

**TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES
STILLWATER TOWN HALL
January 27, 2020 @ 6:30 PM**

Present:

**Chairman Peter Buck (PB)
Frank Bisnett (FB), Member
Randy Rathbun (RR), Member
Marybeth Reilly (MR), Member
Dale Smith (DS), Member
Kimberlee Marshall (KM) Alternate Member**

Also Present:

**James Trainor, Attorney for the Town (JT)
Lindsay (Zepko) Buck, Town Planner (LB)
Ellen Vomacka, Town Board Liaison
Sheila Silic, Secretary**

Absent:

**Paul Male, Town engineer, (PM)
Heather Ferris (HF), Member
Carol Marotta, (CM), Vice-Chairperson**

Pledge:

Chairman Buck called the meeting to order at 6:30 PM and led everyone in the Pledge to the Flag.

Review and approval of minutes of Planning Board meeting:

Chairman Buck made a motion to table the minutes from the November 18, 2020 until the February 24, 2020 meeting, seconded by Mr. Bisnett. The motion passed unanimously.

PB2019-23 #2and #2A Walden Circle Minor Subdivision, 2 Walden Circle (Lot 30)

Chairman Buck recognized Ms. Lindsay Buck who will be representing the Town of Stillwater. Ms. Lindsay Buck stated that the applicant is proposing to subdivide Lot 30, known as 2 Walden Circle, into 2 lots at the request of the Town of Stillwater. Ms. Lindsay Buck stated that the lot has an existing stormwater management area that will be conveyed to the Town of Stillwater as part of the new drainage district. Ms. Lindsay Buck stated that the remaining portion of the parcel will comply with the previously approved zoning and lot development requirements per the Winding Brook PDD.

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

Owen Halloran 1 Walden Circle

Mr. Halloran stated that the lot will stay the same and that there will be no additional houses proposed for the remaining lot. Chairman Buck stated that is correct. Ms. Lindsay Buck stated that the subdivision is just so the Town of Stillwater can obtain ownership of the stormwater management area.

Chairman Buck made a motion to close the public hearing seconded by Mr. Rathbun. A roll call vote was taken.

Chairperson Buck	Yes
Member Bisnett	Yes
Member Ferris	Absent
Member Marshall	Yes
Member Rathbun	Yes
Member Reilly	Yes
Member Smith	Yes

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

**TOWN OF STILLWATER
PLANNING BOARD
2020 RESOLUTION NO. 1**

WHEREAS, Amedore Homes has submitted an application for a Minor Subdivision of Lot 30 regarding property located at 2 Walden Circle, more fully identified as Tax Map Number 219.9-1-32; and

WHEREAS, the applicant has submitted a fully completed Short Environmental Assessment Form (EAF); and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is a Type II action requiring no further SEQRA review; and

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Amedore Homes, for a Minor Subdivision of Lot 30 regarding property located at 2 Walden Circle, more fully identified as Tax Map Number 219.9-1-32 is a Type II action requiring no further SEQRA review.

A motion by Member Bisnett, seconded by Member Reilly, to adopt Resolution No. 1.

A roll call vote was taken on Resolution No. 1 as follows:

Chairperson Buck	Yes
Member Bisnett	Yes
Member Ferris	Absent
Member Marotta	Absent
Member Marshall	Yes
Member Reilly	Yes
Member Smith	Yes
Member Rathbun	Yes

Resolution No. 1 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 27, 2020.

**TOWN OF STILLWATER
PLANNING BOARD
2018 RESOLUTION NO. 2**

WHEREAS, Amedore Homes has submitted an application for a Minor Subdivision of Lot 30, regarding property located at 2 Walden Circle, more fully described as Tax Map No. 219.9-1-32; and

WHEREAS, a public hearing was conducted on January 27, 2020 to consider the application, and 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. 1 of 2020; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Amedore Homes, for a Minor Subdivision of Lot 30 of lands located on 2 Walden Circle, more fully identified as Tax Map Number 219.9-1-32, is hereby GRANTED; and be it further

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

1. Comply with requirements contained in Paul Male P.E.'s comment letter dated December 9, 2020.

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 Bisnett, seconded by Member Reilly, to adopt Resolution No. 2.

