

**PLANNING BOARD MEETING  
TOWN OF STILLWATER  
STILLWATER TOWN HALL  
May 28, 2024 @ 6:00 PM**

**Present:**

**Chairman Frank Bisnett (FB), Chairman  
Peter Buck (PB), Vice-Chairman  
Eliot Cresswell (EC) Member  
Carol Marotta, (CM) Alternate Member  
Randy Rathbun, (RR) Member (arrived @6:10pm)  
Marybeth Reilly (MR) Member  
Timothy Scrom (TS) Alternate Member  
Dale Smith, (DS)**

**Also Present:**

**Ryan Pezzulo, Attorney for the Town  
Lindsay (Zepko) Buck, Senior Planner (LB)  
Paul Male, Town Engineer, (PM)  
Ellen Vomacka, Town Board Liaison  
Sheila Silic, Secretary**

**Absent:**

**Kimberlee Marshall (KM)**

**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. Cresswell made a motion to approve the February 26, 2024 meeting minutes, seconded by Mr. Smith. A roll call vote was taken.

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

**PB2023-029 R.M. DalRymple Site Plan Extension, County Route 76**

Chairman Bisnett recognized Mr. Paul Lubera of Lansing Engineering who will be presenting the project this evening.

Mr. Lubera:

The applicant is seeking an extension of the previously approved Site Plan and Sewer Extension. The Site Plan and the Sewer Extension was approved on January 24, 2022 and an extension was granted for one year on January 23, 2023. The delay in construction of the 16,000 sq. ft. building was due to Covid and construction cost. The applicant plans to move forward with the construction of the building. The final plans have been previously stamped on June 6, 2022 by the engineer, Saratoga County Sewer District #1 and the Town of Stillwater Planning Board Chairman. The curb cut permit will be applied for prior to construction, the Knox Box location will be submitted with the plans when the applicant applies for the building permit. The applicant will have the required NYSDEC forms signed prior to the start of construction.

Ms. Marotta:

Asked if the Lot Line Adjustments have been completed.

Mr. Lubera:

The Lot Line Adjustments have been filed with Saratoga County Clerk's Office. The deed consolidations were not filed and the applicant's lawyer is working on rectifying the issue.

Chairman Bisnett:

The sidewalks should be placed along County Route 76 as the project is finished.

Mr. Lubera:

The applicant does not wish to construct the sidewalks but is willing to provide a letter of credit or an escrow for the proposed sidewalks.

Ms. Buck:

There has been additional site work done on the parcel that should not have been done without the approval of the Planning Department.

Mr. Lubera:

The placement of fill on the parcel was in preparation for construction of the project and is covered in the previously approved SWPPP which included grading.

Ms. Marotta:

Asked if the SWPPP has been updated.

Ms. Buck:

The SWPPP has been updated.

Chairman Bisnett:

Stated that the Planning Board is reviewing the extension of the R.M. DalRymple Site Plan approval.

**TOWN OF STILLWATER  
PLANNING BOARD  
2024 RESOLUTION NO. 5**

**A resolution regarding the application of Lansing Engineering for the Dalrymple Site Plan and Sewer Extension.**

WHEREAS, Lansing Engineering has made an application for Dalrymple Site Plan and Sewer Extension for property at 13 Grace Moore Road more particularly described as tax parcels numbered 231.-1-41 & 231.-1-37.2, and tax parcels numbered 231.-1-41, 231.-1-42, 231.-1-43, 231.-1-45, 231.-1-37 & 321.-1-70; and

WHEREAS, the Planning Board previously approved site plan and sewer extension on January 24, 2022 and extended for one year on January 23, 2023; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 1 of 2022 and the Planning Board re-affirms and adopts its prior findings and negative declaration; and

WHEREAS, the applicant now seeks to extend the previous approval.

NOW, therefore, be it

RESOLVED, the Planning Board hereby approves the application Dalrymple Site Plan and Sewer Extension for property at 13 Grace Moore Road more particularly described as tax parcels numbered 231.-1-41 & 231.-1-37.2, and tax parcels numbered 231.-1-41, 231.-1-42, 231.-1-43, 231.-1-45, 231.-1-37 & 321.-1-70 subject to satisfactory completion of the following conditions:

1. Compliance with the engineering letter of Paul Male, P.E. dated May 22, 2024.
2. The applicant shall be required to install sidewalks per the original site plan approval and Town Code.

A motion by Member Cresswell seconded by Member Buck to adopt Resolution No. 5 of 2024.

A roll call vote was taken on Resolution No. 5 of 2024 as follows:

Chairman Bisnett	YES
Member Buck	YES

Member Reilly YES  
 Member Marshall ABSENT  
 Member Rathbun ABSENT  
 Member Smith YES  
 Member Cresswell YES  
 Alternate Member Marotta YES

Resolution No. 5 of 2024 was passed at a meeting of the Planning Board of the Town of Stillwater duly conducted on May 28, 2024.

**PB2024-04 Everts, 765 NYS Route 32 Minor Subdivision**

Chairman Bisnett recognized Mr. James Vianna of James Vianna Land Survey who will be presenting the project this evening.

Mr. Vianna:

The parcel is on the west side of NYS Route 32 and consist of 21-acres in the T2 Zoning District. The applicant is seeking to subdivide the parcel into two lots with Lot 1 consisting of 19.15+/- acres with the existing single-family dwelling and Lot 1A consisting of 2.01+/- acres for his daughter to build a single-family dwelling. The parcel will have an onsite septic system and well. There is an easement for Lot 1 which will be conveyed to Lot 1A.

