

**PLANNING BOARD MEETING  
TOWN OF STILLWATER  
STILLWATER TOWN HALL  
January 23, 2023 @ 6:00 PM**

**Present:**

**Chairman Frank Bisnett (FB), Chairman  
Peter Buck (PB), Vice-Chairman  
Eliot Cresswell (EC) Member  
Carol Marotta, (CM) Alternate Member (Via Zoom)  
Kimberlee Marshall (KM) Member  
Marybeth Reilly (MR) Member  
Timothy Scrom (TS) Alternate Member  
Dale Smith (DS), Member**

**Also Present:**

**Ryan Pezzulo, Attorney for the Town  
Paul Male, Town Engineer, (PM) (Via Zoom)  
Lindsay (Zepko) Buck, Senior Planner (LB)  
Sheila Silic, Secretary**

**Absent:**

**Randy Rathbun (RR) Member  
Ellen Vomacka, Town Board Liaison**

**Pledge:**

Chairman Bisnett called the meeting to order at 6:00 PM and led everyone in the Pledge to the Flag.

**Review and approval of minutes of Planning Board meeting:**

Mr. Smith made a motion to approve the December 12, 2022 meeting minutes, seconded by Ms. Reilly. A roll vote was taken.

Chairman Bisnett	Yes
Member Buck	Yes
Member Cresswell	Abstained
Member Marotta	Yes
Member Marshall	Abstained
Member Reilly	Yes
Member Smith	Yes

**PB2022-17 King's Isle PDD King's Isle East Site Plan**

Chairman Bisnett recognized Mr. Paul Lubera of Lansing Engineering who is representing Mr. Bruce Tanski.

Mr. Lubera:

Mr. Bruce Tanski is also present this evening. The proposed project is located on the south side of NYS Route 67 consisting of 55.90-acres in the Route 67 West Zoning District. The proposed project is adjacent to the existing King's Isle apartment complex. The applicant is proposing 11 apartment buildings with 11-units each for a total of 121 apartments. The two access points for ingress and egress are NYS Route 67 and King's Isle. The apartments will have 8 interior garage spaces per building with an additional 182 exterior parking spaces for tenants and guests for a total of 278 parking spaces. There is 48.96-acres of open space which will be maintained by the owner. The project will be serviced with public water by the Town of Stillwater. Public sewer will be serviced by Saratoga County Sewer District #1. Stormwater will be managed on site. The project is locate in the Shenendehowa School District.

Mr. Buck:

Asked if the apartments will be similar to the existing King's Isle apartments.

Mr. Lubera:

Stated that is correct.

Mr. Buck:

That he does not believe these apartments would increase the traffic on NYS Route 67.

Mr. Smith:

Asked about the logging operation on Farley Road.

Mr. Buck:

That the logging equipment is being removed.

Ms. Marotta:

That the access for the development is across from Farley Road and connects to King's Isle.

Mr. Lubera:

Stated that is correct.

Ms. Marotta:

The two access points on the map she received are on NYS Route 67.

Mr. Lubera:

That is an old map.

Mr. Pezzulo:

Asked if the roadways or the stormwater basins will be dedicated to the Town of Stillwater.

Mr. Lubera:

The roadways and stormwater basins will be privately owned.

Mr. Smith made a motion to table for engineered drawings seconded by, Mr. Buck. A roll call vote was taken.

Chairman Bisnett	Yes
Member Buck	Yes
Member Marotta	Yes
Member Marshall	Yes
Member Reilly	Yes
Member Smith	Yes
Member Rathbun	Absent

**PB2022-26 & 27 Verizon Wireless Site Plan and Special Use Permit, West Street**

Chairman Bisnett recognized Mr. David Brennen of Young/Sommer LLC who is representing Verizon Wireless.

