

**TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES
STILLWATER TOWN HALL
July 25 2016 @ 7:00 PM**

Present:

Chairman, Bob Barshied (BB)
Carol Marotta (CM)
John Murray (JM)
Peter Buck (PB)
Christopher D'Ambro (CD)
Randy Rathbun (RR)
JoAnn Winchell (JW)
Heather Ferris (HF) Alternate Member

Also Present:

Daryl Cutler, Town Attorney (DC)
Sean Doty, Engineer for the Town (SD)
Paul Male, Town Engineer (PM)
Lindsay Zepko, Town Planner (LZ)
Sheila Silic, Secretary

Pledge:

Chairman Barshied 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:

The minutes from the June 27, 2016 meeting were tabled until the August 22, 2016 Planning Board meeting.

Public Hearings:

PB2015-27, (Zecca) Lands of Weaver Petroleum Subdivision, Kellogg Road Reapproval

Chairman Barshied recognized Mr. Paul Male, Town Engineer who presented the reapproval of the Weaver Petroleum Subdivision. Mr. Male stated that the contaminated soil will be removed, there will be a berm with plantings and a letter was sent to the neighbor regarding the shed on the property and the applicant had met all previous approvals. Mr. Male stated that the map did not get filed with the Saratoga County Clerk's Office within the 180 days from the date of approval. Mr. Male stated that this is to reaffirm the approvals that the applicant received on November 16, 2015.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 21**

WHEREAS, Weaver Petroleum, Inc. has submitted an application for re-approval of Subdivision Approval regarding property located at Kellogg Road, more fully identified as Tax Map Numbers 253.26-1-17 and 27; 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, Weaver Petroleum,

Inc. for a re-approval of Subdivision Approval regarding property located at Kellogg Road, more fully identified as Tax Map Numbers 253.26-1-17 and 27, will not have a significant impact on the environment.

A motion by Member Murray, seconded by Member Marotta to adopt Resolution No. 21 of 2016.

A roll call vote was taken on Resolution No. 21 of 2016 as follows:

Chairman Barshied	YES
Member Buck	YES
Member D'Ambro	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES
Member Winchell	YES

Resolution No. 21 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 25, 2016.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 22**

WHEREAS, Weaver Petroleum, Inc. has submitted an application for re-approval of Subdivision Approval regarding property located at Kellogg Road, more fully described as Tax Map Nos. 253.26-1-17 and 27; 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 re-approval; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 21 of 2016; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Weaver Petroleum, Inc. for re-approval of Subdivision Approval of lands located on Kellogg Road, more fully identified as Tax Map Numbers 253.26-1-17 and 27 is hereby GRANTED; 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 Rathbun, to adopt Resolution No. 22 of 2016.

A roll call vote was taken on Resolution No. 22 of 2016 as follows:

Chairman Barshied	YES
Member Buck	YES
Member D'Ambro	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES
Member Winchell	YES

Resolution No. 22 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 25, 2016.

PB2016-08 & 09, Route 67 Self-Storage Facility Site Plan and Special Use Permit, NYS Route 67 (South of Sawmill Hill Rd Intersection)

Chairman Barshied recognized Mr. Scott Lansing of Lansing Engineering, who is representing D/N Excavating. Mr. Lansing stated that the property is 3.34 acres located on NYS Route 67 directly across from Sawmill Hill Road. Mr. Lansing stated that the last time the applicant was before the Planning Board was on April 25, 2016. Mr. Lansing stated that the Board had requested the addition of a traffic lane behind the three buildings on the west side of the parcel which required some variances. Mr. Lansing stated that the applicant went before the Zoning Board of Appeals on June 13, 2016 and requested three variances 1) front yard setback from 50 ft. to 34.4 ft., 2) lot coverage from 40% to 42.9%, and 3) a waiver on the parking spaces from 32 down to 12 parking spaces. Mr. Lansing stated that the Zoning Board requested that there be some parking at the facility. Mr. Lansing stated that they kept the parking on the easterly side of the parcel. Mr. Lansing stated that the applicant received approvals for the variances. Mr. Lansing stated that they provided Chazen Companies with preliminary documents and had received a comment letter from Chazen Companies but have not had a chance to address the comments. Mr. Lansing stated that he is open to any approvals the Board wishes to issue or if the Board wished to table the application until the August 22, 2016 meeting until the comments are addressed.