A roll call vote was taken on Resolution No. 2 as follows:

Chairperson Buck	Yes
Member Bisnett	Yes
Member Ferris	Absent
Member Marotta	Absent
Member Marshall	Yes
Member Reilly	Yes
Member Smith	Yes
Member Rathbun	Yes

Resolution No. 2 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 27, 2020.

PB2019-24 Himler Minor Subdivision, 22 NYS Route 423

Chairman Buck recognized Mr. Jason Hover Esq. of Hover and Mackowski PLLC. who is representing Ms. Marsha Himler this evening. Mr. Hover stated that the applicant is proposing a 2-lot subdivision which encompasses both the northern and southern portion of the parcel located at 22 NYS Route 423. Mr. Hover stated that Ms. Himler would like to maintain ownership of the northern portion of the property which is located on the corner of NYS Route 423 and Gronczniak Road and sell the southern portion of the property located on the corner of NYS Route 423 and Blizzard Road.

Chairman Buck asked if the portion of the parcel that is being sold has the barns on the property. Mr. Hover stated that is correct. Mr. Hover stated that the potential purchaser plans to continue using the property to board horses as it is being used currently. Chairman Buck stated that the speed limit on NYS Route 423 is 55 mph and asked if the subdivided parcel could have the ingress and egress access off of Blizzard Road instead of NYS Route 423. Chairman Buck stated that the line of site on Blizzard Road is better than the on NYS Route 423 due to the hill which blocks the line of site for the ingress and egress of the driveway to that parcel. Mr. Hover stated that he would pass on the Planning Boards concerns to the potential buyer.

Ms. Lindsay Buck stated that there is a couple of items from Mr. Male's comment letter dated December 10, 2019 that need to be addressed. Mr. Hover stated that the comments from Mr. Male's comment letter regarding the survey have been addressed by Mr. Thompson. Ms. Lindsay

Buck asked Mr. Hover to forward a copy of the revised maps to the Planning Department. Mr. Hover stated that he would forward a digital copy to the Planning Department.

Mr. Smith stated that if the potential purchaser wanted to develop the subdivided parcel they would need to come back before the Planning Board. Chairman Buck stated that is correct.

Mr. Trainor stated that the boundaries to the north and the south of the parcels will be NYS Route 423. Mr. Hover stated that is correct.

Mr. Bisnett asked Ms. Lindsay Buck if she had received a response from the Saratoga County Planning Board. Ms. Lindsay Buck stated that the response from the Saratoga County Planning Board was that it would have no county-wide impact. Mr. Bisnett stated that the lots are non-conforming and if the new owners wanted to make changes or add on additions to the barns they would have to go before the Zoning Board of Appeals. Ms. Lindsay Buck stated that they would have to go the Zoning Board of Appeals for any changes that would make a greater non-conformity to the parcel. Mr. Bisnett stated that if the new owner would be able to put a single-family dwelling on the parcel in the future. Ms. Lindsay Buck stated that is correct.

Mr. Bisnett made a motion to schedule the public hearing for February 24, 2020 seconded by Ms. Marshall A roll call vote was taken.

Chairperson Buck	Yes
Member Bisnett	Yes
Member Ferris	Absent
Member Marotta	Absent
Member Marshall	Yes
Member Rathbun	Yes
Member Reilly	Yes
Member Smith	Yes

PB2019-05, PB2019-06 Forest Ridge Site Plan, Major Subdivision, Cold Springs Road

Chairman Buck recognized Mr. Jason Dell of Lansing Engineering who is representing the Forest Ridge Mixed Use Development. Mr. Dell stated that the overall parcel is 115-acres. Mr. Dell stated that to the west of the parcel is Luther Forest Blvd, to the north is Cordero Blvd, to the east is Cold Springs Road, and to the south is Elmore Robinson Road. Mr. Dell stated that the parcel is zoned Business Park. Mr. Dell stated that the development will have a cul-de-sac consisting of 2,100 linear ft. of roadway which will be built to the Town of Stillwater standards. Mr. Dell stated that they are proposing a 15.98-acre lot for potential commercial use, a 47.13-acre lot for potential senior housing and a 50.24-acre lot for apartments. Mr. Dell showed the renderings of the apartments to the Planning Board. Mr. Dell stated that they are proposing 2-story apartments buildings and each apartment has an attached garage. Mr. Dell stated that Saratoga Water Services will be providing public water and that Saratoga County Sewer District #1 will be providing public sewer to the development. Mr. Dell stated that the applicant is requesting approval from the Planning Board this evening.

