



Supervisor Kinowski	YES
Councilman Baker	ABSENT
Councilwoman Bruno	YES
Councilman D'Ambro	YES
Councilwoman Vomacka	YES

**Motion carried.** Resolution No. 102 of 2018 was adopted unanimously.

**Resolution #103      Approve the Bocrest Fields PDD and  
Adopt Local Law No. 8 of 2018**

Introduced by: Supervisor

WHEREAS, Bocrest Fields LLC has proposed the Bocrest Fields PDD via the attached Local Law No. 8 of 2018, to be known as the Bocrest Fields PDD; and

WHEREAS, the Town Board conducted a Public Hearing on July 19, 2018, where the Proposed Local Law for Bocrest Fields PDD was reviewed and comments from the public were received; and

WHEREAS, the Public Hearing was left open for additional comments and submissions until the Local Law was to be voted on; and

WHEREAS, the Town Planning Board conducted a review of the Project and provided the Town Board with its recommendations; and

WHEREAS, the Full Environmental Assessment Form was duly considered and the Town Board previously determined there to be no significant environmental impact as a result of the adoption of the Local Law; and

WHEREAS, in considering the proposed action, the Town Board has considered several relevant and previous studies affecting the Bocrest Fields PDD, including but not limited to, the following:

- 2001 Zoning Code (Local Law No. 1 of 2001) and amendments thereto;
- 2006 Town Comprehensive Plan;
- Town wide GEIS with incorporated environmental and traffic impact studies;
- Town Law Article 16 regarding zoning amendments;
- General Municipal Law Section 239-l and 239-m; and
- Application with Map, Narrative and EAF received April 4, 2017;
- Paul Male, P.E.'s and James Trainor, Esq.'s comment letters.

Now therefore be it

RESOLVED, that the time period for receiving public comments and submissions, as well as the extended public hearing, is now closed; and be it further

RESOLVED, that the Town Board hereby adopts Local Law No. 8 of 2018, a Local Law Approving the Bocrest Fields PDD; and be it further

RESOLVED, that the Town Clerk shall immediately post and publish notice of the adoption of this Resolution in the Express or Gazette with a descriptive summary or extract of the PDD within 5 days pursuant to Article 16 of the Town's Zoning Code and obtain Affidavits of Publication therefore; and be it further

RESOLVED, that the Town Clerk file a certified copy of Local Law No. 8 of 2018 with the New York Secretary of State within 20 days of its adoption and shall file a copy of

the local law with the County Planning Agency and the Town Planning Board; and be it further

RESOLVED, that the Town Clerk shall complete, file and maintain in the Office of the Town Clerk the Affidavits of Posting/Publication, and maintain a separate file for zoning changes, and be it further

RESOLVED, that the Town Clerk shall include the text of the local law within or attached to the minutes of this Town Board meeting per Town Law §265(2).

**Motion** by Councilwoman Vomacka and seconded by Councilwoman Bruno to adopt Resolution No. 103 of 2018.

A roll call was taken on Resolution No. 103 of 2018 as follows:

Supervisor Kinowski	YES
Councilman Baker	ABSENT
Councilwoman Bruno	YES
Councilman D'Ambro	YES
Councilwoman Vomacka	YES

**Motion carried.** Resolution No. 103 of 2018 was adopted unanimously.

LOCAL LAW NO. 8 OF 2018  
BOCREST FIELDS PLANNED DEVELOPMENT DISTRICT

**TITLE.**

This Planned Development District shall be known as “Bocrest Fields Planned Development District”, Local Law of 2018, amending the Zoning Law of the Town of Stillwater, Local Law No. 1 of 2001, and the map and official regulations relating to zoning in the Town of Stillwater, creating a planned development district known as "Bocrest Fields Planned Development District" and added to the Stillwater Town Code as Article xvi of Chapter **211** at the end thereof.

**ESTABLISHMENT OF DISTRICT.**

Local Law No. 1 of 2001 of the Town of Stillwater entitled "Zoning" and the Zoning Map of the Town of Stillwater, as set forth and previously amended and supplemented, be and the same hereby are further amended by creating the multifamily planned development district to be known as and described as "Bocrest Fields Planned Development District".

**BOUNDARIES.**

The area comprising the Bocrest Fields Planned Development District consists of 86.66 acres located at the southeast corner of Halfway House Road and Brickyard Road, in the Town of Stillwater, County of Saratoga, in the state of New York, with a Parcel Identification number 253.-2-25. Bocrest Fields Planned Development is bounded and described as set forth in the legal description in Exhibit A attached hereto and made part hereof and as shown on a conceptual site plan thereof prepared by C.T. Male Associates, dated March 6, 2017, labeled “Bocrest Fields Planned Development District, Proposed Site Development Plan”.

