

**TOWN OF STILLWATER
PLANNING BOARD MEETING
STILLWATER TOWN HALL
December 11, 2017 @ 7:00 PM**

Present:

Vice-Chairman John Murray
Peter Buck
Heather Ferris
Marybeth Reilly, Alternate Member
JoAnn Winchell

Also Present:

Daryl Cutler, Attorney for the Town
Paul Male, Town Engineer
Lindsay Zepko, Director of Building and Planning
Ellen Vomacka, Town Board Liaison

Absent:

Chairperson Carol Marotta
Randy Rathbun
Sheila Silic, Secretary

Pledge:

Vice-Chairman Murray called the meeting to order at 7:00 PM and led everyone in the Pledge to the Flag.

Review and approval of minutes of Planning Board meeting:

Ms. Winchell made a motion to approve the minutes from the October 23, 2017 meeting, seconded by Ms. Ferris. The motion passed unanimously. Mr. Buck made a motion to approve the minutes from the November 16, 2017 meeting, seconded by Ms. Reilly. The motion passed unanimously.

PB2017-03, Saratoga Hills PDD Amendment, County Route 76

Vice-Chairman Murray recognized Mr. Scott Shearing of Bohler Engineering who is representing Stillwater Elgen LLC, the owner of Saratoga Hills Mobile Home Park. Mr. Shearing stated that Saratoga Hills Mobile Home Park is located on County Route 76. Mr. Shearing stated that the owner of this parcel owns ten other mobile home parks. Mr. Shearing stated that the Board Members were provided with a list of those mobile home parks. Mr. Shearing stated that this would allow the Board Members the opportunity to visit the other parks and see how the property owner manages the other park communities. Mr. Shearing stated it is his understanding that some of the Planning Board Members had visited some of the other mobile home parks. Mr. Shearing stated that they are seeking a PDD Amendment which is to modify the existing PDD Language. Mr. Shearing stated that the current PDD Language allows 764 lots on 190-acres. The applicant is proposing to modify the language to allow 373 lots on 108-acres. Mr. Shearing stated the lots would vary in size to accommodate the various homes and would allow for the Clubhouse, Recreation Areas, Storage and other amenities. Mr. Shearing stated that there will be five additional parking areas that will accommodate 18 vehicles and there will be two parking spaces per mobile home lot. Mr. Shearing stated that the entrance into the park will remain the same with no proposed access between the existing homes and County Route 76. Mr. Shearing stated that there are 174 lots occupied with a total of 435 residents with 19 children attending the Stillwater School according to the Park owner's information. Mr. Shearing stated that the tax base has gone up \$90,000 in the last 10

years, in the last 3 years the tax base has gone up \$15,000, in addition to approximately \$60,000 in school tax. Mr. Shearing stated that there is 150 ft. from the proposed new lots to the closest point of the existing homes.

Mr. Buck asked Mr. Shearing how long the applicant has owned some of these mobile home parks. Mr. Shearing stated 15 years. Mr. Buck asked Mr. Shearing how long the applicant has owned the mobile home park in South Cairo. Mr. Shearing stated 11 years. Mr. Buck stated that out of the four parks he visited three were attractive and in good shape and two of the parks had a nice Recreational Building for the residents. Mr. Buck stated that the Rolling Hills Mobile Home Park was not as attractive as the others. Mr. Buck stated that it is necessary to have a timeline to insure that the amenities happen.

Ms. Winchell stated that she and Vice-Chairman Murray had visited the South Cairo Mobile Home Park. Ms. Winchell stated that the park was attractive with a mix of different size units and had a Clubhouse. Ms. Winchell stated that this park was for residents 55 and over. Ms. Winchell stated that the Pine Ridge Estates Mobile Home Park is very nice and also for residents 55 and over. Ms. Winchell stated that this mobile home park had a Clubhouse, Storage, fencing and lighting. Ms. Winchell stated that there was no debris or garbage on the lots. Ms. Winchell stated that she did not like the road layout for Rolling Hills Mobile Home Park. Ms. Winchell stated that this park had no amenities for the residents. Ms. Winchell stated that there was no fencing around the stormwater basin located in the center of the mobile home park. Ms. Winchell stated that she visited Saratoga Hills Mobile Home Park and parts of the park need work and landscaping but, overall the park has improved in this last year. Ms. Winchell stated that Saratoga Hills Mobile Home Park is larger than the mobile home parks that were visited. Ms. Winchell asked Mr. Shearing about the amenities for the mobile home park community and if he could elaborate on the proposal. Mr. Shearing stated that the amenities will be layered in on a tax bases as the mobile home park evolves the amenities will be incorporated. Ms. Winchell stated that the amenities will be phased into the mobile home park. Mr. Shearing stated that is correct. Ms. Winchell stated that she agrees with Ms. Reilly's suggestion of relocating the Storage Facilities.