Mr. Bisnett asked Mr. Dell if Saratoga County Sewer District #1 has signed off on the project. Mr. Dell stated that Saratoga County Sewer District #1 has signed off on the project. Mr. Bisnett asked about the stormwater maintenance agreement. Ms. Lindsay Buck that they are working on the stormwater language. Mr. Bisnett asked Ms. Lindsay Buck if she has received responses from any of the agencies. Ms. Buck stated that the 30 day review period has ended and she had received responses from OPRHP, NYSDEC, and Saratoga County, but not all of the agencies.

Chairman Buck stated that there are three different water services in this area being Saratoga County Water Authority, Town of Stillwater and Saratoga Water Services. Mr. Dell stated that is correct.

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

**TOWN OF STILLWATER
PLANNING BOARD
2020 RESOLUTION NO. 3**

WHEREAS, Forest Ridge Development LLC has submitted an application for a Major Subdivision and Site Plan Review to construct 260 apartment units on 50.24 acres on property located between Cold Springs Road, Cordero Boulevard and Luther Forest Boulevard, more fully identified as Tax Map Number 242.-1-96.11; and

WHEREAS, pursuant to 6 NYCRR 617.4(b)(6) the New York State Environmental Quality Review Act (SEQRA), the proposed action is a Type I action requiring SEQRA review as it involves the physical alteration of more than 10 acres; and

WHEREAS, pursuant to 6 NYCRR §617.6, the Stillwater Planning Board on October 28, 2019 declared itself to be the lead agency for SEQRA review and commenced a coordinated review with interested and involved agencies; and

WHEREAS, none of the contacted interested or involved agencies had objections to the Planning Board acting as Lead Agency for the Coordinated Review; and

WHEREAS, the Planning Board referred the Project to the Town of Malta for review and comment pursuant to GML section 239 and no response was received from the Town of Malta; and

WHEREAS, the applicant has submitted and the Planning Board has considered a number of SEQRA-related documents including, but not limited to, several fully completed Full Environmental Assessment Forms (“FEAF”) on March 18, 2019 and September 16, 2019, an Environmental Assessment Narrative filed November 25, 2019 a Traffic Impact Evaluation dated November 4, 2019, a NYS DEC Memorandum dated November 19, 2019 regarding animal and plant impacts of the Project, a proposed Stormwater Control Facility Maintenance Agreement, and an Archeological Study filed September 16, 2019; and

WHEREAS, the Planning Board has duly reviewed and considered the comment Memos of the Town Planner dated October 21, 2019 and review letters of the Town Engineer dated March 21, August 1, August 19, October 21 and December 10, 2019, as well as the Project Narrative dated March 18, 2019 and Engineering responses by Lansing Engineering on September 16 and November 26, 2019; and

WHEREAS, the Planning Board has carefully considered the criteria contained in 6 NYCRR §617.7(c), especially whether the proposed clear-cutting of 34 acres of forest, albeit in 5 acre increments over several phases, creates a significant adverse impact on the environment pursuant to subdivisions C (i), (ii), (v) and (viii); and

WHEREAS, the Planning Board has considered criteria contained in 6 NYCRR 617.4 (b) (5) (iii), “in a city, town or village having a population of 150,000 persons or less, 200 units to be connected (at the commencement of habitation) to existing community or public water and sewerage systems including sewage treatment works”;

WHEREAS, the Planning Board has also considered in its evaluation of the overall environmental impacts that two other parcels contained in the subdivision of 15.89 acres and 46.13 acres, respectively, will be developed for other purposes in the future;

WHEREAS, in review of the document titled “Environmental Assessment Narrative” dated November 25th 2019 from Lansing Engineering and pursuant to 6 NYCRR 617.7 (a)(2) the Planning Board has determined that an EIS will not be required for this action as the identified environmental impacts will not be significant.