**DEVELOPMENT.**

There shall be constructed within the area of said Bocrest Fields Planned Development District a project generally consistent with the conceptual site plan prepared by C.T. Male Associates, dated March 6, 2017, labeled “Bocrest Fields Planned Development District, Proposed Site Development Plan” consisting of a maximum of 214 apartment units in a mix of 1-, 2-, and 3-bedrooms units. The project will consist of a mix of building designs and layouts. This may include 1-, 2-, or 3-story buildings. Two single-family residential lots are proposed with frontage on Brickyard Road at the southwest boundary of the site consisting of approximately 1.65 acres and 1.51 acres, respectively. The apartment buildings and two (2) single-family lots, together with the necessary infrastructure and improvements, shall be in strict conformity with the local laws governing zoning and planned development districts of the Town of Stillwater, and also in accordance with the SEQRA determination issued by the Town Board of Stillwater as lead agency.

**PLAN APPROVALS REQUIRED.**

Before application is made for any building permit, preliminary and final site plan approvals shall be obtained from the Planning Board of the Town of Stillwater and County of Saratoga, and the final plan shall be signed, reviewed, sent or consented to by all required governmental entities having limited or lead jurisdiction thereof, which may include, but not be limited to, Town of Stillwater Planning Department, Saratoga County Water Authority (SCWA), Saratoga County Sewer District #1 (SCSD#1), Saratoga County Planning Board, US Army Corps of Engineers (USACOE), New York State Department of Health (NYSDOH) and New York State Department of Environmental Conservation (NYSDEC). The final plan shall be filed in total, as approved by the Stillwater Planning Board, in the Saratoga County Clerk's office. The exact location and specifications of roadways, buffers, green space and other related matters may be changed, or altered during the Town of Stillwater Planning Board review process in a manner generally consistent with the final approved site plan.

**AREA REQUIREMENTS (Single-Family Home Lots).**

- A. Two new single-family lots consisting of approximately 1.65 acres and 1.51 acres are proposed to be subdivided in accordance with the Code of the Town of Stillwater Chapter 176. The two (2) single-family lots shall meet the following setbacks: 35-foot front yard setback, 20-foot side yard setback, 30-foot rear yard setback, maximum 40% lot coverage, and maximum 35-foot height.
- B. Sheds: Sheds will be allowed in the rear yards of single-family lots with a maximum size of 200 SF and setback from rear and side property lines a minimum of five (5) feet.
- C. Ownership: Single-family home lots are to be owned and maintained under private ownership.
- D. The two (2) lots will connect to the Town water line in Brickyard Road and will have private on-site septic systems, with the possible future connection to the municipal County owned sewer system.

**AREA REQUIREMENTS (Multifamily Apartment Development Area).**

- A. Apartments: The remaining approximate 83.3-acre parcel will contain the 214-unit apartment complex constructed with a single access point on Halfway House Road. The bulk area density for this parcel will be 12-units per acre. This lot will have approximately 18.4 acres of disturbed area with 64.9 acres of open space.
- B. Open Space: All remaining open space will be owned and maintained by the developer or property owner.
- C. Parking: Parking within the apartment section of the Bocrest Fields Planned Development District will be a mix of garages and open parking. As shown on the conceptual site plan, each building will contain 10 garage spaces with 230 parking spaces placed in shared parking areas throughout the site. The parking will be developed at 1.5 spaces/unit minimum and will not exceed 2.5 spaces/unit. Up to 25 spaces will be allowed at the clubhouse/community building. Final parking design will allow for flexibility to meet the quantities noted above and to meet final building design, and will be reviewed during site plan approval process.
- D. Lighting: Lighting will consist of low street level lighting, 15 to 20 feet in height. Lighting shall not exceed 1.0 foot candles at property boundaries and will be planned for the adequate levels to promote safe vehicle and pedestrian use of the property. Street lighting shall be placed along the roadways, sidewalks, and parking lots as necessary to meet safe usage of the site. The street lighting intervals shall be coordinated with the Town of Stillwater Planning Board during the site plan review phase.
- E. Street Landscaping: Street landscaping shall be designed and placed at proper intervals so as to not affect the mobility of the pedestrians and motorists and to not affect the aesthetics of the roadway layout. Additional trees and landscaping shall be placed throughout the apartment complex project in proper locations to enhance the project area. Trees and landscaping shall conform to Town of Stillwater standards and shall be approved by the Town of Stillwater Planning Board. Landscaping will consist of native plant species and lawn areas in the area of the apartment development and as reflected on final Landscape Plan.
- F. Recreational Facilities/Clubhouse: A clubhouse or recreational facility is proposed for the site. Such building or area of a building will be proposed on future site plans and will be subject to review Site Plan Approval by the Planning Board.

