

TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES
December 14, 2015 @7:00 PM
STILLWATER TOWN HALL

Present:

Chairperson, Robert Barshied (RB)
Vice-Chairman, JoAnn Winchell (JW)
John Murray (JM)
Peter Buck (PB)
Randy Rathbun (RR)
Randy DeBacco (RD)

Also Present:

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

Absent:

Carol Marotta (CM)
Beverly Frank (BF)
Lindsay Zepko, Town Planner (LZ)

Pledge:

Chairperson Barshied 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:

Vice-Chairperson Winchell made a motion to approve the minutes from the October 26th, 2015 meeting as amended. Seconded by Mr. Rathbun, Mr. Buck abstained. The Planning Board tabled the minutes from the November 16th, 2015 meeting until the January 25th, 2016 meeting.

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

Chairman Barshied recognized Mr. Fred Metzger of Fred Metzger Land Survey, representing Mr. & Mrs. Patrick Bartlett. Mr. Metzger briefly recapped the project before the Board. Mr. Metzger stated that this is an 87-acre parcel located on the west side of County Route 75 in the LDR Zoning District. Mr. Metzger stated that Mr. & Mrs. Bartlett would like subdivide a 5.7-

acre parcel on the northerly end of the property for a single family dwelling. Mr. Metzger stated that they proposing to hook into the public water supply and will have private sewer. Mr. Metzger stated that the remaining property will stay with the existing house.

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

Chairman Barshied asked Mr. Male is there where any issues that needed to be resolved. Mr. Male stated that the DEC Wetland map website adds information around the site which was discussed at the last meeting. Mr. Metzger stated that he put note #6 on the map pertaining to the two areas that were brought up on the DEC website.

Mr. Murray asked if the County Planning Board had submitted a comment letter regarding the project. Mr. Metzger stated that a reply was received from the County Planning Board.

Vice Chairperson Winchell asked if a perk test was performed on the site. Mr. Metzger stated that a perk test has not been done on the site as of yet.

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

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 50**

WHEREAS, D'Amico has submitted an application for a minor subdivision regarding property located at 52 County Route 75, Stillwater, more fully identified as Tax Map Number 261.02-1-2.1; 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'Amico, for a minor subdivision regarding property located at 52 County Route 75, more fully identified as Tax Map Number 261.02-1-2.1 will not have a significant impact on the environment.

A motion by Member Winchell, seconded by Member Buck, to adopt Resolution No. 50 of 2015.

A roll call vote was taken on Resolution No. 50 of 2015 as follows:

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

Resolution No. 50 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on December 14, 2015.

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 51**

WHEREAS, D'Amico has submitted an application for a minor subdivision regarding property located at 52 County Route 75, more fully described as Tax Map No. 261.02-1-2.1; and

WHEREAS, a public hearing was conducted on December 14, 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. 50 of 2015; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of D'Amico for a minor subdivision of lands located on

52 County Route 75, more fully identified as Tax Map Number 261.02-1-2.1; is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicants comply with the following condition:

1. The applicants comply with the condition set forth in the Saratoga County Planning Board Letter;

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 Rathbun, to adopt Resolution No. 51 of 2015.

A roll call vote was taken on Resolution No. 51 of 2015 as follows:

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

Resolution No. 51 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on December 14, 2015.

PB2015-29, Urbaetis Lot Line Adjustment, 41 Colonial Road

Chairman Barshied recognized Ms. Carol Urbaetis of 41 Colonial Road. Ms. Urbaetis stated that she was applying for a Lot Line Adjustment for an encroachment of an addition on the north side of the property. Ms. Urbaetis stated that she is in the process of selling the house and wants to correct the encroachment on the property so there will be no issues for the new owners.

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. 52**

WHEREAS, Carol Urbaetis has submitted an application for lot line adjustment regarding property located at 41 Colonial Road, more fully identified as Tax Map Numbers 243-1-47 and 243-1-48.2; 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, Carol Urbaetis for a lot line adjustment regarding property located at 41 Colonial Road, more fully identified as Tax Map Numbers 243-1-47 and 243-1-48.2 will not have a significant impact on the environment.

A motion by Member Buck, seconded by Member Rathbun, to adopt Resolution No. 52 of 2015.

A roll call vote was taken on Resolution No. 52 of 2015 as follows:

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

Member Winchell	YES
-----------------	-----

Resolution No. 52 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on December 14, 2015.

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 53**

WHEREAS, Carol Urbaetis has submitted an application for a lot line adjustment regarding property located at 41 Colonial Road, more fully described as Tax Map Nos. 243-1-47 and 243-1-48.2; 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 lot line adjustments; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 53 of 2015; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Carol Urbaetis, for a lot line adjustment of lands located on 41 Colonial Road, more fully identified as Tax Map Numbers 243-1-47 and 243-1-48.2, 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. 53 of 2015.

A roll call vote was taken on Resolution No. 53 of 2015 as follows:

Chairman Barshied	YES
Member Buck	YES

Member DeBacco	YES
Member Frank	ABSENT
Member Marotta	ANSENT
Member Rathbun	YES
Member Murray	YES
Member Winchell	YES

Resolution No. 53 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on December 14, 2015.

Chairman Barshied made a motion to enter into executive session at 7:12 pm, seconded by Mr. Rathbun. Chairman Barshied made a motion to exit executive session at 7:50 pm, seconded by Vice-Chairperson Winchell.