Chairman Barshied asked Mr. Doty about what the significant issues are from the comment letter. Mr. Doty stated that the comments to be addressed are the decorative fencing, curb cuts, lighting fixtures, type of Special Use Permit that is being requested, wetland delineation, waiting for Arvin Hart Fire Department to design the turnaround for the largest fire truck and the entrance gate is recessed further back into the site.

Ms. Marotta asked about the water and sprinklers. Ms. Marotta stated that the previous presentation stated there was no water or sewer provided to the site. Ms. Marotta asked if the plans had changed. Mr. Doty stated that there is no water or sewer provided to the site. Mr. Doty stated they are proposing fire protection water supply per the Building Code Section 508 by pumper truck. Mr. Doty stated that the review process would be done by Eric Rutland, Building Inspector when the permit is received by the Building Department.

Mr. Murray asked about Item #27 regarding the gate and the information from Arvin Hart Fire Department if it is not received by the next Planning Board meeting. Mr. Murray asked Mr. Lansing if this will be an issue if the public hearing is scheduled. Mr. Lansing stated that it should not be an issue. Mr. Lansing stated that there is plenty of room to move the gate back into the interior of the site and that they have a turnaround on the plans that would accommodate the largest truck.

Chairman Barshied asked if anyone had any additional concerns or questions and hearing none, he stated that the public hearing was set for the next Planning Board meeting on August 22, 2016.

PB2016-14, Saratoga Lake Golf Club Clubhouse PDD Amendment Referral, 35 Grace Moore Road

Chairman Barshied recognized Mr. Tom Address from ABD Engineering who is representing Saratoga Lake Golf Club on behalf of Mr. Cailean Mackay, General Manager of Saratoga Lake Golf Club. Mr. Address stated that Marybeth Slevin is also present who is representing the owner and Attorney on record. Mr. Address stated that there have been a number of changes to the PDD. Mr. Address stated that several neighbors had concerns regarding the outdoor amplified music and that has been removed from the PDD. Mr. Address stated that the hours of operation will remain the same as what they are currently. Mr. Address stated that Ms. Slevin would speak about the PDD changes. Ms. Slevin stated that their goal was to make minimal changes to the PDD Language. Ms. Slevin stated the changes are 1) restaurant with a maximum number of seating for all portions of the Clubhouse, 2) there are specified hours of operation limitations for year round indoor events from 8:00 a.m. until 11:00 p.m., non-amplified music from 10:00a.m. until 10:00 p.m. allowed Monday through Sunday and no amplified music will be provided outside the restaurant or banquet facility. 3) the standards for parking and drive lanes within the parking area, 4) all buffer requirements as they currently exist will be maintained at all times with respect to the Site Plan, 5) Specifications on the sizes of the potential gazebos and the open air pavilion that would allow shelter to the golfers from approaching storms. Ms. Slevin stated with the changes that have been proposed to the legislation, it is a good start to allow the new vision of the Golf Course to be realized.

Chairman Barshied proceeded to open the public hearing and asked if anyone wished to comment.

Dennis Debonis 34 Grace Moore Road

Mr. Debonis asked about the non-amplified music and if an acoustic guitar would be classified as non-amplified music. Mr. Address stated that is correct. Mr. Debonis asked about the pavilions that are spread out on the golf course and if they are open to public. Mr. Address stated that the pavilions are for the golfers only and are not open to the public. Mr. Debonis asked in regards to the comments and the petition how many actually live in Stillwater. Chairman Barshied stated that he did not have the answer to that question. Ms. Zepko stated that they had just received that petition this afternoon.

Cheryl Keosky 68 Grace Moore Road

Ms. Keosky asked about the speed limit on Grace Moore Road and the width of the road in comparison to the speed limit in Saratoga Glen and the road width of County Route 76. Chairman Barshied stated that is an issue that needs to be brought up when the Town Board holds their public hearing on the PDD Amendment on August 18, 2016.

Benjamin Tennyson 33 Grace Moore Road

Mr. Tennyson asked about the statement under 211-100 B of the proposed PDD Language, regarding the parking areas no closer than 25 ft. to any residential property and minimum 50 ft. buffer for the entire project. Mr. Address stated that Mr. Tennyson has an old version of the PDD and that has been removed.