- G. Trail: A trail will connect from Brickyard Road to the Town Bike Path as indicated on the conceptual site plan within any approval limitations set by the USACOE and or NYSDEC based upon proximity to Jurisdictional wetlands. The trail location and materials shall be determined during Site Plan Approval by the Planning Board.
- H. Maintenance and other Buildings: One accessory structure for the use of site maintenance equipment may be permitted and will be subject to site plan approval from the Town of Stillwater Planning Board. Required postal buildings, such as centralized mailbox areas, will be allowed. If required for water and/or sanitary services, enclosures and or utility buildings will be allowed. All mailbox and utility structures shall be located per approved site plan by the Town of Stillwater Planning Board.
- I. Unlicensed Vehicles: Unlicensed Vehicles will be prohibited on all lots and within the apartment complex.
- J. Trash Containers: Trash Containers will be incorporated in community areas and will be fenced and screened as depicted on the final PDD plans.
- K. Pools: The apartment complex may construct a maximum of one (1) pool. Final location of such an amenity will be subject to site plan review by the Town Planning Board.
- L. Fences: Fences within the apartment complex will be reviewed during site plan approval by the Planning Board.
- M. Antennas: Exterior antennas will not be allowed within the apartment complex.
- N. Addressing: Each apartment building shall have address numbers and unit numbers installed so as to be visible from the road on which it fronts. All road names and addresses shall be reviewed and approved as part of the site plan and subdivision approval process and approved by the Town of Stillwater Department of Building, Planning, and Development.

#### ROADS.

- A. All utilities, roads or streets within the Bocrest Fields Planned Development District shall be constructed by the developer in accordance with the regulations and specifications of the current standards for the Town of Stillwater and approved during the site plan review. All utilities' infrastructure within the Bocrest Fields Planned Development District shall be owned and maintained by the developer or property owner.
- B. One (1) privately owned and maintained access road, as shown on the C.T. Male Associates site plan to be filed with the Clerk of the Town of Stillwater, shall be constructed from Halfway House Road into Bocrest Fields Planned Development District at the cost of the developer or owner. Any connecting drives to the actual buildings shall also be constructed and maintained by the developer or owner. As a private road, there will not be a standard R.O.W. associated with public dedicated roads.
- C. No certificates of occupancy shall be issued for construction within the planned development district until the roadways within the development have been approved for use by all reviewing authorities and until the bond or letter of credit required by the development agreement has been posted with the Town of Stillwater.
- D. The project shall otherwise meet all of the requirements of Article [IV](#) in Chapter [210](#) titled "Planned Development Districts" of the Stillwater Town Code, including, but not limited to, open space, recreational facilities, ownership, drainage, common property, bulk density requirements, setbacks, development agreements and financial security.
- E. Street and Traffic signs shall meet general highway standards for safe use by vehicles in accordance with MUTCD standards.

#### SIGNS.

Monument and neighborhood identification signs within the Bocrest Fields Planned Development District shall comply with the requirements established in the Town Code and by the Town of Stillwater Planning Board site plan review. The architect or engineer performing the work herein described shall be employed by and at the expense of the developer.

#### DRAINAGE AND STORMWATER MANAGEMENT.

A drainage and Stormwater Pollution Prevention Plan (SWPPP) will be developed during the site plan review process and is required to be approved by the Town of Stillwater before final site plan approval. The developer or property owner shall be responsible for ownership of all stormwater management infrastructure and for the periodic maintenance and/or repair of the system at no cost to the Town of Stillwater. A Stormwater Maintenance Agreement will be required as a condition of site plan approval by the Town of Stillwater Planning Board.

#### SANITARY SEWER SERVICE.

Sanitary sewer is to be provided by a private sewer collection system within the project and connection made to the force main owned by the Saratoga County Sewer District #1 located within the adjacent Town owned bike path. The connection will require final approval from the SCSD#1. A sewer pump station shall be installed by the developer and proposed for ownership and maintenance by SCSD#1. Sanitary sewer service shall be provided in general conformance with the off-site utility connection plans to be prepared by C.T. Male Associates, as approved by the Town Engineer and Town Highway Superintendent. All project sewer mains, the pump station, and appurtenances will be installed and improved/upgraded by the applicant to the SCSD#1 standards at no cost to the SCSD#1 or the Town of Stillwater, and transferred to the Saratoga County Sewer District #1 with duly executed deeds, easements, and bills of sale, as appropriate.

