

**TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES
STILLWATER TOWN HALL
August 22, 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)
Ellen Vomacka, Town Board Liason
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:

Ms. Winchell made a motion to approve the minutes from the June 27, 2016 meeting, seconded by Mr. Buck. Mr. Murray abstained.

PB2016-24, D'Amico Lot Line Adjustment, 42 and 52 County Route 75

Chairman Barshied recognized Mr. Fred Metzger of Fred Metzger Land Surveyor who is representing Mr. Joseph D'Amico. Mr. Metzger stated that the property is located on the west side of County Route 75 in the LDR Zoning District. Mr. Metzger stated that both parcels have existing single family dwelling with public water and private septic systems. Mr. Metzger stated that # 42 is 14.83 acres and will increase to 15.73 acres and that #52 is 81.90 acres and will decrease to 81.37 acres after the Lot Line Adjustment. Mr. Metzger stated that the property is going from #52 to #42 County Route 75.

Ms. Marotta stated that the Lot Line will provide a larger barrier between the two parcels.

Chairman Barshied asked Mr. Male if he had any comments or issues. Mr. Male stated that some information on the maps need to some clarification. Mr. Metzger stated that a couple of comments need to be added to the map on the archeological areas.

Mr. Cutler stated there are some archeological sensitive areas. Mr. Metzger stated that the EAF Mapper shows that there are sensitive areas in or around that site.

Mr. Rathbun asked about hazardous waste on the site. Mr. Metzger stated that when you use the EAF mapper that shows up for areas in and around that site.

Ms. Winchell asked if the application went to the Saratoga County Planning Board. Ms. Zepko stated that the response from the County was no significant impact.

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

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 28**

WHEREAS, Joseph and Nancy D'Amico have submitted an application for lot line adjustment regarding property located at 52 County Route 75, more fully identified as Tax Map Numbers 261.02-2-2.11 and 261.02-2-2.2; 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, Joseph and Nancy D'Amico, for a lot line adjustment regarding property located at 52 County Route 75, more fully identified as Tax Map Numbers 261.02-2-2.11 and 261.02-2-2.2, will not have a significant impact on the environment.

A motion by Member Rathbun, seconded by Member Marotta, to adopt Resolution No. 28 of 2016.

A roll call vote was taken on Resolution No. 28 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. 28 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 22, 2016.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 29**

WHEREAS, Joseph and Nancy D'Amico have submitted an application for a lot line adjustment regarding property located at 52 County Route 75, more fully described as Tax Map Numbers 261.02-2-2.11 and 261.02-2-2.2; 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 Joseph and Nancy D'Amico for a lot line adjustment of lands located on 52 County Route 75, more fully identified as Tax Map Numbers 261.02-2-2.11 and 261.02-2-2.2, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the conditions set forth in the engineer's review letter of July 26, 2016 as prepared by Paul Male, P.E.

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 Murray, to adopt Resolution No. 29 of 2016.

A roll call vote was taken on Resolution No. 29 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. 29 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 22, 2016.

PB2016-28 D'Amico, Burke, Wheland Minor Subdivision, 52 County Route 75

Chairman Barshied recognized Mr. Fred Metzger of Fred Metzger Land Surveyor who is representing Mr. Joseph D'Amico. Mr. Metzger stated that the property is 81.73 acres located on the west side of County Route 75 and is a 2 lot subdivision. Mr. Metzger stated Lot 2 has the existing farm house with 1.5 acres and Lot 1 will retain the remaining 79.86 acres. Mr. Metzger stated that 52 County Route 75 was connected to the public water supply in August. Mr. Metzger stated that the map shows the wetlands and the archeological sensitive sites per Mr. Males comment letter.

Chairman Barshied asked if this parcel had been subdivided before. Mr. Metzger stated that there was an approval of a subdivision application before the Board on December 14, 2015. Chairman Barshied asked Mr. Male if the significance of these issues were the same as the other EAF findings. Mr. Male stated that the biggest issue with this parcel was that it did not have public water. Mr. Male stated that it would have needed a variance because it did not meet the minimum lot size or minimum lot width. Mr. Metzger stated that the house is now connected to the public water supply. Mr. Male stated that the Planning Department will need a letter stating that the property has been connected to the public water. Mr. Metzger stated that he will supply the Planning Department with a letter.

