

**TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES
STILLWATER TOWN HALL
February 27, 2017 @ 7:00 PM**

Present:

Chairperson JoAnn Winchell (JW)
John Murray (JM)
Peter Buck (PB)
Christopher D'Ambro (CD)
JoAnn Winchell (JW)
Randy Rathbun (RR)
Heather Ferris (HF) Alternate Member

Also Present:

Daryl Cutler, Town Attorney (DC)
Lindsay Zepko, Town Planner (LZ)
Ellen Vomacka, Town Board Liaison
Sheila Silic, Secretary
Via SKYPE: Paul Male, Town Engineer (PM)

Absent:

Carol Marotta

Pledge:

Chairperson Winchell 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:

Mr. Buck made a motion to approve the minutes from the January 23, 2017 meeting, seconded by Mr. Rathbun. The motion passed unanimously.

PB2016-32, Harte Major Subdivision, 364 NYS Route 423

Chairperson Winchell recognized Mr. Scott Lansing of Lansing Engineering who is representing Mr. David Triller of Triller Development LLC. Mr. Lansing stated that this is a five lot Major Subdivision on a 15-acre parcel located at 364 NYS Route 423. Mr. Lansing stated that Lot #1 will retain the existing house with four new lots ranging in size from 1.37-acres to 5.01-acres. Mr. Lansing stated that the outstanding items from the last Planning Board meeting have been addressed. Mr. Lansing stated that he has received the letters from Saratoga County Sewer District #1, Glen Hollow Water, Army Corp of Engineers Jurisdictional Determination, Archeological Report, Saratoga County Planning Board's decision of approval, and that DOT and DEC will be addressed after the approval of the Planning Board.

Chairperson Winchell proceeded to open the public hearing and asked if anyone wished to comment and hearing none she proceeded to close the public hearing.

Chairperson Winchell asked Mr. Lansing if he received Mr. Male's comment letter dated February 26, 2017. Mr. Lansing stated that he has received Mr. Male's comment letter. Chairperson Winchell asked

about Item #6 regarding the prevention of any development in the archeological site. Mr. Lansing stated that there will be deed restrictions for this site which will prohibit any construction/development in this area. Chairperson Winchell asked Mr. Lansing if he has had a conversation with the Amedore project regarding the waterlines. Mr. Lansing stated he has not spoken to the Amedore's regarding the waterlines. Chairperson Winchell asked Mr. Lansing where the water is coming from for this project. Mr. Lansing stated that they are using the existing main which extends over the property.

Mr. Murray asked Mr. Lansing how the archeological site will be protected during construction. Mr. Lansing stated that a fence can be constructed during construction to protect the site. Mr. Murray stated that Item #6 of Mr. Male's comment letter referenced an archeological easement over the site. Mr. Lansing stated that an easement or deed restriction is required by SHPO.

Mr. Buck asked Mr. Lansing when the Saratoga County Planning Board granted the approval. Mr. Lansing stated the approval was granted on December 10, 2016.

Mr. Rathbun asked Mr. Male if there are permanent markers for the archeological site. Mr. Male stated that there are no permanent markers for an archeological site. Mr. Rathbun asked about extending the waterline past Lot #1. Mr. Lansing stated this would be cost prohibitive to the Applicant. Mr. Lansing stated they had contacted Glen Hollow Water and they are not in favor of extending the waterline at this time. Mr. Lansing stated that Glen Hollow Water would like an easement for future expansion of the waterline.

Chairperson Winchell asked if anyone had any additional questions or concerns, hearing none she asked to move to discussion of SEQRA.

**TOWN OF STILLWATER
PLANNING BOARD
2017 RESOLUTION NO. 3**

WHEREAS, Jacquelyn Harte has submitted an application for a major subdivision regarding property located at 364 NYS Route 423, more fully identified as Tax Map Number 219.-1-7; 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;

WHEREAS, the Planning Board reviewed each of the 11 factors contained in Part 2 of the EAF and determined that the proposed action will have no, or only a small, environmental impact;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Jacquelyn Harte, for a major subdivision regarding property located at 364 NYS Route 423, more fully identified as Tax Map Number 219.-1-7 will not have a significant impact on the environment.

A motion by Member Rathbun, seconded by Member Buck, to adopt Resolution No. 3 of 2017.

A roll call vote was taken on Resolution No. 3 of 2017 as follows:

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|-----------------|--------|
| Chair Winchell | YES |
| Member Buck | YES |
| Member D' Ambro | YES |
| Member Ferris | YES |
| Member Marotta | ABSENT |
| Member Rathbun | YES |
| Member Murray | YES |

Resolution No. 3 of 2017 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on February 27, 2017.