#### WATER SERVICE.

Water service will connect with existing Town owned waterlines located within the Town Rights-of-Way. The final location of the water lines will be determined during the final site plan review process. All water infrastructure will comply with the facilities requirements of the NYSDOH.

#### WATER AND SEWER SYSTEM APPROVALS.

Approval by the NYSDOH, NYSDEC, SCSD#1, the SCWA, and Town of Stillwater will be obtained for the potable water system and the sanitary sewer system, as appropriate.

#### CONSTRUCTION REGULATIONS.

All buildings and improvements shall be designed and constructed pursuant to plans and specifications approved by a duly licensed architect or engineer and in strict compliance with established construction standards, regulations and codes (including the New York State Uniform Fire Prevention and Building and Construction Code). All construction, during the performance thereof and upon completion, shall be subject to inspection and approval of the Town of Stillwater Code Enforcement Officers, Town Engineer, Superintendent of Highways, and Fire Marshal.

#### APPROVALS NEEDED.

The Town of Stillwater Planning Board shall not give final site plan approval unless and until all necessary approvals required by each and every other government agency or governmental entity have been obtained. However, the Planning Board may, in its discretion, give approval conditioned upon the developer obtaining such approvals within a specified time period.

#### REVOCATIONS; APPLICABILITY OF PREVIOUS REGULATIONS.

Pursuant to Section 210-24 of the Town Code, if no evidence of progressive activity has occurred within one (1) year of the date of the adoption of this local law or upon the expiration of any extension of time for starting the development granted by the Town Board, the approved site plan and this local law shall become null and void, and the zoning will revert to T3N, Neighborhood Zoning designation.

#### PUBLIC BENEFIT.

A public benefit fee of \$1,000 shall be paid for each dwelling unit, totaling \$216,000, or any mutually agreed upon equivalent fee provided for in a development agreement between the Town and the applicant. Such fee shall be paid in full at the time of first Building Permit for the project.

#### PENALTIES AND OFFENSES.

Any violation of the provisions of this legislation shall be deemed a violation of the Town of Stillwater Zoning Ordinance, and the provisions hereof shall be enforceable pursuant to the enforcement provisions of the Zoning Code.

#### SEVERABILITY.

If any provision of the ordinance shall be invalid in an appropriate court proceeding, the remainder of this ordinance shall not be affected.

#### EXPIRATION OF APPROVALS.

In the event the applicant does not submit a complete application for a building permit within one year of the PDD approval by the Town Board or if no evidence of progressive activity has occurred within one year of the date of the adoption of the local law or upon expiration of any extension of time for starting development granted by the Town Board, the approved plan and local law shall expire, become null and void, and the zoning shall revert to its designation prior to the approval of the PDD.

**EFFECTIVE DATE.**

This Local Law shall take effect upon filing with the New York Secretary of State.

**Resolution #104                      Budget Adjustments**

WHEREAS, Anne Marie Hallum, Director of Fiscal Management has recommended that the following budget transfers and adjustments be accomplished:

BUDGET IMPACT STATEMENT: as stated above

**BUDGET TRANSFERS**

<b>A1220.4 Supervisor Contractual</b>	<b>\$500.00</b>	<b>To cover additional supervisor phone</b>
<b>A1010.4 Town Board Contractual</b>	<b>-\$500.00</b>	<b>To cover additional supervisor phone</b>
<b>B7140.100 Parks and Rec Salaries</b>	<b>\$1,000.00</b>	<b>To cover parks &amp; Rec salaries</b>
<b>B7140.2 Parks and Rec Cont</b>	<b>-\$1,000.00</b>	<b>To cover parks &amp; Rec Salaries</b>
B9950.9 Interfund Transfers	\$22,500.00	To cover capital projects per board
Fund Balance	-\$22,500.00	To cover capital projects per board
Transfer \$22,500.00 to capital projects		
Sw8340.461 Water Transmission Dist 1	\$4000.00	to cover additional expenses
SW8320.461 Water Source Dist 1	-\$4000.00	to cover additional expenses

**BUDGET INCREASE**

A1081 Payment in lieu of taxes	\$ 1700.00	Additional attorney fees
A1420.44 Attorney Professional	\$1700.00	Additional attorney fees
B-2555 Building Permits	\$ 500.00	additional expense building dept
B3620.4 Code Enforcement Contractual	\$ 500.00	additional expense building dept
B1081 Payment in lieu of tax	\$10,000.00	additional attorney fees
B1440.444 Attorney Services	\$10,000.00	additional attorney fees
DB 2665 Sale of Equipment	\$34000.00	To cover snow plowing materials
DB 3306 State Aid	\$ 6000.00	To cover snow plowing materials
DB5142.4 Snow Removal Contractual	\$40,000.00	To cover snow plowing materials

RESOLVED, that the above Budget Transfers and Adjustments are hereby approved.