Chairman Barshied asked if anyone had any additional concerns or questions hearing none he stated that the public hearing was set for the next Planning Board meeting on September 26, 2016.

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

A motion was made by Mr. Murray to remove the application from the table, seconded by Ms. Winchell.

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. Ms. Petronis stated that the Open Space Institute is seeking a Lot Line Adjustment from 60 ft. to 84 ft. for the right-of-way to the parcel retained by the Open Space Institute. Ms. Petronis stated that on August 18, 2016 the Open Space Institute was before the Town Board which passed two Resolutions 1) for the Supervisor to sign a corrective deed and 2) agreeing to the Lot Line Adjustment. Ms. Petronis asked Mr. Cutler to clarify the Town Boards action for the Planning Board.

Mr. Cutler stated that a deed was filed that gave the Open Space Institute a right of way that was not large enough. Mr. Cutler stated that this is the land that the Open Space Institute has given to the Town of Stillwater. Mr. Cutler stated that a corrective deed has to be filed giving the Open Space Institute a right of way that would increase it to 84 ft. Mr. Cutler stated that is why the Town Board approved the signing of a corrective deed and that the Town Board supports the Lot Line Adjustment.

Chairman Barshied asked Mr. Male and Ms. Zepko if they have comments or concerns. Mr. Male stated they have talked to the Town Board and the Board has taken action on the proposal. Ms. Zepko stated that the Town Board has passed the resolutions accepting the changes.

Mr. Rathbun stated that this seems to be a roadway and if there is plan for the lot. Ms. Petronis stated that it is a roadway but there is plan for the lot. Ms. Petronis stated that the property is being transferred to the Park Service.

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

A motion was made by Mr. Murray that the proposed action is consistent with prior SEQRA findings, seconded by Ms. Marotta. The motion passed unanimously.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 30**

WHEREAS, Open Space Institute has submitted an application for a lot line adjustment regarding property located at Route 4 more fully described as Tax Map Nos. 208.-1-17.2 and 208.-1-17.3; 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 determined that the proposed action was consistent with the prior SEQRA finding; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Open Space Institute for a lot line adjustment of lands located on Route 4, more fully identified as Tax Map Numbers 208.-1-17.2 and 208.-1-17.3, 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 Murray, seconded by Member Winchell, to adopt Resolution No. 30 of 2016.

A roll call vote was taken on Resolution No. 30 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. 30 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 22, 2016.

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

Chairman Barshied recognized Mr. Scott Lansing of Lansing Engineering who is representing D/N Excavating Realty LLC. Mr. Lansing gave a brief recap of the project before the Board. 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 property is wooded and there are wetlands on the parcel. Mr. Lansing stated that he has contacted both the Army Corp of Engineer and NYS DEC regarding the wetlands. Mr. Lansing stated that they received a letter from DEC which states the wetlands are not NYS DEC wetlands therefore no buffer is required. Mr. Lansing stated that the parcel is located in the Rt. 67 West Zoning District and self-storage unit are a permissible use. Mr. Lansing stated that the Board had requested a traffic lane behind the three buildings on the west side of the parcel which required some variances. Mr. Lansing stated that the Zoning Board of Appeals approved the three variances 1) front yard setback from 50ft. to 34.4 ft., 2) lot coverage from 40% to 42.9%, and 3) a waiver on the number of parking spaces from 32 down to 12

parking spaces. Mr. Lansing stated that there is no public water or sewer connection going to the parcel and the storm water retention basin is on site.

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

Richard Dantz 427 County Route 76

Mr. Dantz asked if there is adequate space for a fire truck to maneuver within the facility. Mr. Lansing stated that he has received correspondence from Arvin Hart Fire Department stating that there is adequate space for their fire trucks to maneuver with the facility.

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

Ms. Winchell asked about the signage for the project. Mr. Lansing stated that the applicant is working on the sign and they will have to come back before the Board with a separate application for the signage. Ms. Winchell asked about the retaining walls that were mentioned in the review letter. Mr. Lansing stated that there are several small retaining walls throughout the facility and they will be designed by a geotechnical engineer.

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. Chairman Barshied asked Ms. Zepko if the Planning Department received a response from the Arvin Hart Fire Department. Ms. Zepko stated that she received the response from the Fire Chief that stated that the advised layout has achieved the accessibility and turning radius for their concerns. Chairman Barshied asked Mr. Lansing about the Army Corp of Engineers determination. Mr. Lansing stated that received a response from DEC and they are waiting on the response from the Army Corp of Engineers.

