

TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES

November 16, 2015 @7:00 PM
STILLWATER TOWN HALL

Present:

Vice-Chairman, JoAnn Winchell (JW)
John Murray (JM)
Carol Marotta (CM)
Peter Buck (PB)
Randy Rathbun (RR)

Also Present:

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

Absent:

Chairperson, Robert Barshied (RB)
Randy DeBacco (RD)
Beverly Frank (BF)

Pledge:

Vice-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:

Mr. Murray made a motion to approve the minutes from September 28, 2015 meeting as amended. Seconded by Mr. Buck, Vice-Chairperson Winchell abstained.

PB2015-27 Lands of Weaver Petroleum Minor Subdivision

Vice-Chairperson Winchell recognized Mr. Fred Metzger of Fred Metzger Land Survey, representing Mr. Joseph Zecca. Mr. Metzger stated that the property is owned by Weaver Petroleum, the property is located on the east side of Kellogg Road, the front parcel is 2700 SF, and the land locked parcel is 1600 SF. Mr. Metzger stated that Mr. Zecca want to subdivide the parcels, will add the proposed berm to the south side of Lot #2 and remove the coal bins. Mr. Metzger stated that all the questions have been addressed and there is no need for any variances.

Vice-Chairperson Winchell proceeded to open the public hearing and asked if anyone wished to comment on the public hearing.

Mike Desio, 15 Kellogg Road

Mr. Desio asked what these lots were going to be used for. Mr. Metzger stated that there are two duplexes proposed for these lots.

Vice-Chairperson Winchell asked if anyone else wished to make public comment, hearing none Vice-Chairperson Winchell proceeded to close the public hearing.

Vice-Chairperson Winchell stated that she appreciates the modifications to the plans. Vice-Chairperson Winchell stated that the Board is unaware of what style duplexes will be built. Mr. Metzger stated that Mr. Zecca has not decided on the style of duplex but that it will stay within the setbacks. Vice-Chairperson Winchell asked about the berms landscaping. Mr. Metzger stated that the berm will be 4to 5 ft. with arborvitaes. Vice-Chairperson Winchell asked about Mr. Fitzpatrick's canopy. Mr. Metzger stated that the canopy will stay where it is but if it's taken down it will be rebuilt on his property. Vice-Chairperson Winchell asked about the removal of the fuel tanks. Mr. Metzger stated that he believes the fuel tanks were removed years ago and is waiting on the above ground environmental audit of the property. Vice-Chairperson Winchell asked if there is a letter of approval for the water hookup. Mr. Metzger stated that Mr. Zecca has a letter from Mayor Nelson.

Mr. Rathbun asked if the environmental audit is just above ground. Mr. Metzger stated that the audit is just above ground. Mr. Rathbun asked what the reasoning is behind the buildings being long and narrow. Mr. Metzger stated that it is to allow for garages in the future.

Ms. Marotta asked about a turnaround so the residents wouldn't need to back out onto the street. Mr. Metzger stated that a turnaround could be incorporated into the plans.

Mr. Cutler asked Mr. Male about question #11 & #12 regarding wetlands. Mr. Male stated that he has been on the site and did not see any wetlands. Mr. Metzger stated that he had provided wetland maps to the Board.

Mr. Male asked Mr. Metzger for detailed information on the berm including what kind of trees will be used and the number of trees. Mr. Metzger stated that he would provide Mr. Male with that information.

Mr. Murray asked for a copy of the letter to Mr. Fitzpatrick regarding the canopy for the record. Mr. Metzger stated that he would provide a copy of the letter to the Planning Department.

Mr. Buck stated that this project will enhance the property and the neighborhood.

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

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 46**

WHEREAS, Wever Petroleum has submitted an application for a 2 lot subdivision regarding property located at Kellogg Road, more fully identified as Tax Map Number 253.26-1-17; 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, Wever Petroleum, for a 2 lot subdivision regarding property located at Kellogg Road, more fully identified as Tax Map Number 253.26-1-17, will have a significant impact on the environment.

A motion by Member Marotta, seconded by Member Rathbun, to adopt Resolution No. 46 of 2015.

A roll call vote was taken on Resolution No. 46 of 2015 as follows:

Chairman Barshied	Absent
Member Buck	YES
Member DeBacco	Absent
Member Frank	Absent
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES
Acting Chair Winchell	YES

Resolution No. 46 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on November 16, 2015.