Mr. Brennen:

Ms. Allison Squire, Site Acquisition Specialist is also present this evening Via Zoom. Verizon Wireless has been operating on the site on 45 West Street since 1998. The antennas and bay station equipment were on the existing water tank. The applicant has placed a temporary pole in order to maintain coverage in this area of the community. The applicant is proposing a replacement monopole to give the necessary height to maintain the coverage to this area of the community. Showed the Planning Board the coverage site, air communication site and the proposed site. When this site is off air, it leaves a significant portion of the Town of Stillwater without coverage. Showed the Planning Board the coverage site with the 146 Ft. monopole and the location of the existing equipment shelter. The driveway and parking area will be maintained. Showed the Planning Board before and after photos of the site with the monopole from West Street and East Street. The antennas will be placed at the top portion of the monopole in order to provide better coverage. The applicant is in the process of providing the Stillwater Town Board with a lease agreement for the site.

Chairman Bisnett:

Asked Mr. Male if he has any concerns regarding responses to his comment letter dated January 14, 2023.

Mr. Male:

He has not reviewed the response letter as of yet.

Ms. Marshall:

Asked where the antennas will be placed on the monopole for the three additional carriers.

Mr. Brennen:

That there would be about 1 Ft. between carrier's antennas.

Ms. Marshall:

The monopole would be no higher than what is proposed.

Mr. Brennen:

That is correct.

Mr. Smith:

There is no cell phone coverage from D A Collins to Coons Crossing and asked if Willow Glen will be provided coverage with the new monopole.

Mr. Brennen:

That particular area is outside of the coverage area.

Mr. Brennen:

Went over the responses to Mr. Male's comment letter dated January 18, 2023;

- Item 10F advertising- there will be no advertising on the monopole or the base of the monopole.
- Item 11 vegetation- there is no existing vegetation on the site that will be removed other than the grassed area behind the existing compound will be replaced with stone.
- Item 14 parking-Verizon Wireless typically visits each site two to three times a year for routine maintenance.
- Item 16 removal of the monopole-they will provide a removal bond to the Town of Stillwater.
- Item 17 Intermunicipal notification-Notice has been sent to surrounding municipalities.
- Item 18 Notification to nearby landowners-Notifications will be sent to the nearby landowners.
- Item 20 Silt Fence/Construction Entrance/ Concrete Washout-Will revise the construction drawings to include the location of the silt fence and the concrete washout area.
- Item 21 Side by side photos of the new monopole and the elevated water tower-the side by side photos have been submitted.
- Item 23 FAA Notice of Criteria Tool and TOWAIR Report-Both have been submitted.
- Item 29 Knox Box- Verizon typically does not install a Knox Box at its site.
- Comment 31 D.2.n.i LED Lighting-The LED lighting should be on a motion detector.
- Item 31 E.3.f SHPO-The site has been reviewed by NEPA/SHPO concerns and SHPO has concurred that there are no effects.

Regarding the EAF-SEQRA is a Type II Action.

Ms. Lindsay Buck:

Stated that is correct.

Mr. Pezzulo:

Regarding the 3-issues which are the lease agreement, bond agreement and co-location

Mr. Brennen:

That he received Mr. Trainor's comment regarding the 3-issues and have responded to those comments. The Town of Stillwater Zoning Code Section 210-73 is in regard to co-location.

Ms. Marotta:

There will be no advertising on the monopole or the fencing. Asked if the fencing will remain that was around the water tank parcel.

Mr. Brennen:

That he is not sure if the Town of Stillwater is removing the fence.

Ms. Squire:

The fencing will be remaining and the Town of Stillwater will be adding additional fencing which will divide the monopole and the water tank parcel.

Ms. Marotta:

The water tank was located closer toward West Street and the monopole will be located closer toward East Street.

Mr. Brennen:

That is correct.

Ms. Marotta:

The landscaping is remaining and the grass area will now be crushed stone.

Mr. Brennen:

That is correct.

Ms. Marotta:

Asked about the fall zone area for the monopole.

Mr. Brennen:

The monopole will be designed to collapse within itself.

Ms. Marotta:

There is no landscaping proposed and the Zoning Code requirements for cell towers require landscaping.

Mr. Brennen:

There is a knoll where the monopole is to be placed. That it would be very hard to place landscaping on the knoll.