Ms. Marotta asked about the new gate for emergency access. Mr. Lansing stated that the gate was there and that there will be a Knox Box for the gate.

Chairman Barshied asked Mr. Doty if he had any comments or concerns. Mr. Doty stated that they are waiting on the jurisdiction of the wetlands from the Army Corp of Engineers to verify the wetland boundaries, they are dependent on pumper trucks for fire control, they have not submitted a sign permit as of yet, retaining wall designs can be reviewed after the approvals provided by this Board and there is change in the storm water model.

Mr. Cutler asked Mr. Lansing if the applicant has considered a maintenance agreement. Mr. Lansing stated that the he will discuss a maintenance agreement with the applicant.

Mr. Rathbun asked about the placement of the entrance gate. Mr. Lansing stated that the entrance gate has been moved into the interior of the project.

Chairman Barshied asked if anyone had any additional concerns or questions and hearing none he asked to move to discussion of SEQRA for the Special Use Permit.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 31**

WHEREAS, D/N Excavating Realty, LLC has submitted an application for Permanent Special Use Permit regarding property located at Route 67, more fully identified as Tax Map Number 252.-2-60.2; 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, D/N Excavating Realty, LLC for a Permanent Special Use Permit regarding property located at Route 67, more fully identified as Tax Map Number 252.-2-60.2 will not have a significant impact on the environment.

A motion by Member Rathbun, seconded by Member Marotta, to adopt Resolution No. 31 of 2016.

A roll call vote was taken on Resolution No. 31 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. 31 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 22, 2016.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 32**

WHEREAS, D/N Excavating Realty, LLC have submitted an application for Permanent Special Use Permit regarding property located at Route 67, more fully described as Tax Map No. 252.-2-60.2; and

WHEREAS, a public hearing was conducted on August 22, 2016 to consider the application, and 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. 27 of 2016; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of D/N Excavating Realty, LLC for Permanent Special Use Permit of lands located on Route 67, more fully identified as Tax Map Number 252.-2-60.2, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the conditions contained within the August 17, 2016 Engineering Review letter proposed by the Chazen Companies, and that the applicant provides verification that the project conforms with the Army Corp of Engineers standards; 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 the Stillwater Planning Department 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 Murray, seconded by Member Marotta, to adopt Resolution No. 32 of 2016.

A roll call vote was taken on Resolution No. 32 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. 32 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 22, 2016.

Chairman Barshied asked to move to discussion of SEQRA for the Site Plan Review.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 33**

WHEREAS, D/N Excavating Realty, LLC has submitted an application for site plan approval regarding property located at Route 67, more fully identified as Tax Map Number 252.-2-60.2; 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, D/A Excavating Realty, LLC for a site plan approval regarding property located at Route 67, more fully identified as Tax Map Number 252.-2-60.2 will not have a significant impact on the environment provided that the Army Corp of Engineers finds that the project conforms to their wetlands determinations.

A motion by Member Rathbun, seconded by Member Winchell, to adopt Resolution No. 33 of 2016.

A roll call vote was taken on Resolution No. 33 of 2016 as follows:

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

Resolution No. 33 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 22, 2016.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 34**

WHEREAS, D/N Excavating Realty, LLC have submitted an application for site plan approval regarding property located at Route 67, more fully described as Tax Map No. 252.-2-60.2; and

WHEREAS, a public hearing was conducted on August 22, 2016 to consider the application, and 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. 29 of 2016; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of D/N Excavating Realty, LLC for site plan approval of lands located on Route 67, more fully identified as Tax Map Number 252.-2-60.2, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the conditions contained in the August 17, 2016 review letter by the Chazen Companies and that the project conforms with the Army Corp of Engineers standards; 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 the Stillwater Planning Department 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 Murray to adopt Resolution No. 34 of 2016.

A roll call vote was taken on Resolution No. 34 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. 34 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 22, 2016.

