

TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES
October 26, 2015 @7:00 PM
STILLWATER TOWN HALL

Present:

Chairman Robert Barshied (RB)
Co-Chairperson, JoAnn Winchell (JW)
John Murray (JM)
Carol Marotta (CM)
Randy DeBacco (RD)
Randy Rathbun (RR)
Beverly Frank (BF)

Also Present:

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

Absent:

Peter Buck (PB)

Pledge:

Co-Chairperson Winchell called the meeting to order at 7:00 PM and led everyone in the Pledge to the Flag.

Review and approval of the minutes of Planning Board meetings:

The Planning Board tabled the minutes from the September 28, 2015 until the November 16, 2015 meeting.

PB2015-18, Jean Lescault Lot Line Adjustment (3), 1 Brightman Road

Chairman Barshied recognized Mr. James Vianna of James Vianna Land Surveying representing Mr. Jean Lescault. Mr. Vianna stated that this is a three part Lot Line Adjustment Located on County Route 76 and Brightman Road. Mr. Vianna stated this is a 6 acre horse shoe shaped lot that surrounds 3 vacant lots and 3 lots which have single family dwellings. Mr. Vianna stated that Mr. Lescault is going to merge 2 acres with the .93 acre parcel for a total of 2.93 acres which will make this parcel a conforming lot, the second part of the Lot Line Adjustment is merging

1.88 acres with Mr. Scott Lescault's parcel located at 9 Brightman Road and the remaining 2.12 acres will remain with the property located at 1 Brightman Road. Mr. Vianna stated that the satellite dish has been removed and that Mr. Lescault is in the process of demolishing the mobile home.

Chairman Barshied proceeded to open the public hearing and asked if anyone wished to comment on the public hearing. Chairman Barshied stated that a letter was received from Mr. Close and asked to have the letter read into the minutes and also a loud for the public and the Board members to hear.

Richard Dantz

427 County Route 76

Mr. Dantz stated that Mr. Geno Gambelli had gone before one the Town Boards and was granted permission to place the mobile home at 1 Brightman Road, with a stipulation that when the property was no longer owned by Mr. Gambelli the mobile was to be removed. Mr. Dantz stated that Mr. Lescault bought the property from Mr. Geno Gambelli and the property was a wooded lot with Locus trees. Mr. Dantz stated that Mr. Lescault sold three properties and put 3 properties onto the tax rolls. Mr. Dantz stated that he has no objections to Mr. Lescault's Lot Line Adjustment.

James E. Close



October 21,

2015

Planning Board
Town of Stillwater
P.O. Box 700
Stillwater, N.Y. 12170

Chairman and Members of the Stillwater Planning Board:

I am responding to the Notice of Public Hearing scheduled for October 26, 2015 on the application of Jean Lescault for a Lot Line Adjustment on the property located at 1 Brightman Rd (please give my written comments the same consideration as if I were present at the hearing in person as I will most likely be unable to make it due to other commitments).

At the time of this writing, I am not clear about what the proposed Lot Line Adjustment is, but I have reviewed the tax maps and believe that I can divine what the intentions of the owner are – to split the parcel that is 231.-1-67 and “append” the northern part of that parcel to parcel 231-I.13 (his residence), and “append” the remaining southern part of the parcel to 231.-1-17.212 (his son’s residence).

If the intent of the applicant is to leave the “appended” southern part of the parcel at 1 Brightman Rd undeveloped, then I’m “all in” on this. If, however, the Lot Line Adjustment frees the owner to then develop the property, with all the attendant noise, disruption and uncivil behavior that accompanied the development of the property on the other (north) side of my house at 7 Brightman Rd, then I will object strenuously. Simply put, I’ve had enough on that score.

You already know that I have lodged my objections to the development of the other Lescault property on Brightman Rd (which application you approved on Sept. 28th) and that project, in itself, will soon be the source of copious amounts of noise, traffic and other impediments to the enjoyment of my property, Planning Board member Murray’s comments that the project will be an “enhancement to the Town” notwithstanding.

