

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

Present:

**Chairman Frank Bisnett (FB), Chairman
Carol Marotta, (CM) Alternate Member
Kimberlee Marshall (KM)
Randy Rathbun, (RR) Member
Marybeth Reilly (MR) Member
Dale Smith, (DS) (Arrived @6:04)**

Also Present:

**Ryan Pezzulo, Attorney for the Town
Lindsay (Zepko) Buck, Senior Planner (LB)
Judy Wood-Zeno, Assistant to Planning Department
Sheila Silic, Secretary**

Absent:

**Paul Male, Town Engineer, (PM)
Ellen Vomacka, Town Board Liaison
Peter Buck (PB), Vice-Chairman
Eliot Cresswell (EC) Member
Timothy Scrom (TS) Alternate 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. Rathbun made a motion to table the September 25, 2023 meeting minutes, seconded by Ms. Marshall. A roll call vote was taken.

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

PB2023-20 Skidmore Horseshow (White Hollow Farm), 28 Brickhouse Road

Chairman Bisnett recognized Ms. Adele Einhorn of Southbound Saratoga Management Group LLC who will be presenting the project this evening. Mr. Daniel Rodecker of Skidmore College Facility Services is also present this evening.

Ms. Einhorn:

They are requesting the renewal of the Special Use Permit to allow the horseshow to continue. They have met all the requirements regarding the water system, dump station, and acquiring the campground permit. There have been smaller horseshows added to venue. There have been no changes or modifications to the facility layout. They have included other events as were included in the original Special Use submittal. The proposed events would be on a smaller scale than the horseshow. Stated Supervisor Kinowski has reached out to White Hollow Farm to hold an event for the 250th Anniversary for Saratoga County.

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

Daniel Glogowski 55 Brickhouse Road

Stated his residence is across the street from the horseshow. Stated his concerns regarding traffic, noise and the dust that is generated from the horseshow and if the roadway could be swept by a street sweeper. Asked if this for agricultural permit.

Ms. Einhorn:

This is for a Special Use Permit to continue the horseshow. The property is zoned agricultural.

Ms. Lindsay Buck:

There are specific uses permitted under the Town of Stillwater Zoning Code for Special Use Permits. There are three types of Special Use Permits permanent, temporary and a 1-year permit.

Brian Dantz 56 Brickhouse Road:

Stated his residence is adjacent to this property. Stated his concerns regarding the noise from the horseshow and the band that played one evening from 6pm until 8pm. Showed the Planning Board the arena which is 200-ft. from this property which is impacting his property with noise. Stated that at the first public hearing he had stated that he had no problem with the horseshow as long as he was not impacted by it.

Ms. Einhorn:

They have removed several speakers from the arena that is adjacent to Mr. Dantz’s property. The band played for 2 hours for their 25th Anniversary which was a onetime event. The PA system/ speakers from the Saratoga Polo Club can be heard at the horse show.

Heidi Finkle 25 Brickhouse Road:

Stated her concerns regarding the noise, the temporary tent in the front of the property with music playing which impacts us, and the dust.

Chairman Bisnett:

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

Chairman Bisnett	Yes
Alternate Member Marotta	Yes

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

Mr. Rathbun:

Asked about the activity and the noise that is being heard at 2:00am.

Ms. Einhorn:

There is no operating activity that happens at 2:00am. There are horses boarded at the facility and the owners may come and check on the horses or they may arrive early to braid the horse's manes or tails for the competition. The PA system is not on at 4am and is turned on 15 minutes before the competition starts. There have been speakers removed from arena by Mr. Dantz's residence and they will review removing more speakers from that particular arena. Stated that she had contacted Mr. Harris Highway Superintendent in regards to allowing the horse show to water the roadway between the entrances of the facility. Mr. Harris informed Ms. Einhorn that they are not allowed to water the roadway as they do not own the road.

Chairman Bisnett:

The issues that have been brought forward this evening need to be addressed.

Ms. Marotta:

Asked if the riders could be notified by using their cell phone that they are next in the arena.

