

**PLANNING BOARD MEETING  
TOWN OF STILLWATER  
STILLWATER TOWN HALL  
March 27, 2023 @ 6:00 PM**

**Present:**

**Chairman Frank Bisnett (FB), Chairman  
Peter Buck (PB), Vice-Chairman  
Carol Marotta, (CM) Alternate Member (Via Zoom)  
Kimberlee Marshall (KM) Member  
Randy Rathbun (RR) 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)  
Ellen Vomacka, Town Board Liaison  
Judy Wood-Zeno (Via Zoom)  
Sheila Silic, Secretary**

**Absent:**

**Eliot Cresswell (EC) Member**

**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. Buck made a motion to approve the January 23, 2023 meeting minutes, seconded by Mr. Smith. Mr. Buck made a motion to approve the February 27, 2023 meeting minutes, seconded by Mr. Smith. A roll call vote was taken.

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

**PB2022-14 TDNI Properties Minor Subdivision Cold Springs Road**

Chairman Bisnett recognized Mr. John Hitchcock of ABD Engineers who is representing TDNI Properties.

**Mr. Hitchcock:**

Mr. Joseph Bianchine of ABD Engineers is also present this evening. The applicant is seeking to subdivide two vacant parcels located on Cold Springs and County Route 76 which consist of 13.4+/-acre parcel in the Saratoga Glen PDD Zoning District and 9.4+/-acre parcel in the LDR Zoning Districts. The 3 new lots are proposed for single family dwellings. Lot 1 consists of 1.78-acres, Lot 2 consists of 1.42-acres, Lot 3 consists of 1.08-acres and Lots 4 and 5 consists of a total of 18.70-acres. The remaining 18.70-acres contained in Lot 4 and 5 will be conveyed to the Town of Stillwater. The new lots will be serviced with public water from Glen Hollow Water and public sewer will be serviced by Saratoga County Sewer District #1. The Planning Board requested sidewalks along Cold Springs Road. The sidewalks will be installed in front of Lots 1 through 3 at the end of construction for each lot. Mr. Male's comments letter dated February 23, 2023 have all been addressed.

**Ms. Lindsay Buck:**

The Town of Stillwater has determined that the open space parcel will remain as two parcels. Each open-space parcel will then remain in the zoning districts in which they currently exist, and therefore eliminating the need to amend the existing PDD boundaries. There is currently 2 parcels and 3 new lots are being created resulting in a Minor Subdivision.

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

**Jennifer Weaver 2 Winners Pl**

Asked the Planning Board to please consider this development due to problems with the Glen Hollow Water Supply. There is a petition from residents before the Stillwater Town Board regarding the issues.

**Resident #114 Secretariat Ln**

Asked if this is two separate projects.

**Ms. Lindsay Buck:**

No, this is one project.

**Resident #114 Secretariat Ln**

Asked about an area that is shown on the plans which goes through the three lots to Secretariat Lane and if that is a right-of-way onto Secretariat lane.

**Mr. Hitchcock:**

There is no access proposed to Secretariat Lane. There is a waterline easement shown on the map which goes through the three lots to Secretariat Lane.

Chairman Bisnett:

Asked if anyone else wished to comment, hearing none he asked for a motion to close the public hearing. Mr. Buck made a motion to close the public hearing seconded by Mr. Smith. A roll call vote was taken.

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

Mr. Buck:

Ms. Weaver made a good point and the Planning Board should review this project carefully.

Chairman Bisnett:

Asked Mr. Male if there are any issues with the system if the Town of Stillwater were to take the water company over.

Mr. Male:

There is a process that the Town of Stillwater would have to go through in order to take control of the water company along with creating a water district.

Ms. Marotta:

Asked if the Town of Stillwater has a waterline along that section of Cold Springs Road.

Ms. Lindsay Buck:

The Town of Stillwater does not have a waterline along that section of Cold Springs Road.

Mr. Rathbun:

There are three waterlines in that area of Cold Springs Road.

Ms. Vomacka:

The Stillwater Town Board has given advice to the residents regarding the issues with Glen Hollow Water Supply Company. The Town of Stillwater can not do improvements to the waterlines as Glen Hollow Water is privately owned.

Mr. Rathbun:

Asked if TDNI owns the project property.

Mr. Bianchine:

That Mr. Robert Iovinella is part owner of TDNI Property and Owner of Glen Hollow Water Supply Company.

Ms. Marotta:

Asked if the water is potable and able to service these three lots. Mr. Male's comment letter regarding Item #6 should the waterline be extended from Lot 1 to Secretariat Lane to provide a loop.

Chairman Bisnett:

The proposed Lots 1 through 3 could have drilled wells instead of public water.

Ms. Marshall:

Asked if the Glen Hollow Water Company can adequately supply the three lots in regards to the Town of Stillwater Zoning Code.

Chairman Bisnett:

Asked Mr. Pezzulo if Glen Hollow Water Supply Company could provide the Planning Board with a letter stating that they have adequate water for the proposed three lots.