That being said, it would behoove you to know what the *ultimate* purpose of this Lot Line Adjustment is, and what it augurs for the future for the people who have to live with the consequences of Whatever-It-Is, and Whatever-It-Means. You don’t, but I do.

Sincerely,

A handwritten signature in cursive script that reads "James E. Close".

James E. Close

3 Brightman Road
Mechanicville, NY 12118-2807
518-664-2980

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

Chairman Barshied asked what Mr. Lescault's plans are for the property. Mr. Vianna stated that he doesn't know what Mr. Lescault intends to do with property.

Ms. Marotta asked if there was a building on the lot that is 2.93 acres. Mr. Vianna stated that this is a vacant lot. Ms. Marotta stated that the map shows a well on the property. Mr. Vianna stated that there may have been a mobile home on the property years ago.

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

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 42**

WHEREAS, Jean Lescault has submitted an application for a lot line adjustment regarding property located at 1 Brightman Road, more fully identified as Tax Map Number 231-1-67, 17.212, and 17.213; 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, Jean Lescault, for a lot line adjustment regarding property located at 1 Brightman Road, more fully identified as Tax Map Number 231-1-67, 17.212 and 17.213, will not have a significant impact on the environment.

A motion by Member Rathbun, seconded by Member Marotta to adopt Resolution No. 42 of 2015.

A roll call vote was taken on Resolution No. 42 of 2015 as follows:

Chairman Barshied	YES
Member Buck	ABSENT
Member DeBacco	YES
Member Frank	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES
Member Winchell	YES

Resolution No. 42 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on October 26, 2015.

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 43**

WHEREAS, Jean Lescault has submitted an application for a lot line adjustment regarding property located at 1 Brightman Road, more fully described as Tax Map No. 231-1-67, 17.212, and 17.213; and

WHEREAS, a public hearing was conducted on October 26, 2015 to consider the application, and one comment was 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. 42 of 2015; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Jean Lescault, for a lot line adjustment on lands located on 1 Brightman Road, more fully identified as Tax Map Number 231-1-67, 17.212 and 17.213, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the conditions set forth below:

1. That the satellite dish and mobile home located on the property are removed prior to the plat being signed by the Planning Board Chair;

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 Rathbun, to adopt Resolution No. 43 of 2015.

A roll call vote was taken on Resolution No. 43 of 2015 as follows:

Chairman Barshied	YES
Member Buck	ABSENT
Member DeBacco	YES
Member Frank	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES
Member Winchell	YES

Resolution No. 43 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on October 28, 2015

PB2015-22, Henry W. Gronczniak Minor Subdivision, 586 NYS Route 9P

Chairman Barshied recognized Mr. David Bogardus of North East Land Survey, who is representing Mr. Bruce Gronczniak Administrator for the Estate of Henry W. Gronczniak. Mr. Bogardus stated this is a 1.9 acres lot located in the Residential Resort District. Mr. Bogardus stated that Mr. Gronczniak is proposing a two lot subdivision, one lot will be 1.361 acres and the other lot will retain .571 acres. Mr. Bogardus stated this will make the lots conforming to Zoning. Mr. Bogardus stated that the two out building will be removed and the encroachment on the neighbor's property from the crushed stone will be removed and placed on Mr. Gronczniak's property.

Chairman Barshied proceeded to open the public hearing and asked if anyone wished to comment on the public hearing, hearing none Chairman Barshied proceeded to close the public hearing.

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

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 44**

WHEREAS, Henry Gronczniak has submitted an application for a minor subdivision regarding property located at 586 Route 9P, more fully identified as Tax Map Number 218.12-1-59; 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, Henry Gronczniak, for a minor subdivision regarding property located at 586 Route 9P, more fully identified as Tax Map Number 218.12-1-59, will not have a significant impact on the environment.

A motion by Member DeBacco, seconded by Member Frank, to adopt Resolution No. 44.

