer. Mr. Stockley is going to with draw the application for a USE VARIANCE and will resubmit it as an application for a Special Use Permit and Site Plan Approval from the Planning Board.

Thomas Gorsky, 11 Putnam Road

Inquired if the maps have been changed since he has seen them. Chairman James Ferris informed Mr. Gorsky that the entire Radar Base is within the industrial zone. From the southern line to the northern end of Town of Stillwater line.

Joseph Robison, Ketchum Corners

Inquired that he didn't understand what it meant. Chairman James Ferris informed Mr. Robison that the SITE PLAN REVIEW and SPECIAL USE PERMIT both of witch will allow you or anyone to ask question or concerns before the Planning Board.

Colleen Adamec, N. Hudson Ave

Inquired if they will be notifying people within 500 feet of the area. Chairman James Ferris informed Ms. Adamec that it wasn't up to zoning Board. Chairman James Ferris informed Ms. Adamec that she could express her concerns to Ms. Winchell from the Planning Board. Ms. Winchell informed Ms. Adamec that if requires a public hearing the policy is still the same as it has been in the past.

Karen Lorf, 232 Gronczniak Road

Inquired if there is an application to view and if so photo simulation. Chairman James Ferris informed Ms. Lorf that Mr. Stockley would be more than willing to share his information with her. Mr. Stockley also informed Ms. Lorf that two towers are coming down and only one is going back up in its place. Mr. Stockley also informed her that the plans and application would stay the same, but the tower would be different.

New Business: Any Zoning Board members who have signed up for the County Meeting this Wednesday, January 30, 2008.

Joseph Urbanski inquired if the packages could possibly be given to the members 10 days before the meeting. So, they can do their site visit before the meeting.

Chairman James Ferris inquired if the Zoning Board could get copies of the Planning Board minutes. The Planning Board would also get a copy of the Zoning Board minutes, so both Boards can be well informed of what is going on.

Jim Trainor inquired how the Zoning Board would like the Resolutions. Chairman James Ferris informed Mr. Trainor that consensus is to do the same as the other Boards.

Old Business: There was none

MOTION to Adjourn 1/28/08
Zoning Board Meeting
Made by D. D'Ambro, seconded
By J. Urbanski

Meeting Adjourned 8:45 PM

**TOWN OF STILLWATER
ZONING BOARD OF APPEALS
2008 RESOLUTION NO. 1**

WHEREAS, the Town Board, by Resolution NO. 1 of 2008, has appointed James Ferris as Chairman of the Zoning Board of Appeals, and new member William Ritter to fill unexpired term of Frank Bisnett through December 31, 2009; and

WHEREAS, Sections, 271 and 272 of New York State Town Law, and Section 1.4 of the Town of Stillwater Zoning Code, identifies the composition and powers of the Town Zoning Boards of Appeals, including the inherent power to designate a Vice-Chairman.

Now, therefore, be it

RESOLVED, that Alec Mackey is hereby elected by the Zoning Board of Appeals to serve as its Vice-Chairman for 2008; and be it further

RESOLVED, that the Vice-Chairman shall have all the duties and powers of the Chair in his absence.

A motion by Donald D'Ambro, seconded by Joseph Urbanski, to adopt Resolution No. 1

A roll call was taken on Resolution No. 1 as Follows;

Chairman James Ferris	Yes
Member Alec Mackey	Excused
Member Donald D'Ambro	Yes
Member Joseph Urbanski	Yes
Member William Ritter	Yes

Resolution No. 1 was adopted at a meeting of the Zoning Board of the Town of Stillwater duly conducted on January 28, 2008.

Sheila Silic
ZBA Secretary