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 47**

WHEREAS, Wever Petroleum has submitted an application for a 2 lot subdivision approval regarding property located at Kellogg Road, more fully described as Tax Map No. 253.26-1-17; and

WHEREAS, a public hearing was conducted on November 16, 2015 to consider the application, and a 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. 46 of 2015; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Wever Petroleum for a minor subdivision of lands located on Kellogg Road, more fully identified as Tax Map Number 253.26-1-17 is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the following conditions, which were included in the October 14, 2015 Memorandum from Paul Male, P.E., and that these additional conditions be met prior to approval of the application:

That the applicant provide:

1. Details on berm and landscaping on the map;
2. A copy of the environmental audit;
3. A copy of the letter to the owner of the canopy that encroaches on the land;
4. A copy of the contract for the municipal sewer; and
5. Turnarounds for the driveways.

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 Marotta, to adopt Resolution No. 47 of 2015.

A roll call vote was taken on Resolution No. 47 of 2015 as follows:

Chairman Barshied	Absent
Member Buck	YES
Member DeBacco	Absent
Member Frank	Absent
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES
Acting Chair Winchell	YES

Resolution No. 47 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on November 16, 2015

PB2015-28 Arvin Hart Fire Station, 147 George Thompson Road

Vice-Chairperson Winchell recognized Mr. Joseph Lanaro of Chazen Companies, who is representing the Town of Stillwater. Mr. Lanaro stated that the Town of Stillwater is proposing to subdivide a portion of land in the rear of the fire department property to erect a municipal water tank. Mr. Lanaro stated that the Town water supply project was started in 2013 and included the Town's goals, project goals, background alternatives investigated, all proposed infrastructure and the State Environmental Quality Review. Mr. Lanaro stated that this is all on public record by the Town of Stillwater Resolution #69 of 2013. Mr. Lanaro stated that the Town of Stillwater acquired certain takings of land for the water supply tank from property owners and the fire department. Mr. Lanaro stated that the Town acquired Area Variances which the Zoning Board approved this evening. Mr. Lanaro stated that the water tank holds 750,000 gallons. The height of the water tank is 108 ft. Mr. Lanaro stated that the nearest adjacent property is approximately 400 to 430 ft. from the water tank to the house and pool. Mr. Lanaro stated that the water will be supplied by Saratoga County Water Authority. The tank is gravity fed by a 12 inch water main and there is a chlorine pump contained with a pump house. Mr. Lanaro stated the construction of the water tank will go to bid in December and January with bids due in late February to the middle of March. Construction would be starting in April. Mr. Lanaro stated that this is a steel water tank with fabricated panels. Mr. Lanaro stated that there is no cellular equipment being mounted on the water tank and a Special Use Permit would be required for a wireless carrier to locate cellular equipment onto the water tank. Mr. Lanaro stated that there was an extensive study done for alternate locations and tank types, however, this site was found to be the optimal location for the connection to the Saratoga County Water Authority and to benefit the residents of Mechanicville and Stillwater. Mr. Lanaro stated that the project has completed the SEQRA review, has a contract with Saratoga County Water Authority, and has all the approvals from the Department of Health.

Vice-Chairperson Winchell asked Mr. Cutler to explain what happened at the Zoning Board meeting. Mr. Cutler stated that the Zoning Board approved the Area Variances to be legal non-conforming lots.

Vice-Chairperson Winchell proceeded to open the public hearing and asked if anyone wished to comment on the public hearing.

Laura Barber, 39 George Thompson Road

Ms. Barber stated that the Arvin Hart Fire Department has been a good neighbor for the past 20 years. Ms. Barber stated that they bought their property in 1980 and built their house in 1985. Ms. Barber stated that from their property to the proposed water tower is 165 ft. and she has concerns about their well, the line of site for the satellite TV, and the potential for hindrance for more solar panels to be placed on their house. Ms. Barber stated that the Town of Stillwater wants to put a 180 ft. water tower in a residential area; the water tower should be in a commercial area which would be a better solution for the placement of the water tower. Ms. Barber stated that the water tower limits any expansion to the fire house. Ms. Barber stated that she does not want the water tank in her back yard and that she opposes this project.

Marissa Mackay, 25 Earnest Rd Wilton, NY

Ms. Mackay asked Mr. Lanaro why the Town of Stillwater went with a gravity fed water tank instead of a UFD pumping system. Ms. Mackay stated that the UFD pumps are not as loud outside of the building and would also lower the ceiling of the water tank making it not so obstructive in the air. Mr. Lanaro stated that the design was specifically for gravity fed system due to the sustainability requirements under the grants that were awarded for this project.

Mr. Cutler asked Mr. Lanaro if the water tank was a 108 ft. in height. Mr. Lanaro stated that was correct.

Mr. Rathbun asked Mr. Lanaro if the new water tank was taking the place of the water tank located in the riverside area. Mr. Lanaro stated that is correct and the Town will disable the water tank in that area.