Mr. Pezzulo:

The Planning Board could ask for a letter from Glen Hollow Water Supply Company stating that the company can adequately supply water to the three lots.

Ms. Vomacka:

The Town of Stillwater is not interested in taking over a private water company.

Mr. Rathbun:

Asked if the Planning Board could ask the NYS Department of Health to provide water quality test reports for Glen Hollow Water Supply Company. Asked Ms. Buck who would request the water quality test report and the letter from the Glen Hollow Water Supply Company.

Ms. Lindsay Buck:

The Planning Board could request the information from the applicant.

Ms. Marotta:

Asked about sidewalks along Cold Springs Road. Mr. Male's comment letter suggested sidewalks along Glen Hollow Water Supply Company property and a trail to the Glen Hollow Park.

Mr. Buck made a motion to table the project for the applicant to provide a letter from Glen Hollow Water Supply Company stating their ability to provide potable water to the 3 new lots and from the NYS Department of Health stating the that the water system has been tested and is potable, seconded by Ms. Marshall. A roll vote was taken.

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

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

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

**Mr. Lansing:**

Mr. Bruce Tanski is also present this evening. The PDD was approved on October 20, 2022 and is the extension of Kings Isle as Phase 6. 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 eleven 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. There are both NYS DEC and Army Corp of Engineers wetlands on the parcel. Mr. Male’s comment letter dated March 18, 2023 which will be addressed at a future date.

**Ms. Marotta:**

Asked if there will be a sign at the secondary access for ingress and egress. The secondary access point is shown as going between two apartment buildings and parking area. Asked about trees along NYS Route 67 as part of the landscaping.

**Ms. Lindsay Buck:**

Ms. Marotta is referring to Chapter 210 Section 4 regarding street landscaping.

**Mr. Lansing:**

He will review the plans.

**Mr. Buck:**

Asked about the line of site at the access onto NYS Route 67.

Asked if these apartments are the same as the other section of Kings Ilse apartments. The project is located in the Shenendehowa School District.

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

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

**PB2023-01 Luther Forest Business Park, Lot 1, Shenandoah Drive**

Chairman Bisnett recognized Mr. Scott Lansing of Lansing Engineering who is representing Forest Ridge LLC.

Mr. Lansing:

The applicant is proposing the development of professional office space, warehouse and light industrial uses along Shenandoah Drive. The building on Lot 1 consists of 45,000 sq. ft. located in the BP Zoning District on 11.34-acres. The proposed one-story building will include 10% office space and the remaining 90% will include light industrial and warehouse space. There are 82 parking spaces proposed. Ingress and egress will be from Shenandoah Drive. Loading docks are located at the rear of the building. Stormwater will be managed on site. The Town of Stillwater will service the site with public water and Saratoga County Sewer District #1 will service the site with public sewer. The applicant is seeking to possibly schedule a public hearing for the next Planning Board meeting.

Ms. Marotta:

Asked if 45,000 sq. ft building shown on the plans is divided into two sections.

Mr. Lansing:

That is correct. The owner has a tenant interested but he can't reveal the tenants name due to a non-disclosure agreement.

Ms. Lindsay Buck:

Asked if the building will be divided between tenants.

Mr. Lansing:

One tenant will occupy the entire building.

Ms. Marotta:

There is a section in the rear of the lot for tractor trailers.

Mr. Lansing:

The driveway loops around the building.

Ms. Marotta:

Asked if the driveway will connect Lot 1 and Lot 2.

Mr. Lansing:

Lot 1 and Lot 2 will not be connected by the driveway.

Ms. Lindsay Buck:

Asked if there is potentially another building that will be on Lot 1.

Mr. Lansing:

There will be two buildings on Lot 1.

Commented [SS1]:

Mr. Lansing:

Showed the Planning Board members the renderings of the 45,000 sq. ft. building.

Mr. Buck made a motion to waive the public hearing as the property surrounding the project is owned by the same owner, seconded by Mr. Rathbun. A roll call vote was taken.

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

**PB2023-05 Luther Forest Business Park, Lot 3, Shenandoah Drive**

Chairman Bisnett recognized Mr. Scott Lansing of Lansing Engineering who is representing Forest Ridge LLC.

Mr. Lansing:

The applicant is proposing the development of professional office space, warehouse and light industrial uses along Shenandoah Drive. The building on Lot 3 consists of 141,000 sq. ft. located in the BP Zoning District on 9.52-acres. The proposed building will include 5% office space and the remaining 95% will include light industrial and warehouse space. There are 116 parking spaces proposed. Ingress and egress will be from Shenandoah Drive. Loading docks are located at the rear of the building. Stormwater will be managed on site. The Town of Stillwater will service the site with public water and Saratoga County Sewer District #1 will service the site with public sewer. The applicant is seeking to possibly schedule a public hearing for the next Planning Board meeting.

Chairman Bisnett:

Asked Mr. Male if he had any comments.