PB2014-48, Brickyard Road Apartments Site Plan, Brickyard Road

Chairman Barshied recognized Mr. Thomas Address of ABD Engineering, who is representing Mr. John Bove. Mr. Address stated that Mr. Bove is proposing a Multi-Family Apartment Complex with five buildings in two phases. Mr. Address stated that they are seeking approval for Phase 1&2 this evening. Mr. Address stated that these are three story apartments with an attached garage. There is excess parking in the rear lot with handicap parking in the center of the parking lot. Mr. Address stated that access to the site is off Brickyard Road. Mr. Address stated that Lot Line Approval was received for encroachments with adjoining land owners and the deeds have been filed with Saratoga County Clerk’s Office. Mr. Address stated that they have approval for both public water and sewer. Stormwater management is all set and each apartment will have its own utility service. Mr. Address stated that the concerns from Mr. Male’s letter dated December 14, 2015 have been addressed. Mr. Address stated that the soils report requires that the foundations are excavated and backfilled. The soils will be removed and new soil will be brought in. Mr. Address stated that Mr. Bove has a maintenance plan in place for the parking lot to maintain the pavement.

Vice-Chairperson Winchell asked about the lighting and the landscaping for the project. Mr. Address stated that the landscaping will consist of shrubs and some trees. There will be a continuous sidewalk along the front of the building. There will also be landscaping between the buildings. The lighting will consist of a lamp post and light above each door in the front of the building. There will also be lighting in the rear of the building. Vice-Chairperson Winchell asked if there is fencing along the perimeter of the parking lot. Mr. Address stated that there is a wing wedge curb for the perimeter parking. Mr. Address stated that they will review the Boards request and if a railing is needed it will be added to replace of the curb.

Mr. Murray referred to Mr. Male’s December 14th 2015 memo that states that each unit has its own utilities. Mr. Andes stated that each unit has its own water, sewer, electrical and propane line. Mr. Address stated that he is not sure about the heating system. Mr. Bove stated that each unit will have its own heating system. Mr. Murray asked about item #3 of Mr. Male’s memo in which the owner has agreed to make two units per building handicapped accessible for this phase and the remaining phases. Mr. Address stated that was correct. Mr. Murray asked about item #4 regarding the soil disturbance. Mr. Address stated that the soils will be removed in the area of

the foundation or to a point that the soil is stable as referred to in the Dente report. Mr. Address stated that the soil from of the rear lot could be removed but is not required. Mr. Address stated there is a maintenance and operation plan for the erosion problems that may occur along with a letter of credit. Mr. Address stated that maintenance of the stormwater area is the responsibility of the owner and would transfer to the new owner if the property is sold. Mr. Murray asked if there were a need to expand the building, could this accommodate. Mr. Address stated that the expansion could be accommodated.

Chairman Barshied asked if the apartment units are being built as units that may be sold in the future. Mr. Address stated that is correct. Chairman Barshied asked if the footprint would stay the same. Mr. Address stated that is correct.

Mr. Donald Zee, Attorney to the applicant stated regarding the size of the footprint the handicap accessibility units may add an additional 1 ft. to 2 ft. difference in the footprint.

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

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 54**

WHEREAS, Brickyard Road Apartments has submitted an application for Site Plan Review regarding property located at Brickyard Road, more fully identified as Tax Map Number 262.-1-1.11; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is a 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 Long 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, based upon a review of the 18 questions contained in Part 2 of the full Environmental Assessment Form, there is no need to require an environmental impact statement and sufficient information has been provided to reach a determination that the proposed action will not have a significant adverse environmental impact;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Brickyard Road Apartments, for a Site Plan Review regarding property located at Brickyard Road, more fully identified as Tax Map Number 262.-1-1.11 will not have a significant impact on the environment.

A motion by Member Rathbun, seconded by Member DeBacco, to adopt Resolution No. 54 of 2015.

A roll call vote was taken on Resolution No. 54 of 2015 as follows:

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

Resolution No. 54 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on December 14, 2015.

Mr. Male stated that Arvin Hart Fire Department has not responded to any of the letters regarding this project. Mr. Address stated that he has made several attempts to contact Arvin Hart with response in return.

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 55**

WHEREAS, Brickyard Road Apartments has submitted an application for Site Plan Review regarding property located at Brickyard Road, more fully described as Tax Map No. 262.-1-1.11; and

WHEREAS, a public hearing was conducted on July 27, 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. 54 of 2015; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Brickyard Apartments, for Site Plan Review of lands located on Brickyard Road, more fully identified as Tax Map Number 262.-1-1.11 is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the 12 conditions which were included in the December 14, 2015 Memorandum from Paul Male, P.E., and the additional conditions set forth below, and that these conditions be met prior to approval of the application:

1. That two units per building shall be constructed as handicap adaptable.
2. That condition number 5 of the December 14, 2015 Memorandum is modified to state that the applicant provide copies of the written requests made to the Arvin Hart Fire Department for approval of the hydrant layout.
3. That the post construction inspections required by the parking lot maintenance plan shall be performed by Dente Engineering or another independent reputable engineer approved by the Town Planning Department.
4. That the applicant provides a letter of credit in an amount determined by the Town Planning Department, as security for the post construction inspections of the parking lots.
5. That the propane tanks are installed in a manner that conforms with NYS Building Code.
6. In the event the build footprint significantly changes or expands, the applicant will be required to reapply for Site Plan approval.

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. 55 of 2015.

A roll call vote was taken on Resolution No. 55 of 2015 as follows:

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

Resolution No. 5 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on December 14, 2015.

Motion to adjourn: Made by Mr. Murray, seconded by Mr. Buck, motion passed unanimously at approximately 8:35 p.m.

**The next Planning Board Meeting will be
Monday, January 25, 2016**