Ms. Ferris stated that she visited Colonial Village Mobile Home Park which is a smaller community with some older mobile homes. Ms. Ferris stated that there was no debris or garbage on the lots but, there were some dead end roadways. Ms. Ferris stated that overall the mobile home park was attractive.

Mr. Shearing stated that the owner has been working hard to improve Saratoga Hills Mobile Home Park with the end result being improvements to the park and regulations put in place for Code Enforcement.

Vice-Chairman Murray stated that the Rolling Hills Mobile Home Park is the oldest of the parks with a lot of one-way streets. Mr. Murray stated that due to the age of this park and the restriction by the slopes it would be hard to reconfigure the roadways. Vice-Chairman Murray stated that the owner of the mobile home park should consider a timeline before the proposal goes before the Town Board and a compromise may be worked out to add a phasing schedule into the legislation.

Vice-Chairman Murray proceeded to open the public hearing and asked if anyone wished to comment.

Richard Dantz 427 County Route 76

Mr. Dantz asked about the perimeter fencing on the west side of the mobile home park that is in disrepair and the debris that is going onto the neighbor's property. Mr. Shearing stated that the owner will be repairing the fence and has been hauling debris out of this area.

James Farnan 47 County Route 76

Mr. Farnan stated that he has concerns with amenities that are promised but not being fulfilled. Mr. Farnan asked about making the improvements to the existing homes and finishing the clean-up of the

current park, before proposing new lots and amenities. Mr. Farnan asked if the 17-acres that borders his property is zoned for mobile homes. Mr. Murray asked Mr. Cutler if the entire parcel including the 17-acres is zoned PDD. Mr. Cutler stated that is correct, all of the land is in the existing PDD. Mr. Farnan asked from the Planning Board perspective where the proposal goes from here. Mr. Murray stated that the Planning Board would give either a favorable or unfavorable recommendation to the Town Board. Mr. Murray stated that it would then be up to the Town Board to accept or reject the proposal. Mr. Farnan stated that the number of school age children in the park has gone down but adding new lots could possibly increase the number of school age children in the park. Mr. Farnan stated that would cause the school budget to increase. Mr. Farnan stated that he would like to see the Planning Board make a negative recommendation to the Town Board.

Vice-Chairman Murray asked if anyone else would like to comment and hearing none he proceeded to close the public hearing.

Mr. Male stated that the applicant approached the Building Department to help them improve the park. Mr. Male stated that the new legislation will give the Building Department the ability to enforce the regulations regardless of who owns the park. Mr. Male stated that comments from the November 11, 2017 Public hearing included how to make sure that the owner of the mobile home park incorporates the amenities. Mr. Male stated that it was suggested to add a phasing schedule into the PDD Language. Mr. Male stated that the Storage Facilities location would be reviewed under Site plan Review.

Mr. Cutler stated that if the Planning Board was to give a favorable recommendation to the Town Board the Planning Board could then strongly advise the Town Board that additional language is to be added to the PDD. Mr. Cutler stated that the Planning Board specifically establish the amenities required, time frame to complete the amenities and sureties that require the amenities are completed during the Site Plan review and approval process. Mr. Cutler stated that his concern is that the Planning Board is not in a position to establish a reasonable schedule for phasing. Mr. Cutler stated that the Planning Board can advise the Town Board what the Planning Boards concerns are with the amenities and the timeframe. Mr. Cutler stated that the Planning Board can strongly recommend that the Town Board address those concerns in the PDD Language either by review from the Planning Board after the PDD is approved or by adding language to the PDD.

Ms. Reilly stated that she believes there should be a phasing schedule for the amenities to be incorporated into the mobile home park. Ms. Reilly stated that she would prefer the proposed Storage Facilities moved to another location.

Ms. Vomacka stated that she would like give the owner of the mobile home park time to continue with the improvements and changes before the construction of the Club House.

Vice-Chairman Murray asked if anyone had any additional concerns or questions and hearing none, asked a motion to refer the PDD to the Town Board.