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

**** Mr. Murray recused himself and was replaced by Ms. Ferris (Alternate Member).****

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 on August 18, 2016 the applicant was before the Town Board which considered and took action approving the PDD Amendment. Mr. Andress stated the applicant is back before the Planning Board for Site Plan Review. Mr. Andress stated that during the public comment the residents of Grace Moore Road requested that the speed limit be reduced from 40 Mph down to 30 Mph. Mr. Andress stated that the Town Board is sending a request to NYS Department of Transportation in reference to requesting the review to the speed limit of Grace Moore Road. Mr. Andress stated that the Site Plan has not changed since they were before the Board on July 25, 2016. Mr. Andress stated that some of the berms have full vegetation and there are some that still need vegetation. Mr. Andress stated that at the last meeting Mr. Male requested that we recalculate the acres of disturbance and it is less than an acre that will be disturbed. Mr. Andress stated that are providing storm water management area near Hole #9.

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

Ms. Zepko stated that she has received three emails that were read into the minutes.

Benjamin Tennyson, 33 Grace Moore Road

Lindsay Zepko

From: Benjamin Tennyson <btennyson@nycap.rr.com>
Sent: Thursday, August 18, 2016 10:17 PM
To: Lindsay Zepko
Subject: Town Board Meeting 8/19/2016

Follow Up Flag: Follow Up
Due By: Thursday, August 18, 2016 10:26 PM
Flag Status: Flagged

At tonight's meeting, Supervisor Kinowski recommended that I send a reminder to the Planning Board regarding two items prior to the 8/22 meeting.

1. The northeast corner of the parking lot remains vulnerable to patrons going into the woods to relieve themselves. I discussed this at the June 27 meeting. This area is north of the start of the berm now under construction. Hemlock shrubs originally required of the 1994 project from the northeast corner of the parking lot along the south side of the golf course entrance road to the drain pipe from the Amodeo were removed in 2014 for the installation of the Saratoga Water Resources pipeline to Grace Moore Road. This vegetation was planted in lieu of a berm in the parking lot and along the entrance road to provide sight and sound reduction for our home from the traffic. We request that this be corrected and vegetation or fence be installed.
2. In the event the berm is damaged (due to severe weather, etc.) repair/replacement in kind should be required by the PDD to maintain sight and noise reduction and provide a consistent quality of life for current and future residents of 33 Grace Moore Road.

Ben Tennyson

Lindsay Zepko

From: Diane Gismervik <indigopond@yahoo.com>
Sent: Wednesday, August 17, 2016 3:15 PM
To: Lindsay Zepko
Subject: August 22 , 2016 Planning Board Meeting Re: Site plan Review Saratoga Lake Golf Club

Follow Up Flag: Follow Up
Due By: Wednesday, August 17, 2016 5:51 PM
Flag Status: Flagged

August 17, 2016

To Whom It May Concern:

We are in receipt of your letter concerning the Saratoga Lake Golf Course. And understand the meeting is to take place on August 22, 2016 to discuss plans to construct a new facility. My husband and I are seasonal residents and are unable to attend the meeting due to obligations at work.

We understand that part of the proposal is to remove 200 trees and make additional changes to the natural landscape.

This concerns us since it has been our observation that the design of nature serves a purpose and for every action there is an equal and opposite reaction.

Trees, bushes and grasses anchor and filter the soil. Living directly beneath the proposed site and directly on the lakefront, we have been the recipient of whatever happens on that mountain. Our properties have been altered dramatically. Silt is now at our shoreline, chemicals and debris are making its way down to the lake. (Ex, golf balls)

New Orleans right now is feeling the effects of over development, causing massive flooding to the area. So cause and effect is a definite concern, since our little camp community would be directly affected.

We feel an environmental study should be conducted to evaluate the byproduct of this proposal!

*Please accept our absentee vote as a **NO**, to the proposed plan.*

Sincerely,

*Diane & Bob Gismervik
15 Fathom Drive*

To the Town of Stillwater Planning Board

Due to unforeseen circumstances we are unable to attend the public meeting this evening. We would ask that this be read at the meeting and included in the meeting minutes.

Although we do not object to the Saratoga Lake Golf Course having a new clubhouse we do have some grave concerns. Tributary #6 runs through our property and flows into our lakefront. We were the recipients of an unbelievable amount of siltation during the time that the preparation of the golf course was in progress. Even tho the siltation was removed twice in two years, our lakefront has forever been impacted as well as the many lake fronts north and south of us.

We are against the removal of trees for fear of yet another dump of siltation down the creek and into the lake.