Mr. Male:

There is not anything of any significance at this time.

Ms. Reilly:

Asked what type of business is proposed for the warehouse.

Mr. Lansing:

The type of business is a distribution center which sends the products to other distribution centers.

Mr. Buck made a motion to waive the public hearing as the property surrounding the project is owned by the same owner, seconded by Mr. Rathbun. A roll call vote was taken.

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

**PB 2022-22 VonAhn Major Subdivision, 42 NYS Route 423**

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

Mr. Webster:

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 have also redesigned Lot 5 by moving the lot line to the south for a future single-family dwelling.

Chairman Bisnett:

Asked Ms. Buck if she received the response from the Saratoga County Planning Board.

Ms. Lindsay Buck:

Yes, with the response that there is no significant county-wide or intermunicipal impact.

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

**TOWN OF STILLWATER  
PLANNING BOARD  
2023 RESOLUTION NO. 10**

**A Resolution Making a SEQRA Determination for the application of Richard VonAhn for  
a Major Subdivision located at 42 NYS Route 423**

WHEREAS, Richard VonAhn has made an application for a proposed major subdivision for a 13.95-acre parcel to be subdivided to create an 11.20 acre parcel with an existing barn that will be converted into a single-family residence and a vacant 2.75 acre parcel for a proposed single-family use, located at 42 NYS Route 423, more specifically set forth at Tax Parcel 220.-1-84.1; and;

WHEREAS, the applicant has submitted a fully completed Short Environmental Assessment Form (SEAF); 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 Planning Board has duly reviewed the SEAF and has considered the criteria contained in 6 NYCRR section 617.7 (c) to determine if the proposed action will not have a significant impact on the environment; and

NOW, therefore, be it

RESOLVED, the Planning Board hereby determines that the action for a proposed major subdivision for a 13.95 acre parcel to be subdivided to create an 11.20 acre parcel with an existing barn that will be converted into a single-family residence and a vacant 2.75 acre parcel for a proposed single-family use, located at 42 NYS Route 423, more specifically set forth at Tax Parcel 220.-1-84.1, will not result in significant impacts on the environment and a negative declaration is hereby issued.

A motion by Member Buck seconded by Member Rathburn to adopt Resolution No. 10 of 2023.

A roll call vote was taken on Resolution No. 10 of 2023 as follows:

Chairman Bisnett	YES
Member Buck	YES
Member Marshall	YES
Member Rathbun	YES
Member Reilly	YES
Member Smith	YES
Alternate Member Marotta	YES

Resolution No. 10 was Passed at a meeting of the Planning Board of the Town of Stillwater duly conducted on March 27, 2023.

Sheila Silic  
Sheila Silic, Planning Board Secretary

**TOWN OF STILLWATER  
PLANNING BOARD  
2023 RESOLUTION NO. 11**

**A Resolution Regarding the application of Richard VonAhn for a Major Subdivision located at 42 NYS Route 423**

WHEREAS, Richard VonAhn has made an application for a proposed major subdivision for a 13.95 acre parcel to be subdivided to create an 11.20 acre parcel with an existing barn that will be converted into a single-family residence and a vacant 2.75 acre parcel for a proposed single-family use, located at 42 NYS Route 423, more specifically set forth at Tax Parcel 220.-1-84.1; and;

WHEREAS, pursuant to 6 NYCRR section 617.6, the Stillwater Planning Board is the appropriate lead agency for SEQRA review and made its SEQRA determination issuing a negative declaration in Resolution 10 of 2023; and,

WHEREAS, a public hearing was held on February 27, 2023 to receive public comments and no public comments were received; and,

WHEREAS, the Application was referred to the Saratoga County Planning Board for review and a determination was made that there was no significant county-wide or intercommunity impact,

NOW, therefore, be it

RESOLVED, the Planning Board hereby approves for a proposed major subdivision for a 13.95 acre parcel to be subdivided to create an 11.20 acre parcel with an existing barn that will be converted into a single-family residence and a vacant 2.75 acre parcel for a proposed single-family use, located at 42 NYS Route 423, more specifically set forth at Tax Parcel 220.-1-84.1 subject to satisfactory completion of the following conditions:

1. Compliance with the engineering letter of Paul Male, P.E. dated January 18, 2023 and revised February 23, 2023.

A motion by Member Rathburn seconded by Member Reilly to adopt Resolution No. 11 of 2023.

A roll call vote was taken on Resolution No. 11 of 2023 as follows:

Chairman Bisnett	YES
Member Buck	YES
Member Marshall	YES
Member Reilly	YES
Member Rathbun	YES
Member Smith	YES
Alternate Member Marotta	YES

Resolution No. 11 was Passed at a meeting of the Planning Board of the Town of Stillwater duly conducted on March 27, 2023.

Sheila Silic  
Sheila Silic, Planning Board Secretary

Mr. Buck made a motion to adjourn seconded, by Mr. Rathbun at approximately 7:10pm.