Mary Tennyson 33 Grace Moore Road

Ms. Tennyson stated that in the documentation received from the FOIL request on page 2 it states that accessory structures shall include but not limited to gazebos, each not to exceed 600 sq. ft. and 2 open air pavilions with a maximum 1800 sq. ft. for each. Ms. Tennyson asked if this is still part of the plan. Mr. Address stated that it is still part of the plan. Ms. Tennyson asked if the buildings are going to be shown on the Site Plan. Mr. Address stated that the gazebos and pavilions will not be on the Site Plan and that the buildings are subject to permits from the Building Department. Ms. Tennyson asked about the temporary tents and if they are in addition to the gazebos and pavilions. Mr. Address stated that the temporary tents are subject to approval by the Building Department. Mr. Male stated that according to the NYS Building Code if you have a tent that is bigger than 10x10 which is 100 sq. ft. you need a building permit. Mr. Male stated that there is a time limit of when the tent goes up and when it has to come down.

Chairman Barshied asked if there was anyone else who wished to provide comment and hearing none he proceeded to close the public hearing.

Chairman Barshied asked if anyone had any additional concerns or questions and hearing none, asked for a motion to refer the PDD to the Town Board.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 23**

WHEREAS, Saratoga Lake Golf Club has submitted to the Town Board an application for PDD amendment regarding property located at 35 Grace Moore Road, more fully described as Tax Map No. 2231.-1-66; and

WHEREAS, the Town Board referred the matter to the Planning Board for their recommendation; and

WHEREAS, the Planning Board held a public hearing on June 27, 2016 and July 25, 2016 and numerous comments were received from residents, the applicant and interested parties both verbally and by written correspondence; and

WHEREAS, substantial concern was expressed about noise, traffic and conduct of patrons on neighbors' property; and

WHEREAS, the applicant made certain changes to the proposed PDD amendments seeking to address noise, traffic and neighbors' concerns, including the possibility of the placement of ferns, no pyrotechnics, a speed bump, no amplified music outdoors and hours of outdoor events; and

WHEREAS, the Planning Board recognizes the importance of a clubhouse for the viability of the business; and

WHEREAS the Planning Board has duly considered the application, the proposed language and the public comments, both in favor and against the project;

Now, therefore, be it

RESOLVED, that the Planning Board provides a favorable recommendation to the Town Board.

A motion by Member Buck, seconded by Member Rathbun, to adopt Resolution No. 23 of 2016.

A roll call vote was taken on Resolution No. 23 of 2016 as follows:

Chairman Barshied	YES
Member Buck	YES
Member D'Ambro	YES
Member Marotta	YES

Member Rathbun	YES
Member Murray	YES
Member Winchell	YES

Resolution No. 23 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 25, 2016.

PB2016-11, Saratoga Lake Golf Club Clubhouse Site Plan, 35 Grace Moore Road

Chairman Barshied recognized Mr. Tom Andress of ABD Engineering who is representing Saratoga Lake Golf Course on behalf of Mr. Cailean Mackay who is the General Manager of the Saratoga Lake Golf Course. Mr. Andress stated that the Site Plan Review for the Clubhouse/Banquet Hall was before the Board on June 27, 2016. Mr. Andress gave a brief recap of the project before the Board. Mr. Andress stated that the new two story clubhouse will have a restaurant and bar, banquet hall, pro shop, storage space for golf carts, maintenance area, snack bar, as well as a locker room and deck that can be utilized by both the restaurant and banquet hall. Mr. Andress stated that there are some site improvements which include grading around the clubhouse, widening the drive isles and defining the parking spaces on the grass, lighting for the parking area, new water and sewer connections and the installation of berms along the boundary lines of the property as defined on the map.

Chairman Barshied asked Mr. Male to address any outstanding issues pertaining to the comment letter. Mr. Male stated that the applicant has not received approval from Saratoga County Sewer District #1 and there are berms that have been installed along the south east property line. Mr. Male stated that all the other comments have been addressed. Mr. Male stated that the demolition of the Pro Shop has been completed.

Ms. Marotta asked Mr. Male about Item #2 on the comment letter regarding the markings of the grass parking spaces. Mr. Male stated that he is going to refer the question to Mr. Andress. Mr. Andress stated that at the present time there is a fence that goes down the center of the grass parking area. Mr. Andress stated that they are going to extend the white line from the pavement to better define the parking spaces on the grass. Ms. Marotta stated that the buffer already exist, the berm has been added to the PDD Amendment. Chairman Barshied stated that is correct. Ms. Marotta stated it is the Planning Board’s determination on how the berm should be designed and built.