Ms. Einhorn:

That using cell phones to call the next rider into the arena is against the Equestrian Federation rules.

Mr. Smith:

Asked about using a lighting system.

Mr. Rathbun:

Asked what Mr. Rodecker and Ms. Einhorn are willing to do to address these issues.

Mr. Rodecker:

Stated that they need to review the issues and come back with a proposal on how the facility will be mitigating the neighbor's concerns.

Mr. Rathbun made a motion to table the project for engineering review, seconded by Ms. Reilly. A roll vote was taken.

Chairman Bisnett	Yes
Alternate Member Marotta	Yes
Member Marshall	Yes
Member Rathbun	Yes

Member Reilly	Yes
Member Smith	Yes

PB2023-24 and 25 H.O.P.E. Animal Rescue, Special Use Permit and Site Plan, 90 Jack Halloran Road

Chairman Bisnett recognized Mr. Matthew Bronson of the LA Group who will be presenting the project this evening. Mr. Bronson stated that Ms. Michelle Jennings who is the Director of H.O.P.E. Animal Rescue is also present this evening.

Mr. Bronson:

The parcel is located on the east side of Jack Halloran Road in the RR Zoning District and consisting of 4.77-acres. The parcel has frontage on Jack Halloran Road and also on Brickhouse Road. The applicant is also seeking a Lot Line Adjustment to bring the parcel into conformance for the Special Use Permit which would then consist of 5-acres. The residence would be used as the office/reception area and would house up to thirty cats.

Ms. Jennings:

The rescue is currently located in the Wilton Mall and would like to make 90 Jack Halloran Road their permanent location for the rescue. The existing residence would be office space/reception area and house 30 adoptable/permanent cats. They would like to convert the 3-bay garage to house up to 5 dogs to be able to evaluate, vet checked and put into foster care. There would be temporary dog kennels outside for the dogs to play but would not be left unattended or left outside in the evening. They would like to renovate the upstairs of the garage as an event center for education seminars, pet-n-sips, and possibly an apartment for a full-time care giver/maintenance person. The garage will need a septic system and preliminary soil testing that the property owner will not allow us to do. The shed on the property will remain as storage. There is a farmer interested in leasing the larger parcel in the back. They would like to be an asset to the Town of Stillwater.

Mr. Bronson:

They will expand the driveway, parking area with handicap parking spaces, with overflow parking in the main driveway. They are trying to minimize the ground disturbance.

Chairman Bisnett:

Asked Mr. Bronson if he has responded to Mr. Male's comment letter.

Mr. Bronson:

That he has not receive a copy of Mr. Male's comment letter.

Ms. Marotta:

The acreage for the Lot Line Adjustment will be taken from the larger parcel to make the parcel with the residence 5-acres. The kennels will need to be 200-ft. from the property line.

Mr. Bronson:

The kennels are portable and the applicant will own both parcels.

Chairman Bisnett:

Asked if there is a way to mitigate the barking so it does not disturb the neighbors.

Ms. Jennings:

They intend to use sound proofing panels to mitigate the sounds from inside/outside the garage. This way the dogs are kept safe from the outside noise and the neighbors will not hear the dogs barking.

Mr. Smith:

Asked if there will someone on the premises.

Ms. Jennings:

Yes, there will be someone on the premises for maintenance, lawn, etc.

Ms. Marshall:

Asked if there will be cameras installed on the sight.

Ms. Jennings:

Yes, there will be cameras installed on the site and the cameras go directly to our cell phones.

Ms. Marotta:

Asked Ms. Jennings they are regulated by Ag and Markets.

Ms. Jennings:

Not at present time. The Ag and Market regulations are expected to be enacted in 2 or 3 years.

Ms. Marshall:

Asked what the requirements are that Ag and Markets will be implementing.

Ms. Jennings:

Certification training, strict paperwork guidelines when an animal is taken into a shelter, medical certification from a vet, etc.

Ms. Marotta:

There are wetlands on a large portion of the property.