A roll call vote was taken on Resolution No. 44 as follows:

Chairman Barshied	Yes
Member Buck	Absent
Member DeBacco	Yes
Member Frank	Yes
Member Marotta	Yes
Member Rathbun	Yes
Member Murray	Yes
Member Winchell	Yes

Resolution No. 44 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on October 28, 2015.

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 45**

WHEREAS, Henry Gronczniak has submitted an application for a minor subdivision regarding property located at 586 Route 9P, Stillwater, more fully described as Tax Map No. 218.12-1-59; and

WHEREAS, a public hearing was conducted on October 28, 2015 to consider the application, and no comments were received from the public; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 44 of 2015; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Henry Gronczniak, for a minor subdivision of lands located on 586 Route 9P, Stillwater, more fully identified as Tax Map Number 218.12-1-59, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the conditions set forth below and that these conditions are satisfied prior to the approval of the Application:

1. Removal of the shed and the well-cover;
2. That the crushed stone driveway is raked so that it is conforming with the zoning and lot lines;

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 DeBacco, to adopt Resolution No. 45.

A roll call vote was taken on Resolution No. 45 as follows:

Chairman Barshied	Yes
Member Buck	Absent
Member DeBacco	Yes
Member Frank	Yes
Member Marotta	Yes
Member Rathbun	Yes
Member Murray	Yes
Member Winchell	Yes

Resolution No. 45 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on October 28, 2015.

PB2015-27, Lands of Wever Petroleum Minor Subdivision

Chairman Barshied recognized Mr. Frederick Metzger of Frederick Metzger Land Survey, representing Mr. Joseph Zecca. Mr. Metzger stated the property is owned by Wever Petroleum and is located on the east side of Kellogg Road. Mr. Metzger stated that the front parcel is 2700 sq. ft. and the land locked parcel in the back is 1600sq.ft. Mr. Metzger stated that Mr. Zecca would like to do a two lot subdivision and build two duplexes on the lots. Mr. Metzger stated that Mr. Zecca has approval to tie into both the Village of Stillwater's public sewer and water supply which is directly across the street from this property. Mr. Metzger stated that there is an encroachment on the property by the neighbor's canopy which used to store wood. Mr. Metzger stated that Mr. Zecca has no issues with the location of the canopy and has stated that it can stay where it is.

Chairman Barshied asked Mr. Male asked if he had any concerns. Mr. Male stated that he asked about the lot configuration, utilities need to be shown on the map, environmental issues including the railroad ties, rails, concrete holding tanks and /or oil tanks. Mr. Metzger stated that Mr. Zecca is trying to keep the lot configuration even so, that in the future Mr. Zecca can build garages for the duplexes. Mr. Metzger stated that if the subdivision is approved Mr. Zecca will remove all the tanks from the property.

Chairman Barshied asked Mr. Male if the property was not subdivided it would be suitable for one duplex. Mr. Male stated that is correct. Mr. Metzger stated that is not financially feasible for what Mr. Zecca wants to do with the property. Chairman Barshied asked what kind of trees are on the property currently. Mr. Metzger stated that they are scrub trees, Shoe-mac and Poplar.

Vice-Chairperson Winchell asked if there will be a buffer between the neighboring properties. Mr. Metzger stated that as of now there is no buffer planned between the neighboring properties. Vice-Chairperson Winchell stated that she would like to see some sort of buffer between the neighboring properties. Vice-Chairperson Winchell asked if Mr. Zecca would enter into negotiations to purchase property from Mr. Patenaude. Mr. Metzger stated that the property in the back of Mr. Patenaude's is the abandoned canal. Vice-Chairperson Winchell stated that she would like to one duplex on the property.

Ms. Marotta stated that she is not comfortable subdividing the lots and the then sending the project to the Zoning Board. Ms. Zepko stated that the project cannot go before the Zoning Board without being a legal building lot. Ms. Marotta stated that the environmental issues still have to be addressed.

Mr. Murray stated that this application is for two structures on the property. Mr. Metzger stated that is correct. Mr. Murray stated that he would like to see a sketch of what the two duplexes will look like.