Should the Town and Planning Boards choose to approve this project we would expect that both the DEC and ultimately the Town of Stillwater will be closely overseeing it.

Respectfully,

Nicholas and Julia Annotto
533 Route 9P
Saratoga Springs, NY 12866
Town of Stillwater.

Penny Cronin NYS Route 9P

Ms. Cronin stated that on behalf of the people in proximity to Tributary #6, they oppose any further Saratoga Lake Golf Course development that would have an environmental impact on Saratoga Lake. Ms. Cronin stated that in a April 27, 2016 paper it states that Mr. Mackay wants to remove 200 trees. Ms. Cronin stated that the removal of the trees/vegetation will allow for siltation to wash into Tributary #6 and ultimately into Saratoga Lake. Ms. Cronin stated that the Comprehensive Plan on Pg.62 states to “protect the environmentally sensitive areas” which they consider is Saratoga Lake. Ms. Cronin stated that if the Planning Board chooses to support this proposal for the Saratoga Lake Golf Course they expect strict oversight from both NYS DEC and the Town of Stillwater on the project.

Benjamin Tennyson 33 Grace Moore Road

Mr. Tennyson stated that at the last Planning Board meeting on July 25, 2016 Mr. Murray asked about parking and the over flow. Mr. Tennyson stated that Chairman Barshied stated that there will be no parking on the entrance road leading into the Saratoga Lake Golf Course. Chairman Barshied stated that is correct. Mr. Tennyson stated that at the August 18, 2016 Town Board meeting, Supervisor Kinowski stated “parking on the entrance road is bound to happen. If it is infrequent then it is probably not going to be a problem. But if it is repetitive then it will become an issue”. Mr. Tennyson stated that he wanted to make the Planning Board aware of statement that was made by the Supervisor.

John Couse 529 NYS Route 9P

Mr. Couse stated that he has lived at this address for 6 years and that his residence is adjacent to the stream that flows down from Saratoga Lake Golf Course. Mr. Couse stated the sediment gets worse each year and caused a delta to form which keeps growing due to all the run off from the stream. Mr. Couse stated that when it rains all the siltation flows into Saratoga Lake and there should be someone who can inspect the amount of siltation entering Saratoga Lake.

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 stated that there have always been repetitive issues of drainage and concerns with the Golf Course. Chairman Barshied asked the Planning Department if they have any additional information on this issue. Mr. Male stated they have spoken to NYS DEC and that NYS DEC does not have any issues that they are aware of currently. Mr. Male stated that both he and Ms. Zepko walked about ¾ of mile up the stream and there was siltation coming down but not from the Golf Course. Mr. Male stated the siltation is coming down from the banks of the properties along the stream. Mr. Male stated the banks are about a 45 degree angle and that is what’s causing the siltation in his opinion. Mr. Male stated that they saw just a couple of golf balls in the stream. Chairman Barshied stated that he looked at the shoulder of NYS Route 9P by the culvert that crosses under NYS Route 9P. Chairman Barshied stated that there was a swale coming off a steep dirt driveway that enters in at the upstream side of the culvert that goes underneath NYS Route 9P. Chairman Barshied stated that this was prior to Mr. Male and Ms. Zepko walking the stream. Chairman Barshied stated that when he went back the swale was filled in and after it rained the swale was washed out again. Chairman Barshied stated that this not a source of all the issues but it is a source of run off and siltation. Chairman Barshied asked Mr. Mackay about the removal of the trees. Mr. Andress stated that there are no trees being removed for this project. Mr. Mackay stated that there were about ten trees that were removed this winter. Chairman Barshied asked Mr. Male and Ms. Zepko if they know how many land owners there are along the stream. Ms. Zepko stated that do not have that have that information. Chairman Barshied asked about the paving area and the parking. Mr. Andress stated that the parking is staying the same and the handicap parking area has been paved. Chairman Barshied stated that the Building Inspector and Ms. Zepko would be doing site and stormwater inspections.

Ms. Marotta asked if the tree removal was due to the trees being diseased or dead and is this part of the Golf Course maintenance. Mr. Mackay stated that is part of the Golf Course maintenance. Ms. Marotta asked if the new construction site is near Tributary #6. Mr. Mackay stated that the new building is 500 yards from Tributary #6.