Mr. Bronson:

The wetlands are not DEC wetlands and the project does not impact the wetland area. If the applicant was to propose any new structures they would have to come back before the Planning Board.

Ms. Marotta:

Asked if the wetlands will be delineated on site by the Army Corp of Engineers. The easement that gives the 30-acre parcel access to Jack Halloran Road and Brickhouse Road goes through the garage. Asked if the easement would be extinguished.

Mr. Bronson:

Yes, the applicant would extinguish the easement as they would own both parcels.

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

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

PB2023-19 Hatfield Minor Subdivision, Colonial Road

Chairman Bisnett recognized Mr. Brian Holbriiter PLS Land Survey & Land Development who is representing Ms. Patricia Hatfield.

Mr. Holbriiter:

That the plans have minor changes made as per the request from the Planning Board. The driveway on the previous plans had a shared driveway which has been changed to each lot having its own driveway with a connector for fire apparatus to turn around.

Ms. Lindsay Buck:

Asked about the lots connecting to the public utilities and will need the area of disturbance for the GEIS Fees.

Ms. Judy Wood-Zeno:

Stated that she will forward Mr. Matthew Rosenberg’s Village of Stillwater DPW information regarding the public utilities.

Mr. Holbriiter:

That he will update the maps showing the public utilities.

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. 35**

A Resolution Making a SEQRA Determination for the application by Patricia Hatfield for a Minor Subdivision on Colonial Road.

WHEREAS, Patricia Hatfield has made an application for a minor subdivision for property at Colonial Road more particularly described as tax parcel number 243.-1-43.1; and;

WHEREAS, the applicant has submitted a fully completed Long Environmental Assessment Form (LEAF); 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 LEAF 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.

NOW, therefore, be it

RESOLVED, the Planning Board hereby determines that the action for a minor subdivision for property at Colonial Road more particularly described as tax parcel number 243.-1-43.1, will not result in significant impacts on the environment and a negative declaration is hereby issued.

A motion by Alternate Member Marotta seconded by Member Reilly to adopt Resolution No. 35 of 2023.

A roll call vote was taken on Resolution No. 35 of 2023 as follows:

Chairman Bisnett	YES
Member Buck	ABSENT
Member Reilly	YES
Member Marshall	YES
Member Rathbun	YES
Member Smith	YES
Member Cresswell	ABSENT
Alternate Member Marotta	YES
Alternate Member Scrom	ABSENT

Resolution No. 35 was Passed at a meeting of the Planning Board of the Town of Stillwater duly conducted on October 23, 2023.

Discussion:

Mr. Rathbun:

Asked if there has been any new information regarding the Colonial Road Apartments.

Ms. Lindsay Buck:

There has been no new information submitted to the Planning Department.

Ms. Judy Wood-Zeno:

The Village of Stillwater has not received any new information for the project.

Ms. Marotta:

She sent a photo to Mr. Male regarding a project and the number of trees that have been removed along NYS Route 9P.

Ms. Reilly:

Asked if this is the property with long driveway that has the sign down by the road.

Ms. Lindsay Buck:

That is the Mr. Lill's property with the duplexes that were approved a while ago. The owner has the duplexes advertised for rent as townhouses but they are actually a duplex. She is not sure how the duplexes are rented if they are short-term or long-term leases.

Ms. Marotta:

That the one speaking about is closer to Luther Road.

Ms. Lindsay Buck:

Asked if it is Bella Builders development that Ms. Marotta is referring to. She has not notice that there were trees removed. She will speak with the Code Enforcement officers regarding the tree removal and will review the Site Plan.

The Saratoga Polo Club had been mentioned during the discussion/public hearing of the Skidmore Horse

Chairman Bisnett:

Asked about the Saratoga Polo Club and if had been before the Planning Board for approval.

Ms. Lindsay Buck:

She and Mr. Male had a meeting with Owner of the Saratoga Polo Club are year or so ago. The Planning Department has not received any application for Site Plan or Special Use Permit for approval before the Planning Board.

Ms. Marotta made a motion to adjourn seconded, by Ms. Reilly at approximately 7:45pm.