

**PLANNING BOARD MEETING  
TOWN OF STILLWATER  
STILLWATER TOWN HALL  
July 22, 2024 @ 6:00 PM**

**Present:**

**Chairman Frank Bisnett (FB), Chairman  
Peter Buck (PB), Vice-Chairman  
Eliot Cresswell (EC) Member  
Carol Marotta, (CM) Alternate Member  
Kimberlee Marshall (KM)  
Randy Rathbun, (RR) Member (arrived @ 6:20)  
Marybeth Reilly (MR) Member  
Timothy Scrom (TS) Alternate Member  
Dale Smith, (DS)**

**Also Present:**

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

**Absent:**

**Carol Marotta, (CM) 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. Buck made a motion to approve the May 28, 2024 meeting minutes, seconded by Mr. Cresswell. Mr. Cresswell made a motion to approve the June 24, 2024 meeting minutes, seconded by Ms. Reilly. A roll call vote was taken.

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

**PB2024-10 VonAhn 25 McDermott Road Minor Subdivision**

Chairman Bisnett recognized Mr. Matthew Webster of Van Dusen and Steves Land Surveyors who will be presenting the project this evening.

Mr. Webster:

The applicant would like to subdivide the back parcel which consist of 22.22+/-acres into two lots. The property is located on the north side of McDermott Road in the LDR Zoning District. The parcel was subdivided in 2023 and approved by the Planning Board on May 23, 2023. The applicant is proposing two new lots with Lot 3 consisting of 8.32-acres and Lot 4 consisting of 13.90-acres. The lots will be serviced with public water and on-site septic system. There will be a shared driveway which crosses a stream.

Ms. Buck:

Asked if a wetlands permit will be required for the driveway.

Mr. Webster:

The driveway will require a wetland permit to cross over the stream and there will be an easement for the shared driveway.

Ms. Buck:

That a wetland permit must be acquired before a building permit can be issued.

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

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

**PB2024-11 The Elements Clubhouse and Pool (Formerly Forest Ridge) Site Plan Amendment**

Chairman Bisnett recognized Mr. Scott Lansing of Lansing Engineering who will be representing Stillwater Apartments LLC this evening.

Mr. Lansing:

Mr. Zackary Dorrough and Mr. James Kehrer are also present this evening. The Site Plan Amendment was approved August 22, 2022. The applicant is proposing a patio for the clubhouse located at the Elements Apartment Development. The patio will include a grassed area with sod, fire pits, and the addition of a pool, along with landscaping throughout the area. The proposed

patio is 6,057 sq. ft. with 2,792 sq. ft. of impervious area. The stormwater area will be adequate under the proposed conditions. The proposed Sit Plan Amendment does not impact the existing water and sewer demands for the project. They have addressed Mr. Male's comment letter dated July 8, 2024.

Mr. Male:

He has not been able to review the applicant's responses to his comment letter.

Chairman Bisnett:

Asked about the height of the retaining wall.

Mr. Lansing:

The highest point of the retaining wall is 8 or 9 ft.

Chairman Bisnett:

Asked if there will be fencing along the top of the wall.

Mr. Lansing:

That is correct.

Mr. Cresswell:

Asked if there will be two pools in total.

Mr. Lansing:

That is correct.

Mr. Scrom:

Asked if the fire pits are wood burning.

Chairman Bisnett:

The fire pits are fueled by propane.

Mr. Scrom:

Asked who will be responsible for the fire pits when they are not in use.

Mr. Lansing:

He believes the fire pits will be set on a timer.

Mr. Buck:

Asked who will be responsible for the outside pool to keep it safe after hours.

Mr. Lansing:

He believes the staff of the clubhouse will be responsible for the outside pool.

Mr. Buck:

Asked what the hours of the outside will be.

Mr. Lansing:

The hours for the outside pool will be from dawn to dusk.