Ms. Buck:

The application has been referred to the Saratoga County Planning Board.

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

Chairman Bisnett	Yes
Member Buck	Yes
Member Cresswell	Yes
Alternate Member Marotta	Yes
Member Rathbun	Yes
Member Reilly	Yes
Member Smith	Yes

**PB2024-05 Hudson Heights Apartments Site Plan Extension, Brickyard Road**

Chairman Bisnett recognized Mr. Paul Lubera of Lansing Engineering who will be presenting the project this evening.

Mr. Lubera:

The applicant is seeking an extension of the previously approved Site Plan. The project was held up due to the wait for the sewer approvals from NYS DEC. The applicant has a contractor lined up to start construction on the project.

Mr. Male:

The project was held up by NYS DEC who reviews the sewer plans.

Ms. Marotta:

Asked if the SWPPP has been updated.

Ms. Marotta:

Asked about the waterline that connects with the development behind the project.

Ms. Buck:

The waterline for the project has been changed and now connects to the waterline on Brickyard Road.

Mr. Buck:

Asked Mr. Male if there are any outstanding issues.

Mr. Male:

There are no significant issues that are outstanding.

Chairman Bisnett:

Stated that the Planning Board is reviewing the extension of the Hudson Heights Apartments Site Plan approval.

**TOWN OF STILLWATER  
PLANNING BOARD  
2024 RESOLUTION NO. 4**

**A resolution regarding the application of Lansing Engineering for an extension of the site plan approval for the Hudson Heights Apartments PDD Amendment.**

WHEREAS, Lansing Engineering has made an application for an extension of the previously granted site plan for the Hudson Heights Apartments PDD Amendment for property at Brickyard Road more particularly described as tax parcel number 253.17-3-98, and;

WHEREAS, a public hearing was conducted on January 24, 2022 to consider the application to allow for comments from the public and the applicant; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 3 of 2022 and the Planning Board re-affirms and adopts its prior findings and negative declaration; and

WHEREAS, the Planning Board approved the site plan application pursuant to Resolution No. 4 of 2022; and

WHEREAS, the applicant now seeks to extend the previous approval.

NOW, therefore, be it

RESOLVED, the Planning Board hereby approves the application for an extension of the site plan for the Hudson Heights Apartments PDD Amendment for property at Brickyard Road more particularly described as tax parcel number 253.17-3-98 subject to satisfactory completion of the following conditions:

3. Compliance with the engineering letter of Paul Male, P.E. dated May 15, 2024.

A motion by Alternate Member Marotta seconded by Member Buck to adopt Resolution No. 4 of 2024.

A roll call vote was taken on Resolution No. 4 of 2024 as follows:

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

Resolution No. 4 of 2024 was passed at a meeting of the Planning Board of the Town of Stillwater duly conducted on May 28, 2024.

**PB2024-07 Sabatino Minor Subdivision. 56 Jolly Rd**

Chairman Bisnett recognized Mr. Brian Holbriter of Brian Holbriter Land Surveyor who will be presenting the project this evening.

Mr. Holbriter:

The parcel is located on the north side of Jolly Road and consists of 4.03-acres in the LDR Zoning District. The applicant is seeking to subdivide the parcel into two lots with Lot 1 consisting of 2.03+/-acres with the existing single-family dwelling and Lot 2 consisting of 2.00+/-acres for his daughter to build a single-family dwelling. The parcel will have an onsite septic system and well. The two lots will have a shared driveway.

Mr. Holbriter:

Stated that he has not been able to respond to Mr. Males comment letter dated May 7, 2024.

Ms. Buck:

The application has been referred to the Saratoga County Planning Board.

Ms. Marotta:

Stated that she is not fond of the lot layout or the shared driveway.

Mr. Male:

Stated that the applicant was issued a building permit due to a fire and he has not called for any inspection. Asked Mr. Holbriiter to inform the applicant that inspections that required for the building permit.

Mr. Holbriiter:

Stated that he will relay the information to the applicant.

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

Chairman Bisnett	Yes
Member Buck	Yes
Member Cresswell	Yes
Alternate Member Marotta	Yes
Member Rathbun	Yes
Member Reilly	Yes
Member Smith	Yes

**PB2024-08 Werneberg Minor Subdivision, Groncziak Road**

Chairman Bisnett recognized Mr. James Vianna of James Vianna Land Survey who will be presenting the project this evening.

Mr. Vianna:

The parcel is on the west side of Groncziak Road and consist of 98.92-acres in the RR Zoning District. The applicant is seeking to subdivide the parcel into two lots with Lot 1 consisting of 96.92+/-acres and Lot 3 consisting of 2.00+/-acres. The applicant previously subdivided Lot 2 from the primary parcel in 2019. The new proposed lot meets all the required Zoning Codes and will have onsite well and septic system, and there are no wetlands on the parcel.

Ms. Buck:

The application has been referred to the Saratoga County Planning Board.

Ms. Marotta:

Asked if the applicant plans on subdividing more lots from the remaining parcel.

Mr. Vianna:

The applicant has not indicated that there will be any further subdivisions.

Ms. Marotta:

If the applicant plans on subdividing more lots from the parcel it will become a major subdivision. Asked Mr. Vianna to relay that information to the applicant.

Mr. Vianna:

The information will be relayed to the applicant.

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

Chairman Bisnett	Yes
Member Buck	Yes
Member Cresswell	Yes
Alternate Member Marotta	Yes
Member Rathbun	Yes
Member Reilly	Yes
Member Smith	Yes

Ms. Marotta made a motion to adjourn, seconded by Mr. Rathbun, at approximately 6:44pm.