Ms. Reilly:

Asked about installing privacy slats or vinyl fencing in place of the chain link fencing.

Mr. Brennen:

The applicant could upgrade the chain link fencing with privacy slats or vinyl fencing. With this type of fencing it is hard to see what is behind the fence. The applicant could install vinyl coated chain link fence. The monopole has climbing pegs which are removed and the base station has an alarm system.

Mr. Buck:

That he believes a vinyl coated chain link fence would be a good replacement for the privacy slats or the vinyl fence.

Mr. Brennen:

That the applicant will make the site look nice when it is completed.

Ms. Lindsay Buck:

Asked the Planning Board if they would like to see renderings of the landscaping and fencing.

Chairman Bisnett:

Asked the Board members if they would like to see renderings of the site.

The Board Members:

All Board Members agreed to the renderings.

Ms. Marshall:

Asked about the installation of a Knox box.

Mr. Brennen:

The applicant is not required by the fire department to install a Knox box. The fire department would break down the fence and the base station door. If the Planning Board would like a Knox box installed they would install one.

Mr. Male:

The applicant may want to check with the Stillwater Fire District if they would want a Knox box installed for this use at this site.

Ms. Reilly made a motion to schedule the public hearing, seconded by Mr. Smith. A roll call vote was taken.

Chairperson Bisnett	Yes
Vice Chairwoman Buck	Yes
Member Marotta	Yes
Member Marshall	Yes
Member Reilly	Yes
Member Rathbun	Absent
Member Smith	Yes

**PB2022-19 Bocrest Fields Minor Subdivision, Halfway House Road/Brickyard Road**

Chairman Bisnett recognized Mr. Frank Palumbo of C.T. Male Associates who is representing Bocrest Fields.

Mr. Palumbo:

Showed the Planning Board and the public the proposed subdivision of the two single-family lots on the map. The two lots are located on the east side of Brickyard Road in the T3N Zoning District with Lot 2 consisting of 1.65-acres and Lot 3 consisting of 1.51-acres. The two single-family lots will have ingress and egress access onto Brickyard Road.

Lindsay Buck:

The public hearing for the 2-lot Subdivision and the Site Plan were held on October 24, 2022.

Ms. Marotta:

The applicant could market the two lots with the approval of the subdivision.

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

**TOWN OF STILLWATER  
PLANNING BOARD  
2023 RESOLUTION NO. 1  
A Resolution Making A SEQRA Determination Regarding  
Regarding the Minor Subdivision Proposed As Part  
Of the Bocrest Fields PDD Amendment**

WHEREAS, Bocrest Fields LLC has proposed to subdivide an 86.66-acre parcel located on the west side of Brickyard Road and south of Halfway House Road, more fully described as tax parcel 253.-2-25 to create two new parcels, a 1.65-acre parcel and a 1.51-acre parcel for the use of single-family homes with the remaining 83.50-acre lot proposed for multi-family units; and

WHEREAS a public hearing was held on October 24, 2022; and,

WHEREAS a public hearing was held on October 24, 2022; and,

WHEREAS there were no comments received regarding concerns relating to the Minor Subdivision; and,

WHEREAS on January 23, 2023, the Planning Board continued their review of the Minor Subdivision; and,

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

WHEREAS, pursuant to 6 NYCRR section 617.6, the Stillwater Planning Board is the appropriate lead agency for SEQRA review; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (“SEQRA”) the proposed action is a Type II action requiring SEQRA review; and

WHEREAS, the applicant has submitted a full environmental assessment form (“FEAF”); and

WHEREAS, the Planning Board has duly reviewed the FEAF and has considered the criteria contained in 6 NYCRR section 617.7 (c) to determine if the proposed action will have a significant impact on the environment; and

NOW, therefore, be it

RESOLVED, that the Planning Board hereby determines that the  
to subdivide an 86.66-acre parcel located on the west side of Brickyard Road and south of Halfway House Road, more fully described as tax parcel 253.-2-25 to create two new parcels, a 1.65-acre parcel and a 1.51-acre parcel for the use of single-family homes with the remaining 83.50-acre lot proposed for multi-family units; and  
, will not result in significant impacts on the environment and a negative declaration is hereby issued.