Vice-Chairperson Winchell asked how much circumference of the land does the bottom of the tank cover. Does the water tower have its own driveway, is there fencing around the water tank, and is it locked? Mr. Lanaro stated that water tank will take up about 65 ft. of the lot, the water tank will have its own egress and ingress, there will be fencing around the water tank with locks, and everything is proposed in the ground with the exception of the water tank and the chlorine housing. Mr. Lanaro stated that the Arvin Hart tanker trucks can be filled on site from the water tank and that this project supports the Arvin Hart Fire Department. Vice-Chairperson Winchell asked if the Arvin Hart FD could expand to add another bay onto the fire house. Mr. Lanaro stated that Arvin Hart would have to go before the Planning Board for Site Plan Review.

Mr. Buck stated that he feels sorry for the property owners and asked if there is a way for the property owners to hook up to the public water supply. Vice-Chairperson Winchell stated that the water hook up is a Town Board issue.

Ms. Marotta asked what the acreage is that will remain with the fire department. Vice-Chairperson Winchell stated that the fire department is retaining 2.08 acres and the water tank is on .50 acres.

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

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 48**

WHEREAS, Stillwater Fire Department has submitted an application for a subdivision regarding property located at 147 George Thompson Road, more fully identified as Tax Map Number 242.00-2-28; 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 determined that the proposed action is consistent with the prior SEQRA findings of the Town Board in 2013 Resolution No. 69;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Stillwater Fire Department for a subdivision regarding property located at 147 George Thompson Road, more fully identified as Tax Map Number 242.00-2-28 will have a significant impact on the environment.

A motion by Member Murray, seconded by Member Rathbun, to adopt Resolution No. 48 of 2015.

A roll call vote was taken on Resolution No. 48 of 2015 as follows:

Chairman Barshied	Absent
Member Buck	NO
Member DeBacco	Absent
Member Frank	Absent
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES
Acting Chair Winchell	YES

Resolution No. 48 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on November 16, 2015

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 49**

WHEREAS, Stillwater Fire Department has submitted an application for subdivision approval regarding property located at 147 George Thompson Road, more fully described as Tax Map No. 242.00-2-28; and

WHEREAS, a public hearing was conducted on November 16, 2015 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. 48 of 2015; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Stillwater Fire Department for subdivision approval of lands located on 147 George Thompson Road, more fully identified as Tax Map Number 242.00-2-28 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 Marotta, seconded by Member Murray, to adopt Resolution No. 49 of 2015.

A roll call vote was taken on Resolution No. 49 of 2015 as follows:

Chairman Barshied	Absent
Member Buck	NO
Member DeBacco	Absent
Member Frank	Absent
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES
Acting Chair Winchell	YES

Resolution No. 49 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on November 16, 2015

PB2015-30 D'Amico Minor Subdivision, 52 County Route 75

Vice-Chairperson Winchell recognized Mr. Fred Metzger of Fred Metzger Land Survey, representing Mr. & Mrs. Patrick Bartlett. Mr. Metzger stated that this is an 87 acre parcel on the west side of County Route 75. Mr. Metzger stated that Mr. Bartlett would like to subdivide a 5.7 acre parcel located on the northerly end of the property for a single family dwelling. Mr. Metzger stated that this parcel is located in the LDR zone and that it meets all zoning requirements. Mr. Metzger stated that the remaining acreage will remain with the existing house.

Vice-Chairperson Winchell asked if there was reason that the lot doesn't go all the way back. Mr. Metzger stated that Mr. Bartlett wanted to keep the lot under 6 acres. Vice-Chairperson Winchell asked if the residual acreage remains with the white farm house. Mr. Metzger stated that is correct and that the farm house has 330 ft. of frontage along with another part of the property that has 160 ft. of frontage. Mrs. Winchell asked about the wetlands on the property. Mrs. Winchell asked Mr. Male for clarification on question #20 of the comment letter. Mr. Male stated that the DEC website shows all wetlands that are on a parcel.

Ms. Marotta stated that it is important to know where the wetlands are on the entire parcel because it could change the shape of the proposed lot and you don't want to limit how the parcel could be developed.

Mr. Cutler stated that if there were wetlands in the back of the lot it would be difficult to develop the remaining parcel.

Ms. Zepko stated that there is also needed clarification on if the wetlands are regulated by the Army Corp or DEC. Mr. Metzger stated that he was not sure, but would look into who regulates the wetlands.

Vice-Chairperson Winchell asked if anyone had any additional concerns or questions and hearing none, she stated that the public hearing was set for the next Planning Board meeting on December 14, 2015.

Motion to adjourn: Made by Mr. Murray, seconded by Ms. Marotta, motion passed unanimously at approximately 8:00 p.m.

**The next Planning Board Meeting will be
Monday, December 14, 2015**