Mr. Murray asked about the additional number of purposed parking spaces. Mr. Andress stated at the present time there is 152 parking spaces. Mr. Andress stated that the applicant is not purposing any additional parking spaces. Mr. Male stated that in the PDD language that they are providing 20 overflow spaces on the driving range. Mr. Murray asked if there would be sufficient parking if there was a banquet or a wedding. Mr. Andress stated that there will be sufficient parking for the events. Mr. Murray asked what the total capacity would be if there is a wedding and people playing golf. Chairman Barshied stated that there are a total of 172 parking spaces. Mr. Andress stated that there will be Valet Parking determined on the event and the number of people.

Chairman Barshied stated that there will be no parking on the entrance road leading into the Saratoga Lake Golf Course. Mr. Andress stated that is correct. Chairman Barshied stated that the buffer /berm needs to be shown on the Site Plan.

Mr. Rathbun asked if the grass parking area is a grass or gravel surface. Mr. Andress stated that it is a combination of both grass and gravel parking.

Mr. D’Ambro stated that his concern is the dumpster location and that it is not in close proximity to a neighbor’s backyard. Mr. Andress stated that the dumpster is 100 ft. from the neighbor’s property and is shown on the Site Plan drawings.

Ms. Winchell stated that the proposed dumpster location is in the same area that it is utilizing at the present time. Mr. Andress stated that is correct.

Chairman Barshied asked for a motion in favor or not in favor to schedule the public hearing. Mr. Rathbun made a motion to schedule the public hearing at the next Planning Board meeting on August 22, 2016, seconded by Mr. D’Ambro. Chairman Barshied asked for a roll call vote.

Chairman Barshied	YES
Mr. Rathbun	YES
Ms. Marotta	YES
Mr. Murray	NO
Mr. Buck	YES
Ms. Winchell	YES
Mr. D’Ambro	YES

PB2016-16 &17 Squadere & Pennisi, Klepper and McCarthy Lot Line Adjustment, 586 NYS Route 9P

Chairman Barshied recognized Mr. David Bogardus of North East Land Survey who is representing Mr. Salvatore Fusco. Mr. Bogardus stated that this Lot Line Adjustment is for five separate lots that will be gaining property. Mr. Bogardus stated that the property is located at 586 NYS Route 9P and is 1.37 acres. Mr. Bogardus stated that the Pennisi property is gaining 2,633 sq. ft., Squadere property is gaining 4,000 sq. ft., Goldstein property is gaining 10,359 sq. ft., McCarthy property is gaining 14,441 sq. ft. and the Klepper property is gaining 4,869 sq. ft. Mr. Bogardus stated that the Lot Line Adjustments to these properties have made these lots larger and more conforming to the Residential Resort Zoning District.

Ms. Zepko stated that this is property that was previously owned by Mr. Henry Gronczniak and was before the Board on October 28, 2015 for a Minor Subdivision.

Mr. Rathbun asked if Mr. Lue still owns the property between Ms. McCarthy and Mr. Klepper. Ms. Zepko stated that Mr. Lue is still the owner of that parcel.

Ms. Winchell asked if the properties have lake rights. Mr. Bogardus stated that he was not sure if any of the properties have lake rights.

Chairman Barshied asked if anyone had any additional concerns or questions and hearing none he asked to move to discussion of SEQRA for Pennisi and Squadere.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 24**

WHEREAS, Squadere and Pennisi have submitted an application for lot line adjustment regarding property located at 586 Route 9P, more fully identified as Tax Map Numbers 218.12-1-59.1, 218.12-1-22, 219.9-1-23 and 219.9-1-24; 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, Squadere and Pennisi for a lot line adjustment regarding property located at 586 Route 9P, more fully identified as Tax Map Numbers 218.12-1-59.1, 218.12-1-22, 219.9-1-23 and 219.9-1-24, will not have a significant impact on the environment.

A motion by Member Marotta, seconded by Member Winchell, to adopt Resolution No. 24 of 2016.