Now, therefore, be it

RESOLVED, that the Planning Board, acting as Lead Agency in this coordinated review under SEQRA, has reviewed each of the 18 factors contained in Part 2 of the FEAF hereby determines that the proposed actions by the applicant, Forest Ridge Development LLC for a Major Subdivision and Site Plan Review to construct 260 apartment units on 50.24 acres on property located between Cold Springs Road, Cordero Boulevard and Luther Forest Boulevard, more fully identified as Tax Map Number 242.-1-96.11, will not have a significant impact on the environment and directs that a Negative Declaration be filed and distributed in accordance with SEQRA regulations.

A motion by Member Rathbun, seconded by Member Bisnett, to adopt Resolution No. 3.

A roll call vote was taken on Resolution No. 3 as follows:

Chairperson Buck	Yes
Member Bisnett	Yes
Member Ferris	Absent
Member Marotta	Absent
Member Marshall	Yes
Member Reilly	Yes

Member Smith	Yes
Member Rathbun	Yes

Resolution No. 3 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on 3 January 27, 2020.

**TOWN OF STILLWATER
PLANNING BOARD
2020 RESOLUTION NO. 4**

WHEREAS, Forest Ridge Development LLC has submitted an application for a Major Subdivision and Site Plan Review to construct 260 apartment units on 48.9 acres on property located between Cold Springs Road, Cordero Boulevard and Luther Forest Boulevard, more fully identified as Tax Map Number 242.-1-96.11; and

WHEREAS, pursuant to the Stillwater Town Code, a public hearing was held on October 28, 2019 and comments were received and considered including, but not limited to, the availability of sidewalks, the trail along Cold Springs Road, the timing of the road dedication to the Town, and the construction and maintenance of the drainage areas;

WHEREAS, the Planning Board completed a Coordinated SEQRA review as Lead Agency and has issued a Negative Declaration on January 27, 2020 pursuant to Resolution No. 3 of 2020; and

WHEREAS, the applicant has submitted and the Planning Board has considered a number of Project-related documents including, but not limited to, several fully completed Full Environmental Assessment Forms (“FEAF”) on March 18, 2019 and September 16, 2019, an Environmental Assessment Narrative filed November 25, 2019 a Traffic Impact Evaluation dated November 4, 2019, detailed Maps filed on July 19, September 16 and September 17, 2019, a NYS DEC Memorandum dated November 19, 2019 regarding animal and plant impacts of the Project, a proposed Stormwater Control Facility Maintenance Agreement, and an Archeological Study filed September 16, 2019; and

WHEREAS, the Planning Board has duly reviewed and considered the comment Memos of the Town Planner dated October 21, 2019 and review letters of the Town Engineer dated March 21, August 1, August 19, October 21 and December 10, 2019, as well as the Project Narrative dated March 18, 2019 and Engineering responses by Lansing Engineering on September 16 and November 26, 2019; and

WHEREAS, the Town Engineer has reviewed the applications and the proposed site plan and confirms that the plan complies with all Town, County and State requirements; and

WHEREAS, the Planning Board has duly considered the application and the elements necessary to consider the granting of a Major Subdivision and Site Plan Review by taking into consideration the Comprehensive Plan and Town -Wide GEIS, among other previously adopted planning documents;

WHEREAS, the Planning Board referred the Project to the Town of Malta for review and comment pursuant to GML section 239 and no response was received from the Town of Malta; and

WHEREAS, the Planning Board has also considered in its evaluation of the overall impacts on neighboring properties that two other parcels contained in the subdivision of 15.89 acres and 46.13 acres, respectively, will be developed for other purposes in the future;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed actions by the applicant, Forest Ridge Development LLC for a Major Subdivision and Site Plan Review to construct 260 apartment units on 50.24 acres on property located between Cold Springs Road, Cordero Boulevard and Luther Forest Boulevard, more fully identified as Tax Map Number 242.-1-96.11, should be GRANTED, provided the Applicant comply with the following conditions:

1. The East-West road to be built connecting Cold Springs Road to Luther Forest Boulevard shall be dedicated to the Town of Stillwater;
2. The Trail to be constructed along Cold Springs Road will be conveyed to the Town of Stillwater for public use;
3. The Applicant shall record a Stormwater Control Facility Maintenance Agreement and post security for its enforcement that is acceptable to the Town;
4. The Applicant shall comply with each of the requirements contained in the Memos of the Town Planner and the letters of the Town Engineer enumerated above to their respective satisfactions.

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 Reilly, seconded by Member Bisnett to adopt Resolution No. 4 of 2020.

A roll call vote was taken on Resolution No. 4 as follows:

Chairperson Buck	Yes
Member Bisnett	Yes
Member Ferris	Absent
Member Marotta	Absent

Member Marshall	Yes
Member Reilly	Yes
Member Smith	Yes
Member Rathbun	Yes

Resolution No. 4 of 2020 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 27, 2020.

PB2019-13 and 14 East Light Partnership Solar Farm Site Plan and Special Use Permit Graves and George Thompson Road

**** Mr. Rathbun recused himself from this project ****

Chairman Buck recognized Mr. Travis Mitchell of Environmental Design Partnership who is representing East Light Partners. Mr. Mitchell stated that Mr. Jamie Fordyce and Ms. Wendy DeWolf are also present this evening. Mr. Mitchell stated that the last time the project was before the Planning Board was on October 28, 2019. Mr. Mitchell stated that they have been working on the decommissioning plan and the setbacks on Graves Road and George Thompson Road with members of the Planning Board and the Planning Department. Mr. Mitchell stated that the only changes to the project are what the Army Corp of Engineers requested.

Chairman Buck stated that the setbacks are acceptable to the Planning Board. Chairman Buck asked if all the comments from Mr. Male’s comment letters have been addressed. Ms. Lindsay Buck stated that she spoke with Mr. Male and he satisfied that all the comments have been addressed. Chairman Buck asked who will be overseeing the project. Ms. Lindsay Buck stated that there will be pre-construction meetings with the applicant, their contractors, members of the Building Department, and that she will be overseeing the stowmwater management portion of the project.

Ms. Lindsay Buck stated that she had received a copy of the detailed environmental narrative and that was submitted to the agencies for the 30 day SEQRA review. Ms. Lindsay Buck stated that she has received responses from the NYS DEC, NYS Ag and Markets, and the Saratoga County Planning Department.

Mr. Trainor stated that this project requires a Type 1 SEQRA Action. Ms. Lindsay Buck stated that is correct.

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

**TOWN OF STILLWATER
PLANNING BOARD
2020 RESOLUTION NO. 5**

WHEREAS, ELP Stillwater Solar LLC has submitted an application for a Special Use Permit and Site Plan Review to construct a 19.99 MW Solar Farm regarding 363 acres on 3 properties located at George Thompson Road and Graves Road, more fully identified as Tax Map

Numbers 252.-2-3.1, 252.-2-15.122, and 252.-2-15.11; and

WHEREAS, pursuant to 6 NYCRR 617.4(b)(6) the New York State Environmental Quality Review Act (SEQRA), the proposed action is a Type I action requiring SEQRA review as it involves the physical alteration of at least 36 acres; and

WHEREAS, pursuant to 6 NYCRR §617.6, the Stillwater Planning Board on October 28, 2019 declared itself to be the lead agency for SEQRA review and commenced a coordinated review with interested and involved agencies; and

WHEREAS, Saratoga County, NYS Agriculture and Markets and NYS DEC responded to the Town's Lead Agency Notification with no objections; and