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

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

**TOWN OF STILLWATER  
PLANNING BOARD  
2024 RESOLUTION NO. 12**

**A Resolution regarding a Site Plan Amendment to the Elements Apartments Site Plan**

WHEREAS, the applicant has made an application for an amendment to the Site Plan for the Elements Apartments Clubhouse and Patio for property located in the Forest Ridge Mixed Use Development, more particularly described as Tax Parcel 241.-1-6.22; and;

WHEREAS, the Planning Board has determined to waive a public hearing for the Site Plan Amendment application; 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 2022, said negative declaration is reaffirmed and adopted herein.

NOW, therefore, be it

RESOLVED, the Planning Board hereby approves the application for an amendment to the Site Plan for the Elements Apartments Clubhouse and Patio for property located in the Forest Ridge Mixed Use Development, more particularly described as Tax Parcel 241.-1-6.22 subject to satisfactory completion of the following conditions:

1. Compliance with the engineering letter of Paul Male, P.E. dated July 8, 2024.

A motion by Member Reilly seconded by Member Smith to adopt Resolution No. 12 of 2024.

A roll call vote was taken on Resolution No. 12 of 2024 as follows:

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

Resolution No. 12 of 2024 was passed at a meeting of the Planning Board of the Town of Stillwater duly conducted on July 22, 2024.

**PB2024-12 Shenandoah Drive Apartments Concept Plan, Shenandoah Drive**

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

Mr. Lansing:

Mr. Zackary Dorrrough and Mr. James Kehrer are also present this evening. The proposed project is located on the south side of Shenandoah Drive consisting of 46.25-acres in the BP Zoning District. The proposed project is for a multi-family development consisting of 26 two-story apartments buildings and 1 four-story apartment building. The two-story apartment buildings will consist of 13,076 sq. ft. with a total of 18 units per building with 10 garage spaces. There are 2-parking spaces per dwelling unit with overflow parking along the access roads in close proximity to each building. The four-story building will consist of 19,200 sq. ft. with a total of 64 units. The development will be serviced by public water and sewer, sidewalks, outdoor amenities, landscaping and a walking trail, stormwater will be managed on site. There are 1.84+/-acres of wetlands and there are no impacts to the wetland by the proposed project. The Lot Line Adjustment of the 4-lots were consolidated into 3-lots for financing purposes. They have addressed Mr. Male's comment letter dated June 17, 2024.

Mr. Male:

Asked where the wetlands are in accordance with the apartments.

Mr. Lansing:

Showed Mr. Male the location of the wetlands on the map.

Mr. Male:

Asked about pervious pavement for the parking areas.

Mr. Lansing:

He has not spoken to the applicant regarding the pavement.

Chairman Bisnett:

Asked how the Stillwater Fire Department will access the buildings.

Ms. Buck:

The engineered plans will be referred to the Stillwater Fire Department for review and comments.

Chairman Bisnett:

Asked if fire apparatus can access the back of the apartment buildings.

Mr. Lansing:

The apartments can be accessed from the north by the fire apparatus.

Mr. Dorrough:

The apartments are not as close as they appear on the plans. They are spaced similar to the Element apartments.

Ms. Buck:

Asked if the first-floor apartments are all ADA accessible.

Mr. Dorrough:

That is correct.

Ms. Reilly:

Asked what the total number of units are for the development.

Mr. Lansing:

There are 532 total units.

Mr. Rathbun:

Asked what the timeframe is to start construction.

Mr. Dorrough:

The project will be constructed in phases with an estimated 3-year buildout.

Mr. Rathbun:

Asked if the Element apartments are all rented out.

Mr. Dorrough:

There are 2 apartment buildings that have not received C/O's. The apartments are all rented shortly after receiving the C/O's.

Mr. Scrom:

Asked what construction phase will entail the 4-story apartment building.

Mr. Dorrough:

The 4-story apartment building will be built in either the first or second phase. They will have to put in the infrastructure in first.

Mr. Cresswell:

Asked about the Lot Line Adjustment and the subdivision.

Mr. Dorrough:

Showed the Planning Board the lot layout on the map.

Ms. Marshall made a motion to table the application, seconded by Mr. Cresswell. A roll call vote was taken.