A roll call vote was taken on Resolution No. 24 of 2016 as follows:

Chairman Barshied	YES
Member Buck	YES
Member D'Ambro	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES
Member Winchell	YES

Resolution No. 24 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 25,

2016.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 25**

WHEREAS, Squadere and Pennisi have submitted an application for lot line adjustment regarding property located at 586 Route 9P more fully described as Tax Map Nos. 218.12-1-59.1, 218.12-1-22, 219.9-1-23 and 219.9-1-24; 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 lot line adjustment; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 24 of 2016; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Squadere and Pennisi for a lot line adjustment of lands located on 586 Route 9P, more fully identified as Tax Map Numbers 218.12-1-59.1, 218.12-1-22, 219.9-1-23 and 219.9-1-24, is hereby GRANTED; 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 Winchell, seconded by Member Buck, to adopt Resolution No. 25 of 2016.

A roll call vote was taken on Resolution No. 25 of 2016 as follows:

Chairman Barshied	YES
Member Buck	YES
Member D'Ambro	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES
Member Winchell	YES

Resolution No. 25 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 25, 2016.

Chairman Barshied asked to move to discussion of SEQRA for Klepper & McCarthy.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 26**

WHEREAS, Klepper and McCarthy has submitted an application for a lot line adjustment regarding property located at 586 Route 9P more fully identified as Tax Map Numbers 218.12-1-59.1, 218.12-1-17.1 and 218.12-1-19; 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, Klepper and McCarthy for a lot line adjustment regarding property located at 586 Route 9P, more fully identified as Tax Map Number 218.12-1-59.1, 218.12-1-17.1 and 218.12-1-19, will not have a significant impact on the environment.

A motion by Member Buck, seconded by Member Rathbun, to adopt Resolution No. 26 of 2016.

A roll call vote was taken on Resolution No. 26 of 2016 as follows:

Chairman Barshied	YES
Member Buck	YES
Member D'Ambro	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES
Member Winchell	YES

Resolution No. 26 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 25, 2016.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 27**

WHEREAS, Klepper and McCarthy have submitted an application for a lot line adjustment regarding property located at 586 Route 9P, more fully described as Tax Map Nos. 218.12-1-59.1, 218.12-1-17.1 and 218.12-1-19; 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 lot line adjustment; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 26 of 2016; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Klepper and McCarthy for a lot line adjustment of lands located on 586 Route 9P, more fully identified as Tax Map Numbers 218.12-1-59.1, 218.12-1-17.1 and 218.12-1-19, is hereby GRANTED; 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 Rathbun, seconded by Member Buck, to adopt Resolution No. 27 of 2016.

A roll call vote was taken on Resolution No. 27 of 2016 as follows:

Chairman Barshied	YES
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Member Buck	YES
Member D'Ambro	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES
Member Winchell	YES

Resolution No. 27 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 25, 2016.

PB2016-21, Open Space Institute Lot line Adjustment, US Route 4

Chairman Barshied recognized Mr. Bruce Wells of the Chazen Companies and Ms. Katie Petronis of the Open Space Institute who is representing the Open Space Institute. Mr. Wells stated that previously a 3 Lot Minor Subdivision was approved on December 15, 2014 with a 50 ft. right of way between the Town of Stillwater and the Open Space Institute. Mr. Wells stated that the applicant is seeking to expand the 50 ft. right of way to 84 ft. by taking land from both of the Town of Stillwater parcels and creating a permanent easement. Ms. Petronis stated that the land that is owned by the Open Space Institute is being purchased by the United States Park Service for the Saratoga Battlefield.

Mr. Cutler asked if there has been discussion with the Town Board and the Planning Department. Ms. Zepko stated that Supervisor Kinowski had spoken to her on the subject but that she has not received anything in writing. Mr. Cutler stated that is land that the Open Space Institute had given to the Town of Stillwater. Mr. Cutler stated that he was involved in the previous discussion when the right of way was going from 50 ft. to 60 ft. but was not involved in the discussion of the right of way going from 60 ft. to 84 ft. Mr. Cutler stated his concern is the Town's transfer of land back to the Open Space Institute to acquire an 84 ft. right of way without any documentation to the Planning Department.

Ms. Petronis stated that in Supervisor's Kinowski's email from June 30, 2016 he states that "he doesn't see any issues at this time and will review with our attorney".

Chairman Barshied asked Ms. Zepko if she received a response from the Saratoga County Planning Board. Ms. Zepko stated that she received the response and it was approved.