A motion by Member Marshall seconded by Member Buck to adopt Resolution No. 1 of 2023.

A roll call vote was taken on Resolution No. 1 of 2023 as follows:

Chairman Bisnett	Yes
Member Buck	Yes
Member Marshall	Yes
Alternate Member Marotta	Yes
Member Rathbun	Absent
Member Reilly	Yes
Member Smith	Yes
Member Creswell	Abstained

Resolution No. 1 was \_\_\_\_\_ at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 23, 2023.

Sheila Silic  
Sheila Silic, Planning Board Secretary

**TOWN OF STILLWATER  
PLANNING BOARD  
2023 RESOLUTION NO. 2  
A Resolution Regarding the Subdivision Proposed as part  
of the Bocrest Fields PDD Amendment**

WHEREAS, Bocrest Fields LLC has proposed to subdivide an 86.66-acre parcel on the located on the west side of Brickyard Road and south of Halfway House Road more fully described as tax parcel 253.-2-25 to create two new parcels, a 1.65-acre parcel and a 1.51-acre parcel for the use of single family homes with the remaining 83.50-acre lot proposed for and 312 multi-family units; and

WHEREAS a public hearing was held on October 24, 2022; and,

WHEREAS there were no comments received regarding concerns relating to the Minor Subdivision; and,

WHEREAS on January 23, 2023, the Planning Board continued their review of the Minor Subdivision; and,

WHEREAS, the Planning Board completed a SEQRA review and issued a negative declaration pursuant to Resolution No. 1 of 2023; and,

WHEREAS, the Planning Board has duly considered the application;

Now, therefore be it

RESOLVED, that the application by Bocrest Fields LLC, for a minor subdivision of lands located on Brickhouse Road and Halfway House Road, more fully defined as tax map parcel 253.-2-25 is hereby GRANTED, conditioned on the following:

1. Satisfaction of all outstanding comments contained in the engineering review letter by Town Engineer, Paul Male, P.E. dated September 12,2022; and be it further,

RESOLVED, that the applicant must file the approved subdivision map along with all required documents with Saratoga County within 62 days of its execution, or this action by this Board shall become null and void; and be it further,

RESOLVED, that the Secretary is authorized to transmit a copy of this Resolution to the Applicant, the Town Clerk and the Building Inspector-Code Enforcement Officer.

A motion by Member Buck seconded by Member Smith to adopt Resolution No. 2 of 2023.

A roll call vote was taken on Resolution No. 2 of 2023 as follows:

Chairman Bisnett	Yes
Member Buck	Yes
Member Marshall	Yes
Alternate Member Marotta	Yes
Member Rathbun	Absent
Member Reilly	Yes
Member Smith	Yes
Member Cresswell	Abstained

Resolution No. 2 was \_\_\_\_\_ at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 23, 2023.

Sheila Silic  
Sheila Silic, Planning Board Secretary

**PB2022-14 Bocrest Fields PDD Site Plan Halfway House Road/Brickyard Road**

Chairman Bisnett recognized Mr. Frank Palumbo of C.T. Male Associates who is representing Bocrest Fields LLC.

Mr. Palumbo:

The applicant was last before the Planning Board on October 24, 2022 for the public hearing. They then met with the Planning Department, Mr. Bisnett and Ms. Marotta in November to discuss the public comments. They have addressed all the comments from Mr. Males comment letter dated September 6, 2022. They have three layout options for the Planning Board to review. Showed the Planning Board and the public the three options.

Option C:

Mr. Palumbo stated that the development consists of 86.66-acres and reduced the buildable acreage to 19.84-acres which increased the open space by 1.26-acres for a total of 63.64-acres. There are 496 parking spaces within the development. This option shows moving Building 13 further away from the bike path and relocating 3-buildings which were closest to the bike path and preserves the landscaping. The original layout shows the landscaping and the stormwater which goes up to the bike path and the parking area is located at the rear of the buildings.