**TOWN OF STILLWATER
PLANNING BOARD
2017 RESOLUTION NO. 4**

WHEREAS, Jacquelyn Harte have submitted an application for major subdivision regarding property located at 364 NYS Route 423, more fully described as Tax Map No. 219.-1-7; and

WHEREAS, a public hearing was conducted on January 23, 2017 to consider the application, and (no) comments were received from the public (as well as the applicant); and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 3 of 2017; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Jacquelyn Harte for a major subdivision of lands located on 364 NYS Route 423, more fully identified as Tax Map Number 219.-1-7 is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the conditions contained in the engineering review letter of Paul Male, P.E. dated February 26, 2017 are satisfied.
and be it further

RESOLVED, that the applicant must file the approved subdivision map, with all required annotations (a copy of which is annexed hereto), with Saratoga County within 62 days of its execution, or the action by this Board shall become null and void; 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 D’Ambro to adopt Resolution No. 4 of 2017.

A roll call vote was taken on Resolution No. 4 of 2017 as follows:

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| Chair Winchell | YES |
| Member Buck | YES |
| Member D’Ambro | YES |
| Member Ferris | YES |
| Member Marotta | ABSENT |
| Member Rathbun | YES |
| Member Murray | YES |

Resolution No. 4 of 2017 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on February 27, 2017.

PB2016-25&26, Winding Brook PDD Amendment Referral From Town Board NYS Route 423

Chairperson Winchell recognized Mr. Lansing of Lansing Engineering who is representing Amedore Homes. Mr. Lansing stated that Mr. John Bossalini of Amedore Homes is also present this evening. Mr. Lansing stated that the Applicant was before the Town Board in January and was referred to the Planning Board. Mr. Lansing stated that the Applicant is seeking a positive recommendation back to the Town Board. Mr. Lansing stated that the project includes 53 single-family dwellings on 36-acres and the remaining 25.73-acres are outlined as B-2 Zoning District. Mr. Lansing stated that the topography of the parcel has been completed; the Army Corp of Engineers wetlands are outlined on the parcel which is 6.68-acres and a sanitary sewer line goes through the parcel. Mr. Lansing stated that the modification proposed of the uses for the commercial portion of the PDD is to include condominiums. Mr. Lansing stated that the 53 single-family dwellings will not be modified. Mr. Lansing stated that commercial use will be maintained along NYS Route 423 for its visibility. Mr. Lansing stated that Lot #1 is 3.03-acres and Lot#2 to the south is 3.80-acres, each commercial building will be approximately 9,000 Sq. Ft. and will be developed in accordance with the B-2 Zoning as outlined in the existing PDD. Mr. Lansing stated that the Applicant is proposing 18 two-story condominiums each having four units with a total buildout of 72 units. Mr. Lansing stated the unit sizes will range from 1,500 Sq. Ft to 2,100 Sq. Ft. with a mix of 1 and 2 bedrooms units and each unit has its own driveway and garage. Mr. Lansing that the Town Board and Mr. Minick, Town Highway Superintendent were not in favor of the boulevard which was removed from the proposal. The roadway will be constructed to the Town’s standards and dedicated to the Town of Stillwater. Mr. Lansing stated that there are 36 visitor’s parking spaces within four different parking areas within the development, sidewalks and trees are proposed for both sides of the street, lighting is proposed within the development and will be maintained by an HOA, a mailbox kiosk will be located at the entrance. Mr. Lansing stated that a pocket park with eight parking spaces is also shown to be dedicated to the Town of Stillwater. Mr. Lansing stated that the development will have public water serviced by Glen Hollow Water and public sewer serviced by Saratoga County Sewer District #1, 14-acres of open space which is roughly 55% of the overall project and stormwater mitigation will be on site.

Chairperson Winchell asked if there are any immediate plans for the commercial portion of the project. Mr. Bossalini stated there is not. Chairperson Winchell stated that there are 3 phases to this project, what will be built in Phase 1. Mr. Bossalini stated that the Phase 1 is the condominiums. Chairperson Winchell asked when the commercial portion of the project will start. Mr. Bossalini stated the commercial portion

is set for Phase 2 and 3. Mr. Bossalini stated that if there was a commercial interest in that portion of the project they would switch the phases. Chairperson Winchell asked if it was an option to build the commercial portion of the project and then advertise to lease the space. Mr. Bossalini stated no, they would bring a broker to advertise the commercial lots and build what is appropriate for the user. Chairman Winchell asked about the 55% of the project which is green space and if that was the condominium portion of the project or is that for both the condominium and commercial portion of the project. Mr. Lansing stated that the 55% of green space is for the entire project. Chairman Winchell asked Ms. Zepko if the green space was calculated by the Planning Department. Ms. Zepko stated that the underlying Zoning is B-2 and therefore the Planning Department has no formula to calculate the density of the underlying zoning for residential use. Chairperson Winchell asked about the ingress and egress of traffic after the buildout of the project. Mr. Lansing stated residential use will have less traffic during peak hours verses if this was all commercial use. Chairperson Winchell asked if there were any discussions on a drainage district with the Town Board. Mr. Bossalini stated that there were discussions about a drainage district with the Town Board.

Mr. Murray asked Mr. Lansing if they submitted an application to the Town Board to accept the Pocket Park. Mr. Lansing stated that they have not formally submitted an application to the Town Board. Ms. Vomacka stated that the public benefits have not been identified yet. Ms. Vomacka stated that the Pocket Park was a suggestion as a public benefit. Mr. Murray stated that until the Town Board has determined to accept or reject the Pocket Park as a public benefit that he feels that the Planning Board cannot move forward with a public hearing. Mr. Cutler stated that the Applicant is requesting a recommendation to the Town Board for the zoning change. Mr. Cutler stated that the recommendation could reflect that the Planning Board recommends the Town Board accepts the Pocket Park as a public benefit. Mr. Cutler stated the Applicant would have to come back before the Planning Board for Site Plan Review.