Ms. Zepko stated that the Town Board would need to do a resolution at their August 18, 2016 meeting in order for the Planning Board to act on the application at the next Planning Board meeting.

A motion was made by Mr. Murray to table the application, seconded by Ms. Winchell until the next Planning Board meeting due to a Resolution which is needed from the Town Board. Chairman Barshied asked for a roll call vote. Motion passed unanimously.

Chairman Barshied	YES
Mr. Rathbun	YES
Ms. Marotta	YES
Mr. Murray	YES
Mr. Buck	YES
Ms. Winchell	YES
Mr. D'Ambro	YES

PB201619 & 20, Turning Point PDD Amendment- Conceptual Only, Hudson Heights Apartments, Brickyard Road

Chairman Barshied recognized Mr. Scott Lansing of Lansing Engineering, who is representing Mr. Marshall Whalen and Mr. Victor Gush. Mr. Lansing stated that this parcel is located on the west side of Brickyard Road and is 25.95 acres. Mr. Lansing stated that this parcel is part of the previous Turning Point PDD Development. Mr. Lansing stated that there are some wooded areas and a section that slopes down toward Brickyard Road. Mr. Lansing stated that 3.86 areas are wetland and that 1.56 acres is in the wetland mitigation area which was part of the previous application. Mr. Lansing stated that the previous PDD application was for single family, multifamily and industrial. Mr. Lansing stated the existing zoning to the north is Moderate Density Residential and to the south is Industrial. Mr. Lansing stated that the applicant feels that the parcel is better used for apartments consisting of 13 buildings with 12 units per building which would consist of a total of 156 apartments with 6 units per acre. Mr. Lansing stated that the applicant is eliminating the commercial portion of the PDD. Mr. Lansing stated they are proposing a Boulevard which has two access points onto Brickyard Road which would have to meet NYS Fire Code. Mr. Lansing stated that there will be an access road for the utilities and also to use as an emergency access. Mr. Lansing stated that they are proposing a green space area for the residents of the apartments to utilize. Mr. Lansing stated that there will be public water and sewer to the site. Mr. Lansing stated that are two parking spaces per unit 78 of the parking spaces are attached garages and all other parking is exterior spaces.

Mr. Murray asked prior to this proposal there was a parcel that was to be used as commercial in the previous PDD Amendment. Mr. Lansing stated that is correct. Mr. Murray stated that the applicant is suggesting to eliminate the commercial part of the original PDD. Mr. Lansing stated that is correct. Mr. Murray stated that is going back on the prior PDD Legislation. Mr. Lansing stated that they are proposing an amendment to the legislation. Mr. Whalen stated that he doesn't know if there is a need for commercial use in this area. Mr. Gush stated that self-storage units could be placed in this area to satisfy the commercial use.

Chairman Barshied stated that the applicant is asking for density bonus. Mr. Lansing stated that it isn't density bonus as this is an existing project. Chairman Barshied asked if the project is adjacent to the New York State Electric and Gas Substation. Mr. Lansing stated that is correct.

Ms. Winchell asked if the applicant is the owner of the property. Mr. Lansing stated that the applicant is the owner. Ms. Winchell asked if the applicant has built any other apartment buildings. Mr. Gush stated that he has built other apartment buildings. Ms. Winchell asked what the grade is of the road that leads to Artillery Approach. Mr. Lansing stated that it is a 10% grade. Ms. Winchell asked if the project is in the Mechanicville School District. Mr. Lansing stated that he believes that is correct.

Ms. Marotta asked where ABC Recycling is in location to this project. Mr. Whalen stated that the project abuts ABC Recycling, Little Dee Corp., north is New York State Electric and Gas, North West is Rychick Towing, and to the South is Forest Products Inc.

Mr. D'Ambro asked what the price range and the square footage of the apartments. Mr. Whalen stated that the apartments are 1 & 2 bedrooms ranging from 1,000 sq. ft. to 1,400 sq. ft. with a price ranging from \$900.00 to \$1,400.00 per month.

Mr. Male stated that the biggest issue is that the as built drawings that are in the Building Department do not match what is in the Turning Point Development. Ms. Winchell stated that there have been a numerous Lot Line Adjustments made to the lots in the Development throughout the years.

Motion to adjourn: made by Ms. Winchell, seconded by Mr. Rathbun, motion passed unanimously at approximately 9:30 PM.

**The Next Planning Board Meeting will be
Monday, August 22, 2016**