Option A:

Mr. Palumbo stated that by moving Building 10, it is now further away from the bike path and Ms. Carpenter’s dwelling.

Option B:

Mr. Palumbo stated that this option concentrates the parking to the interior of the development. The lighting of the apartments and entrances will help halo the lighting of the parking area. This option will allow for banked parking spaces. The banked parking would be utilized at the time of the building permit if needed. The banked parking is not calculated as green space.

Ms. Lindsay Buck:

The Planning Department and the Planning Board would prefer banked parking as often as possible and preserving the open space.

Mr. Palumbo:

There will be no further development of the open space area as it is wetlands.

Chairman Bisnett:

Asked if the applicant has spoken to Saratoga PLAN regarding the open space.

Mr. Palumbo:

They would not be opposed to speaking with Saratoga Plan. The only proposed project to this area is a trail to the bike path.

Chairman Bisnett:

Asked if Building 13 is where the future clubhouse was proposed.

Mr. Palumbo:

That is correct.

Mr. Palumbo:

Showed the Planning Board and the public the renderings of the three views. View 1 is from the entrance of Halfway House Road looking into the development. View 2 is from the bike path looking west and is consistent with both option A and B. View 3 is from the bike path showing the existing conditions looking north.

Ms. Marotta:

Asked if the first building to be seen is Building 12 along with Buildings 11 and 10.

Mr. Palumbo:

That is correct.

Chairman Bisnett:

Asked about the planting of Arborvitaes along the bike path. The additional buffer would help hide the buildings.

Ms. Lindsay Buck:

She spoke with Supervisor Kinowski regarding a temporary easement to add additional vegetation along the bike path which he agreed to.

Mr. Palumbo:

By moving the buildings, it has allowed the stormwater basin to strategically be moved. Regarding the view from the third-floor apartment windows a drone would need to be used and trees would need to be cleared to get the height for this particular view. Showed the renderings of how the apartments would look.

Ms. Reilly:

Asked if the colors would blend in with the vegetation.

Mr. Palumbo:

That is correct.

Ms. Reilly:

Asked if Norway Spruces could be planted along the bike path.

Mr. Palumbo:

There are some other species of plants for the landscaping.

Chairman Bisnett:

Asked Mr. Male if he had any comments.

Mr. Male:

They will need to submit the number of plants and species of plants to be used. There will also need to be a letter of credit for the landscaping.

Mr. Palumbo:

They will provide renderings of the trees in the appropriate areas.

Ms. Lindsay Buck:

Asked Chairman Bisnett and Mr. Male about a committee for the type of plants and the were the plants are to be planted.

Mr. Smith:

Asked about Ms. Ryan's Apiary regarding the type of plants.

Mr. Palumbo:

That they have removed the rhododendron from the landscaping plan.

Ms. Lindsay Buck:

The applicant has agreed to contact Ms. Ryan regarding the flowering plants which may affect the Apiary.

Ms. Carpenter Mitchell Road:

Asked if she could ask a question.

Chairman Bisnett:

That the public hearing was closed but, allowed Ms. Carpenter to speak.

Ms. Carpenter Mitchell Road:

Asked Mr. Palumbo what the distance is between the two points shown on the map from Building 10 to the property line

Mr. Palumbo:

The distance between the two points is 140 Ft.

Ms. Carpenter Mitchell Road:

That it seems there should be more trees than what is shown on the map.

Mr. Palumbo:

He believes that there will be more trees than what is shown on the map.

Ms. Marotta:

Asked about the area that requires the 600 Ft. of screening.

Mr. Palumbo:

They will review the screening requirements for the area.

Ms. Reilly made a motion to table for final resolution details, seconded by Mr. Smith. A roll call vote was taken.

Chairperson Bisnett	Yes
Vice Chairwoman Buck	Yes
Member Marotta	Yes
Member Marshall	Yes
Member Reilly	Yes
Member Rathbun	Absent
Member Smith	Yes

**PB2022-22 VonAhn Major Subdivision, 42 NYS Route 423**

Chairman Bisnett recognized Mr. Matthew Webster of Van Duesen Land Survey who is representing Mr. Richard VonAhn.