Mr. Rathbun stated that believes having one lot with one duplex is more conducive then proposing two duplexes on two lots.

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 November 16, 2015 with right for the applicant to cancel.

PB2015-25 & 26, ABC Recycled Auto Parts Site Plan and Special Use Permit

Chairman Barshied recognized Mr. Gavin Dionne of Environmental Design, representing Mr. Jack Cox who is not present this evening. Mr. Dionne stated that Mr. Cox supplied a narrative of the project. Mr. Dionne stated this is a 20.50 acre parcel and access off of Doughty Road which is a private road. Mr. Dionne stated that that Mr. Cox purchased this property in 2009. Mr. Dionne stated in 2010 Mr. Cox made application for a Special Use Permit before the Planning Board and the application was deemed incomplete. Mr. Dionne stated that the Town of Stillwater Building Department issued a cease and desist order not to conduct any operations until the Special Use Permit was issued. Mr. Dionne stated this is an existing salvage yard, there are numerous cars scattered on one-third of the property, existing wetlands to the west of were the operations are on the property, there is a drainage corridor to the north of the salvage yard, the rest of the property is in its original condition, Mr. Cox has access rights through National Grid property and also other neighboring property, and there is a locked a gate going to the salvage yard. Mr. Dionne stated this is a single access roadway and therefore Mr. Cox will be making changes to the access easements for egress and ingress purposes and are proposing one or two turn outs to accommodate emergency vehicles. Mr. Dionne stated that Mr. Male suggested that the plans get submitted to the Arvin Fire Department, which Mr. Cox has done. Mr. Dionne stated that the salvage yard will privately run with three or four employees. Mr. Dionne stated that Mr. Cox will have the cars compacted and stored on site.

Mr. Murray stated that he was under the understanding that the cars were not being crushed on site. Mr. Murray asked how many cars will be stored on the premises and how many times will crusher be used. Mr. Murray stated that the tires are stored in haphazardly order, and define how Mr. Cox will be disposing of all the material on site. Mr. Dionne stated that he can have that information for the Planning Board by the next meeting date.

Chairman Barshied asked how Mr. Cox plans on draining the fluids from the vehicles and were are the fluids going to be stored on the premises. Chairman Barshied stated that there are three types of Special Use Permits. Ms. Zepko stated that Junk Yard Permits must be reviewed yearly.

Ms. Marotta stated in the prior application it was mentioned that a pole barn was to be built. Mr. Dionne stated that there are no new buildings proposed. Ms. Marotta asked how much noise the bailer makes when it crushes the cars. Mr. Dionne stated that the bailer makes quite a bit of noise when it used.

Vice-Chairperson Winchell stated that she would like see the business plan for the salvage operation.

Chairman Barshied asked Mr. Male if all his comments have been addressed. Mr. Male stated that certain comments have been addresses. Mr. Dionne stated that Mr. Cox wants to put the 6 ft. fencing up in two phases with one main gate, there will be a SWPP Plan as this is a hot spot that will show the erosion and drainage, there is 1 acre that will need to be regraded, there is no landscaping that will be done as it is not open to the public, show the layout of the property with details of the day to day operations, details on the storing of the parts and fluids, the amount of noise that the crusher will make Monday through Friday and on Saturday, Hours of operation and the time frame for moving the cars off the premises.

Mr. Dionne stated that Mr. Cox would like temporary approval to move the cars off the property line and clean up the property. Mr. Murray suggested that Mr. Cox write a letter to Mr. Cutler requesting he would like to on the property and the time frame for the requested project.

Chairman Barshied stated that the application is tabled as incomplete due to further information requested by the Planning Board.

Chairman Barshied made a motion to enter into executive session at 8:25 p.m. seconded by Vice-Chairperson Winchell, came out of executive session at 9:18 p.m.

Motion to adjourn: Made by Mr. Rathbun, seconded by Ms. Frank, motion passed unanimously at approximately 9:19 p.m.

**The next Planning Board Meeting will be
Monday, November 16, 2015**