WHEREAS, the applicant has submitted and the Planning Board has considered a number of SEQRA-related documents including, but not limited to, several fully completed Full Environmental Assessment Forms ("FEAF") on April 16, 2019, October 22, 2019, and November 6, 2019, a letter dated November 6, 2019 to Chairman Buck detailing the project scope pursuant to SEQRA, a Stormwater Analysis in April 2019, a NYS DEC Memorandum dated April 5, 2018 containing SWPPP Guidance for Solar Panel Construction Projects, the NYSERDA Notice of Intent to Undertake this Action within a County Adopted and State Certified Agricultural District dated April 1, 2019; and

WHEREAS, the Planning Board has duly reviewed and considered the detailed comments of Board Member Marotta, including those dated July 30, 2019 and August 22, 2019, as well as the comment Memos of the Town Planner dated July 17, July 24, July 31, August 1 and August 6, 2019 and review letters of the Town Engineer dated May 6 and May 15, 2019; and

WHEREAS, the Planning Board has carefully considered the criteria contained in 6 NYCRR §617.7(c), especially whether the proposed clear-cutting of 55 acres of forest, albeit in 10 acre increments over seven (7) months, creates a significant adverse impact on the environment pursuant to subdivisions C (i), (ii), (v) and (viii); and

WHEREAS, the Planning Board has also considered that the Town's request for revised locations of the solar panels in order to minimize their visual impacts along George Thompson Road will likely increase the clear-cutting of trees on the interior of the project;

WHEREAS, pursuant to 6 NYCRR 617.7 (a)(2) the Planning Board has determined that an EIS will not be required for this action as the identified environmental impacts will not be significant.

Now, therefore, be it

RESOLVED, that the Planning Board, acting as Lead Agency in this coordinated review under SEQRA, has reviewed each of the 18 factors contained in Part 2 of the FEAF hereby determines that the proposed actions by the applicant, ELP Stillwater Solar LLC for a Special Use Permit and Site Plan Review to construct a 19.99 MW Solar Farm regarding 363 acres on 3 properties located at George Thompson Road and Graves Road, more fully identified as Tax Map

Numbers 252.-2-3.1, 252.-2-15.122, and 252.-2-15.11, will not have a significant impact on the environment and directs that a Negative Declaration be filed and distributed in accordance with SEQRA regulations.

A motion by Member Bisnett, seconded by Member Reilly, to adopt Resolution No. 5.

A roll call vote was taken on Resolution No. 5 as follows:

Chairperson Buck	Yes
Member Bisnett	Yes
Member Ferris	Absent
Member Marotta	Absent
Member Marshall	Yes
Member Reilly	Yes
Member Smith	Yes
Member Rathbun	Recused

Resolution No. 5 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 27, 2020.

**TOWN OF STILLWATER
PLANNING BOARD
2020 RESOLUTION NO. 6**

WHEREAS, ELP Stillwater Solar LLC has submitted an application for a Special Use Permit and Site Plan Review to construct a 19.99 MW Solar Farm regarding 363 acres on 3 properties located at George Thompson Road and Graves Road, more fully identified as Tax Map Numbers 252.-2-3.1, 252.-2-15.122, and 252.-2-15.11; and

WHEREAS, pursuant to the Stillwater Town Code, public hearings were held on June 24, July 22 and October 28, 2019 and many comments were received and considered including, but not limited to, the following:

- Height and type of fencing to be installed. Location of areas to be fenced
- Wildlife corridors to remain throughout parcel
- View shed from George Thompson Road
- Proposed proximity of the panels to George Thompson Road/Setback
- Proposed buffer to the rear of homes on Graves Road
- Proposed buffer from George Thompson Road
- Placement of the proposed vegetative buffer on George Thompson Road
- Types and sizes of plantings/trees proposed
- Hazardous materials that would be contained on the site
- Ability of emergency vehicles to access the site
- Long term maintenance plan for the proposal
- Proximity of the project to the City of Mechanicville water supply
- Potential noise from the transformers proposed on site; and

WHEREAS, the Planning Board completed a Coordinated SEQRA review as Lead Agency and has issued a Negative Declaration on January 27, 2020 pursuant to Resolution No. 5 of 2020; and