Mr. Webster:

Mr. VonAhn is also present this evening. They were last before the Planning Board October 24, 2022. The applicant has modified his proposal for Lot 1 and will be converting the barn into a single-family dwelling. This will eliminate the issue of an accessory structure being located in the front of a principal residence and they will be moving the lot line to the south.

Ms. Lindsay Buck:

By converting the barn into a dwelling, this brings the lot into conformance.

Ms. Marotta made a motion to schedule the public hearing, seconded by Mr. Buck. A roll call vote was taken.

Chairperson Bisnett	Yes
Vice Chairwoman Buck	Yes
Member Marotta	Yes
Member Marshall	Yes
Member Reilly	Yes
Member Rathbun	Absent
Member Smith	Yes

**PB2021-07, PB2021-08 Dalrymple Site Plan, Special Use Permit, & Lot Line Adjustment  
County Route 76**

Ms. Lindsay Buck presented the request from R.M. Dalrymple to extend the approved Site Plan and Special Use Permit approvals.

Ms. Lindsay Buck:

The applicant is seeking to extend the Site Plan and Special Use Permit which was granted on January 24, 2022 for a period of one year.

Ms. Marotta:

Asked if they had done any further work on the site.

Ms. Lindsay Buck:

That they have not done any further work on the site.

**TOWN OF STILLWATER  
PLANNING BOARD  
2023 RESOLUTION NO. 3**

**A Resolution Regarding the Extension of the Site Plan Approval and Special Use Permit  
submitted by R. M. Dalrymple**

WHEREAS, R.M. Dalrymple was given approval, subject to the conditions set forth in the review letters of Paul Male, P.E. dated December 7, 2021 and January 18, 2022, for Site Plan Review, Special Use Permit and Lot Line Adjustment pursuant to Resolution No. 2 of 2022, regarding property located at 25 Grace Moore Road, Stillwater, NY 12170, more fully identified as Tax Map Numbers 231.-1-37.2, -1-41, -1-42, -1-43, -1-45, -1-37 & -1-70; and;

WHEREAS the approval was for a one-year period with an expiration date of January 24, 2023; and

WHEREAS, the applicant has requested an extension for an additional one-year period through January 24, 2024;

Now, therefore be it

RESOLVED, that the application by R.M. Dalrymple to extend the approval for Site Plan

Review, Special Use Permit and Lot Line Adjustment pursuant to Resolution No. 2 of 2022, regarding property located at 25 Grace Moore Road, Stillwater, NY 12170, more fully identified as Tax Map Numbers 231.-1-37.2, -1-41, -1-42, -1-43, -1-45, -1-37 & -1-70 through January 24, 2024, is hereby GRANTED; and be it further,

RESOLVED, that the extension of the approval shall be conditioned upon the same conditions set forth in the initial approval as follows:

1. Full satisfaction of the items identified in the review letters of Paul Male, P.E. dated December 7, 2021 and January 18, 2022.

and be it further,

RESOLVED, that the Secretary is authorized to transmit a copy of this Resolution to the Applicant, the Town Clerk and the Building Inspector-Code Enforcement Officer.

A motion by Member Buck seconded by Member Smith to adopt Resolution No. 3 of 2023.

A roll call vote was taken on Resolution No. 3 of 2023 as follows:

Chairman Bisnett	Yes
Member Buck	Yes
Member Marshall	YEs
Alternate Member Marotta	Yes
Member Rathbun	Absent
Member Reilly	Yes
Member Smith	Yes
Member Cresswell	Abstained

Resolution No. 3 was \_\_\_\_\_ at a meeting of the Planning Board of the Town of Stillwater duly conducted on January 23, 2023

Sheila Silic  
Sheila Silic, Planning Board Secretary

Mr. Bisnett made a motion to adjourn, seconded by Ms. Marshall at approximately 8:15pm.