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

**PB2024-14/PB2024-15 White Plains Business Suites Condominium Site Plan and Major Subdivision, Shenandoah Drive**

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

Mr. Lansing:

Mr. Zackary Dorrough and Mr. James Kehrer are also present this evening. The proposed project is located on the north side of Shenandoah Drive Consisting of 11.34-acres in the BP Zoning District. The proposed project is for commercial development consisting of one 44,880sq. ft. structure with 20- commercial condominiums units. The condominiums are to be used for warehouse, research, development, light industrial or commercial related activities. There are 8 2,000 sq. ft. condominiums and 12 2,400 sq. ft. condominiums. The condominiums will be serviced with public water and sewer, a community loading dock, sidewalks, parking and landscaping. The condominiums will each have an overhead door, typical entry door and all bathrooms will be Ada accessible and onsite stormwater management. Each condominium will be owned by the tenant.

Ms. Buck:

Asked about connecting both access points.

Mr. Lansing:

They are not planning on connecting the access points.

Ms. Buck:

This project is on different parcel and should have a new name.

Mr. Rathbun:

Asked about the zoning for this project.

Chairman Bisnett:

This project does not meet the current zoning code requirements.

Mr. Rathbun:

Asked if they can reconfigure the project to meet the zoning code.

Mr. Lansing:

He will speak with the applicant regarding the condominium project.

Mr. Smith made a motion to table the application, seconded by Mr. Rathbun. A roll call vote was taken.

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

**PB2024-17 and 18 Saratoga Polo Farm Site Plan and Special Use Permit, 72 Brickhouse Road**

Chairman Bisnett recognized Ms. Shannon Hildabrant and Mr. Mario DiSalvo of the Saratoga Polo Farm who will be presenting the project this evening. Ms. Hildabrant stated that Mr. Benjamin Wilson of Environmental Design Partnership was not able to attend this evenings meeting.

Ms. Hildabrant:

They submitted a Site Plan and Special Use Permit applications in 2020. They met with the Planning Department at the Stillwater Town Hall to discuss what the planned use was for the parcel.

Ms. Buck:

The Planning Department received a Site Plan in November 2020 and a Special Use Permit in December 2020.

Mr. DiSalvo:



He apologized to the Planning Board for operating the Saratoga Polo Farm without receiving the correct approvals. He believed they had received approval after the meeting with the Planning Department. He had hired Environmental Design Partnership to submit the proper paperwork for approvals.

Mr. Rathbun:

Asked what is the scope of activity at the Saratoga Polo Farm.

Ms. Hildabrant:

There are open arenas for riding, finished the stalls in the unfinished barn and holding polo matches twice a week.

Mr. Rathbun:

Asked if classes are taught at the farm and to how many people.

Mr. DiSalvo:

Stated that he teaches polo classes and trains horses. There are 7 to 8 clients who ride twice a week.

Mr. Rathbun:

Asked how people attend the polo events and where is the parking for the event.

Ms. Hildabrant:

There are 35 to 40 players at the polo match with their horses. The parking area for the events are in the pasture.

Mr. Rathbun:

Asked if there is a PA system for the events and how long does a polo match last.

Mr. DiSalvo:

There is a PA system that is used on Tuesday and Friday for the events. That each polo match last 7 minutes 30seconds for a total of 1 hour 30 minutes.

Mr. Rathbun:

Asked if there are a lot of spectators for the pole matches.

Ms. Hildabrant:

The spectators are mostly friends and family of the players.

Ms. Buck:

Asked about restrooms on the premises.

Ms. Hildabrant:

There is a port-a-john for the spectators and a restroom in the barn for the clients.

Mr. DiSalvo:

There is a camper on the premises for the care taker.

Chairman Bisnett:

There are code violations for operating a business without the proper approvals. Asked about a stop work order being issued.

Mr. DiSalvo:

Asked what steps need to be taken to receive approvals. Stated he does not know the process that is why he hired Environmental Design Partnership.

Mr. Smith:

The Planning Board is here to help you with the process and not to put you out of business.

Mr. Cresswell made a motion to table the application, seconded by Mr. Smith. A roll call vote was taken.

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

Mr. Cresswell made a motion to adjourn, seconded by Mr. Rathbun, at approximately 7:25pm.