Ms. Winchell asked if there will any more trees removed for this project. Mr. Andress stated that there are no trees being removed for this project. Ms. Winchell asked if the SWPPP inspections are only during the construction stage. Ms. Zepko stated that is correct. Ms. Winchell asked what the time frame is for the construction of the Club House. Mr. Mackay stated that the time frame for the construction is 6 months.

Mr. Rathbun asked who actually owns the stream is part of the Saratoga Lake Golf Course or is it the adjacent land owners. Ms. Zepko stated that the stream runs through multiple properties going down the hill. Mr. Rathbun asked who regulates the stream. Is it the private land owners or NYS DEC who would correct the problem. Ms. Zepko stated that no work can be done in the stream without NYS DEC permission. Ms. Zepko stated that is why they called NYS DEC and asked if there were any issues and NYS DEC stated that they were not aware of any issues.

Mr. Male stated that the Board can request weekly inspections by the applicant that shows everything meets the required regulations.

Ms. Zepko stated that the Board can request a full SWPPP which would require a submission to NYS DEC. Ms. Zepko stated this would require weekly inspections by their own inspector and the Town of Stillwater would enforce the SWPPP. Mr. Andress stated the erosion barriers have been in place prior to the Demolition of the Pro Shop.

Chairman Barshied asked if anyone has any additional concerns or questions and hearing none asked to move to discussion of SEQRA.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 35**

WHEREAS, Saratoga Lake Golf Course PDD has submitted an application for site plan approval regarding property located at 35 Grace Moore Road, more fully identified as Tax Map Number 231.-1-66; 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, Saratoga Lake Golf Course PDD for a site plan approval regarding property located at 35 Grace Moore Road, more fully identified as Tax Map Number 231.-1-66 will not have a significant impact on the environment.

A motion by Member Buck, seconded by Member Rathbun to adopt Resolution No. 35 of 2016.

A roll call vote was taken on Resolution No. 35 of 2016 as follows:

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

Resolution No. 35 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 22, 2016.

**TOWN OF STILLWATER
PLANNING BOARD
2016 RESOLUTION NO. 36**

WHEREAS, Saratoga Lake Golf Course PDD have submitted an application for site plan approval regarding property located at 35 Grace Moore Road, more fully described as Tax Map No. 231.-1-66; and

WHEREAS, a public hearing was conducted on August 22, 2016 to consider the application, and 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. 31 of 2016; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Saratoga Lake Golf Course PDD, for site plan approval of lands located on 35 Grace Moore Road, more fully identified as Tax Map Number 231.-1-66; is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the following conditions:

1. That no parking be permitted along the entrance road.
2. That the applicant provide construction details regarding the Berm that are acceptable to the Town.
3. That the applicant provide weekly Stormwater inspection reports to the Town during construction.
4. That speed bumps at the entrance of the Golf Course are installed during Golf Season.

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 Ferris, to adopt Resolution No. 36 of 2016

A roll call vote was taken on Resolution No. 36 of 2016 as follows:

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

Resolution No. 36 of 2016 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on August 22, 2016.

****Mr. Murray returned to the Meeting and Ms. Ferris returned to her in the audience****

PB2016-12, Skidmore College Horseshow Special Use Permit and Site Plan Review, 28 Brickyard Road

Chairman Barshied recognized Mr. David Carr of the LA Group who is representing Skidmore College, also present from Skidmore College is Dan Rodecker Director of Facilities and Adele Einhorn Executive Director of the Horse Show, Mark Naldony of Creighton Manning and Doug Heller of the LA Group. Mr. Carr stated that on May 23, 2016 the Board requested that the Site Plan Review and Special Use Permit be presented together when the applicant came before the Board. Mr. Carr stated that they have made some progress since the last meeting on the wetland issues. Mr. Carr stated they had contacted the land owner and had NYS DEC and the Army Corp of Engineers on the site on May 24, 2016 and they flagged and delineated the wetlands. Mr. Carr stated they started the clean-up of the wetlands and was issued a cease and desist order for two violations by NYS DEC and the Army Corp of Engineers. Mr. Carr stated the violations were 1) wanted the land owner to stop dumping the manure into the wetlands and 2) the existing horse track that was built in the 1970's was built in the wetlands by the original owner. Mr. Carr stated that they have made two applications to NYS DEC and the Army Corp of Engineers that are currently being reviewed. Mr. Carr stated that they have designed a new water system for the site per Mr. Male's comment letter. Mr. Carr stated that the plan is the same as before the only two changes being proposed is a second access point and also keeping the main entrance for ingress and egress and moving the recreational vehicle area to the back of the site.