WHEREAS, the applicant has submitted and the Planning Board has considered a number of documents including, but not limited to, several fully completed Full Environmental Assessment Forms (“FEAF”) on April 16, 2019 and October 22, 2019, and November 6, 2019, a letter dated November 6, 2019 to Chairman Buck detailing the project scope pursuant to SEQRA, a Stormwater Analysis in April 2019, a NYS DEC Memorandum dated April 5, 2018 containing SWPPP Guidance for Solar Panel Construction Projects, the NYSERDA Notice of Intent to Undertake this Action within a County Adopted and State Certified Agricultural District dated April 1, 2019 the Project Applications and accompanying Narratives; and

WHEREAS, the Planning Board has duly reviewed and considered the detailed comments of Board Member Marotta, including those dated July 30, 2019 and August 22, 2019, as well as the comment Memos of the Town Planner dated July 17, July 24, July 31, August 1 and August 6, 2019 and review letters of the Town Engineer dated May 6 and May 15, 2019, as well as the Responses thereto by or on behalf of the Applicant dated May 28, July 10, and October 22, 2019; and

WHEREAS, the Town Engineer has reviewed the applications and the proposed site plan and confirms that the plan complies with all Town, County and State requirements; and

WHEREAS, the Planning Board has duly considered the application and the elements necessary to consider the granting of a Special Use Permit by taking into consideration the benefit to the applicants if the permit is granted, as weighed against the detriment to the health, safety, and welfare of the neighborhood or community by such grant;

Now, therefore, be it

RESOLVED, that the Planning Board hereby makes the following findings:

1. The Use is in harmony with and does promote the general purposes and intent of the Town’s Comprehensive Plan and the Solar Local Law, and the use does not have a negative effect on the health, welfare, and safety of the Town and its residents;
2. The overall compatibility of the Use has a positive impact on the neighborhood and community character, including the character of adjoining properties, districts, and uses and the Use has a positive impact on density, including the density of adjoining properties, districts, and uses;
3. The Use does not have a substantially negative impact on vehicular congestion and parking, including the provision of adequate parking and the absence of hazardous traffic conditions, including ingress and egress; and

4. The Use has a positive impact on infrastructure and services, including utilities, public facilities, and services, taking into consideration the extent to which the project extends or provides infrastructure and services to the area in need of such infrastructure and services; and
5. The Use has a positive impact on environmental and natural resources, including the environmental and physical suitability site for development, the risk of fire, flood, or erosion taking into consideration the impacts such as emissions of electrical charges, dust, light, vibration, or noise detrimental to the public health, safety, and welfare; and
6. The Use provides a positive effect on the long-term economic stability and community character of the Town and surrounding properties, districts, and uses; and be it further

RESOLVED, that the application of ELP Stillwater Solar LLC for a Special Use Permit and Site Plan Review to construct a 19.99 MW Solar Farm regarding 363 acres on 3 properties located at George Thompson Road and Graves Road, more fully identified as Tax Map Numbers 252.-2-3.1, 252.-2-15.122, and 252.-2-15.11, is GRANTED provided applicant comply with the following conditions, prior to the final approval of the construction of the Project:

5. The Special Use Permit, Decommissioning Plan and Letter of Credit are to be updated and renewed every five (5) years;
6. Full compliance with the comment Memos of the Town Planner dated July 17, 2019, July 24, 2019, July 31, 2019, August 1, 2019 and August 16, 2019;
7. Full compliance with the review letters of the Town Engineer dated May 6, 2019 and May 15, 2019.

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 Bisnett, seconded by Member Reilly to adopt Resolution No. 6 of 2020.

A roll call vote was taken on Resolution No. 6 as follows:

Chairperson Buck	Yes
Member Bisnett	Yes
Member Ferris	Absent
Member Marotta	Absent
Member Marshall	Yes

Member Reilly	Yes
Member Smith	Yes
Member Rathbun	Recused

Resolution No. 6 of 2020 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 27, 2020.

****Mr. Rathbun returned to the Meeting****

A motion to adjourn was made by Mr. Bisnett and seconded by Ms. Reilly at approximately 7:19 pm.