**Motion** by Councilwoman Vomacka and seconded by Councilwoman Bruno to adopt Resolution No. 104 of 2018.

A roll call was taken on Resolution No. 104 of 2018 as follows:

Supervisor Kinowski                      YES

Councilman Baker	ABSENT
Councilwoman Bruno	YES
Councilman D'Ambro	YES
Councilwoman Vomacka	YES

**Motion carried.** Resolution No. 104 of 2018 was adopted unanimously.

**Resolution #105                      Adopt Year End Budget Transfers and Corrections**

Introduced by: Supervisor

WHEREAS, certain year end budget transfers and corrections to contingent appropriations should be undertaken to maximize the use of 2018 appropriated funds; and

WHEREAS, the Office of Fiscal Management will work with the Supervisor to finalize all transactions for fiscal close-out, ensure the necessary transfer and use of unexpended balances to balance the 2017 budget, make corrections to contingent appropriations with the 2018 budget, adjust the distribution of sales tax revenues between B and DB Funds, as required by the board, and encumber the necessary funds to pay unpaid 2018 obligations;

Now, therefore, be it

RESOLVED, that the Town Board hereby approves the described year end budget transfers, corrections to contingent appropriations and adjustments to the distribution of sales tax revenues; and be it further

RESOLVED that the Town Board hereby directs the Office of Fiscal Management to work with the Supervisor to make the appropriate transfers and corrections and annotate the same in the Town's financial records.

**Motion** by Councilwoman Vomacka and seconded by Councilwoman Bruno to adopt Resolution No. 105 of 2018.

A roll call was taken on Resolution No. 105 of 2018 as follows:

Supervisor Kinowski	YES
Councilman Baker	ABSENT
Councilwoman Bruno	YES
Councilman D'Ambro	YES
Councilwoman Vomacka	YES

**Motion carried.** Resolution No. 105 of 2018 was adopted unanimously.

**Resolution #106                      Authorizing Highway Superintendent  
To Purchase Neptune Mobile Data Collector for Meters**

WHEREAS, Mark Minick, Highway Superintendent has requested to purchase the Neptune MRX 920 Mobile Data Collector to facilitate the meter reading throughout the Town; and

WHEREAS, the attached quote is from Ti Sales and the total cost for the Neptune MRX 920 Mobile Data Collector is \$9,887.23;

Now, therefore, be it

RESOLVED, that Mark Minick, Highway Superintendent is hereby authorized to purchase the Neptune MRX 920 Mobile Data Collector for an amount not to exceed \$9,887.23 from Ti Sales.



**Motion** by Councilwoman Vomacka and seconded by Councilwoman Bruno to adopt Resolution No. 106 of 2018.

A roll call was taken on Resolution No. 106 of 2018 as follows:

Supervisor Kinowski	YES
Councilman Baker	ABSENT
Councilwoman Bruno	YES
Councilman D'Ambro	YES
Councilwoman Vomacka	YES

**Motion carried.** Resolution No. 106 of 2018 was adopted unanimously.

### **Public Input**

Dick D inquired about Resolution #106 regarding Ti-Sales.  
Supt Minick stated that is where they purchase the water meters.

### **Audited Claims**

**Motion** by Councilwoman Bruno and seconded by Councilwoman Vomacka to pay the audited claims.

General	\$23,978.21
Town Outside	\$7,877.00
Highway	\$49,048.08
Water & Sewer	\$750.39
Capital Projects	\$3,172.70

**Motion carried.**

Supervisor Kinowski announced changes to the Building Department. Paul Male will be the Director of Building Department, Lindsey Zepko will be the senior planner, and Brandon Myers will be the new Building Inspector and Eric Rutland will be working part time for the building Dept.

**Motion** by Councilwoman Bruno and seconded by Councilwoman Vomacka to adjourn into executive session to discussion a litigation matter and 2 contractual items at 7:15 pm.

**Motion carried.** (Note: the Town Board will not resume back into regular session.)

Respectfully submitted by

Sue Cunningham  
Stillwater Town Clerk