Chairman Barshied asked if the Building Department was on site or notified when NYS DEC and the Army of Engineers were at the property. Ms. Zepko stated that the Building Department was not notified or on site when either agency were at the property. Mr. Male stated that he and Mr. Carr have been in contact with each other on the progress and that he and Mr. Rutland had gone

out to view the site. Chairman Barshied asked if the applications are for the delineation of the wetlands. Mr. Carr stated the first application is to rectify the fill it is a mediation plan and the second application is a jurisdictional determination and approval of what built on the site previously. Chairman Barshied asked about horse related activities such as training and/or stabling throughout the summer. Ms. Einhorn stated that they would like to have stabling for some horses utilizing the existing 84 stalls. Chairman Barshied stated that Skidmore will be running a business on the property. Mr. Carr stated that it would be the same kind of business as what is currently there. Chairman Barshied stated that there are some issues that need to be addressed mitigation issues with NYS DEC and Army Corp of Engineers and the business plan is to brief and it needs more details.

Ms. Winchell stated that she agrees with Chairman Barshied that the business plan needs to be more detailed as in hours of operation, number of employees and how the operation is going to work.

Mr. Buck stated that NYS DEC and the Army of Engineers is stating that 40 years ago in that general area there were wetlands. Mr. Carr stated that is correct. Mr. Buck asked if the stabling of the horses would be year round. Ms. Einhorn stated that is correct. Mr. Buck asked if the horses being stabled belong to Skidmore or boarders from the area. Ms. Einhorn stated that some of the horses may be Skidmore horses but predominately they would be boarders from the area.

Mr. Murray asked if there is more than one horse show per year because in Mr. Male's letter it states there will be other horse shows throughout the year. Mr. Carr stated that the Special Use Permit that Skidmore is seeking is for one horse show in June. Mr. Rodecker stated that the horse show is Skidmore's biggest fund raiser. Mr. Carr stated that any of the events that are mentioned in Mr. Male's letter would require Skidmore to come back before the Board for approval. Mr. Murray stated that Skidmore is having one horse show per year and is leasing stables to private individuals for the remainder of the year. Mr. Murray stated that the application needs to clarify the stabling. Mr. Murray stated that currently the property is on the tax rolls but in the future the property will be taken off the tax rolls. Mr. Rodecker stated that Skidmore College is willing to stay on the tax rolls so the Town of Stillwater doesn't have to absorb the loss in taxes on the property. Mr. Murray asked if there are any differences in the two entrances. Mr. Naldony stated that the Site Plan only had one access and the Board had asked for a second access point. Mr. Naldony stated that it was agreed that a second access was needed for emergency access and spectators. Mr. Naldony stated that the first driveway will accommodate tractor trailers, horse trailers, vender trucks and staff. Mr. Naldony stated that were two issues with this driveway 1) relocation or removal of the signage and fence, 2) the removal of the vegetation which is within the site line for egress. Mr. Naldony stated that any future signage or landscaping is limited to 15 ft. back from the site line of the driveway. Mr. Naldony stated that the second driveway is 22 ft. in width and there is adequate site line distance.

Mr. Rathbun asked about some of the roadway being conducive to tractor trailers. Mr. Naldony stated that have identified a general routing plan that the applicant will put it on their website and will provide it to the participants. Mr. Rathbun asked about any issues with the neighbors. Mr. Carr stated that they had sent out letters to all the neighbors and met with 6 out of the 10 neighbors and explained the project to them.

Ms. Marotta stated that the horses that were currently stabled on the property would be leaving and that there would be no stabling of horses on the site. Mr. Carr stated that the current horses were asked to leave the premises because it will become a construction site and it is a safety issue.

Chairman Barshied asked for a motion in favor or not in favor to schedule the public hearing. Ms. Winchell made a motion to schedule the public hearing for the next Planning Board meeting on September 26, 2016, seconded by Chairman Barshied. 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

Motion to adjourn: made by Seconded by motion passed at approximately PM.

**The Next Planning Board Meeting will be
Monday, September 26, 2016**