Mr. Rathbun asked Mr. Bossalini if they have marketed the commercial area. Mr. Bossalini stated that they have not marketed the commercial area. Mr. Bossalini stated that if the zone change is granted they will bring in a broker to market the area.

Mr. Buck asked if the Condominiums are 1 and 2 bedroom units. Mr. Bossalini stated that all of the condominiums are 2 bedroom and 2 baths. Mr. Buck asked about the impact the condominiums will have on the school district. Mr. Bossalini stated that most of the potential owners are either downsizing or first time home owners.

Chairperson Winchell stated that a motion is order to schedule the public hearing for the March 27, 2017 Planning Board meeting.

Mr. Rathbun made a motion to hold the public hearing on March 27, 2017 seconded by Mr. D'Ambro. A rollcall vote was taken.

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| Chairperson Winchell | YES |
| Member Ferris | YES |
| Member D'Ambro | YES |
| Member Buck | YES |
| Member Murray | NO |
| Member Marotta | ASENT |
| Member Rathbun | YES |

PB2017- , Olympia Gardens Cluster Subdivision Conceptual Presentation, County Route 75 (West side opposite Battery Blvd

Chairperson Winchell recognized Mr. Ivan Zdrahal of Ivan Zdrahal Associates PLLC, who is presenting a conceptual cluster subdivision project before the Board. Mr. Zdrahal stated that property consists of 80-acres which is located on the west side of County Route 75 and is in the LDR, RR and Industrial Zoning Districts. Mr. Zdrahal stated that they have done the topography and wetlands study of the site. Mr. Zdrahal stated that the lots are 20,000 Sq. Ft with single-family dwellings, the site will be serviced by public water and public sewer. Mr. Zdrahal stated that the clustering is proposed on approximately 18-acres with the remaining acreage of the site to be left undeveloped. Mr. Zdrahal stated that they are proposing nature trails instead of sidewalks and an HOA will retain the ownership of the open space area. Mr. Zdrahal stated that roadway will be built to the Town's standards and will be dedicated to the Town of Stillwater. Mr. Zdrahal stated that there are permits that are required from Saratoga County DOT for a curb cut, Saratoga County Sewer District #1, Army Corp of Engineers and an Archeological study.

Chairperson Winchell asked Ms. Zepko what the formula is to acquire the number of lots for this project. Ms. Zepko stated that the undevelopable land, including wetlands and steep slopes are removed from the total parcel and then the number of lots is determined by dividing the remaining bulk area. Chairperson Winchell asked if there is fencing around the water tanks. Ms. D'Amico stated that there is fencing around the water tanks. Chairperson Winchell asked what the speed limit is in this area. Ms. D'Amico stated that the speed limit is 45 MPH.

Mr. Buck stated that he would like to see sidewalks in the development instead of trails. Mr. Buck asked if the public water and public sewer would be accessed from County Route 75. Mr. Zdrahal stated that is correct. Mr. Buck asked if this would create a new water district. Mr. Zdrahal stated that the property is located in an existing water district. Mr. Buck asked what school district the development would be located in. Chairperson Winchell stated that this in the Stillwater School District. Mr. Buck asked if the development would be built out by one builder or different builders. Mr. Zdrahal stated that that the development would be sold to one builder.

Mr. D'Ambro stated that ingress and egress to the Industrial Zone will have to remain accessible. Mr. Zdrahal stated that the access to the Industrial Zone would remain accessible as the existing water line to the west will be used as an emergency water source. Mr. D'Ambro stated that he has concerns about the density of the project.

Mr. Rathbun asked who would maintain the sidewalks. Mr. Cutler stated that the sidewalks could be part of the HOA. Mr. Rathbun stated that the open space would be owned by the HOA. Ms. Zepko stated that is correct. Mr. Rathbun asked if the entrance could be moved to the north to coincide with the entrance across from Battery Blvd. Mr. Zdrahal stated that there would be more wetland disturbance in that area.

Ms. Ferris asked about Item #15 of Paul Male's comment Letter regarding the number of subdivisions this parcel has been granted. Ms. D'Amico stated there were 2 subdivisions and a lot line adjustment that was approved in 2016. Ms. Ferris stated that the bulk area of the overall parcel is what attains the number of lots allowed for this project.

Mr. Murray asked Ms. Zepko about this project being in three different zoning districts and if it would have to before the Town Board for a zoning change. Ms. Zepko stated that there is nothing proposed for the Industrial Zone and that all three zoning districts allow residential uses. Mr. Murray stated that he has concerns about the distance between the entrance to the project and the driveways of the residences.

Mr. Zdrahal thanked the Planning Board for their comments that they had concerning this project.

Motion to adjourn: made by Mr. Rathbun, seconded by Ms. Ferris motion passed at approximately 9:10 PM.