**TOWN OF STILLWATER
PLANNING BOARD
2017 RESOLUTION NO. 19**

WHEREAS, Stillwater Elgen, LLC, has submitted an application for a P.D.D. Amendment regarding property located on County Route 76 at Lake Road, more fully described as Tax Map Nos. 243.00-1-72 and 243-1-72.3; and

WHEREAS, the Town Board received the application for the P.D.D. Amendment and has referred the application to the Planning Board for its comments and recommendations; and

WHEREAS, a joint public hearing between the Town Board and Planning Board was conducted on November 16, 2017 and both Boards elected to keep the public hearing open and the Planning Board continued its public hearing on December 11, 2017; and

WHEREAS, at both public hearings, concerns were raised regarding density, traffic issues, burden on the school district, dumping, questions about potential sale of the park to other individuals and entities and questions about whether the smaller lot is being rezoned by this P.D.D. Amendment; and

WHEREAS, at the November 16, 2017 public hearing, a member of the public challenged the Board to visit other parks owned by the applicant, and in response to that request, a majority of the Board members visited a number of those parks. At the December 11, 2017 meeting, those Planning Board members reported to the Board their impressions of the condition of a number of the other mobile home parks owned by the applicant and all had similar conclusions; and

WHEREAS, in response to the concerns that were raised regarding the impact on the school district at the November 16, 2017 public hearing, a report on the school and real property taxes paid by the mobile home park over the past few years was provided to the Board. In addition, the applicant provided the number of students who currently attend the school from the mobile home park and the statistics on potential impacts on the school district for the expansion of the mobile home park; and

WHEREAS, in response to the concerns that were raised regarding traffic issues in and around the area, discussion was had about the speed limit on the county road and other traffic issues and that the traffic speed limit on that road is determined by the County; and

WHEREAS, the Board discussed the fact that the terms and conditions of the P.D.D. would run with the land if the property was sold so that the Town would be able to enforce those conditions, regardless of the ownership; and

WHEREAS, the Board discussed the fact that the original P.D.D. included both lots and that although the smaller lot currently is not developed as part of the mobile home park, based upon the available documentation, it is within the P.D.D. zoning so that it is not being rezoned

from Low Density Residential Zoning to a higher density use; and

WHEREAS, the Board further discussed the fact that all other acreage within the original P.D.D. should be removed from the P.D.D. and revert back to Low Density Residential Zoning; and

WHEREAS, the Board discussed the issue of certain areas within the mobile home park where dumping has occurred and the fact that the current owner is seeking to clean up those areas and the Town is working with the current owner to seek to better that situation; and

WHEREAS, the Planning Board duly considered the documents and records and the public comments; and

Now, therefore, be it

RESOLVED, that the application of Stillwater Elgen, LLC, for a P.D.D. Amendment of lands located on Lake Road, more fully identified as Tax Map Nos. 243.00-1-72 and 243-1-72.3, is given a favorable recommendation by the Planning Board, provided, however, that the Planning Board strongly recommends that the Town Board amend the proposed P.D.D. legislation as follows:

1. That language is added to state that “At any site plan review for any portion of the project, the Planning Board may establish the specific amenities the Board wishes to require for the project and the time frame for the completion of those amenities.”
2. That the proposed storage buildings shown on the map submitted with the application be relocated or removed.
3. That a clubhouse be added to the list of allowable amenities under Area Requirements section “C”.
4. That language is added stating that any land within the original P.D.D. other than the 91.816 acres identified as Tax Map No.: 241-1-72 and the 16.66 acres identified as Tax Map No.: 243-1-72.3, shall revert back to Low Density Residential Zoning requirements and shall no longer be part of the P.D.D.

A motion by Member Winchell, seconded by Member Reilly, to adopt Resolution No. 19.

A roll call vote was taken on Resolution No. 19 as follows:

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| Chairperson Marotta | Absent |
| Member Buck | Yes |
| Member Ferris | Yes |
| Acting Chair Murray | Yes |
| Member Rathbun | Absent |
| Member Reilly | Yes |
| Member Winchell | Yes |

Resolution No. 19 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on December 11, 2017.

PB2017-13, Olympia Gardens (Major) Cluster Subdivision, County Route 75

Vice-Chairman Murray recognized Mr. Ivan Zdrahal of Zdrahal Associates who is presenting a Cluster Subdivision project before the Board. Mr. Zdrahal stated that the property consist of 80-acres which is located on the west side of County Route 75. Mr. Zdrahal stated that there are 26 lots with a minimum lot size of 20,000 Sq. Ft. for single family dwellings. Mr. Zdrahal stated that the site will be serviced with public water and public sewer with a grinder pumps for each lot; an HOA will be established and storm water will be managed on site. Mr. Zdrahal stated the proposed project is on approximately 18-acres with the remaining 80% of the property as open space. Mr. Zdrahal stated that he has spoken with Mr. Mark Minick, Superintendent of Highways regarding sidewalks in the development. Mr. Zdrahal stated that Mr. Minick is not in favor of the sidewalks but, requested that the waterline was to be looped throughout the development. Mr. Zdrahal stated that the roadway will be built to the Town’s standards and will be dedicated to the Town of Stillwater.

Vice-Chairman Murray asked what the distance is between the entrance of this project and the entrance of Battery Blvd. Mr. Zdrahal stated that the distance between the two entrances is roughly 300 Ft. Vice-Chairman Murray stated that the Town Subdivision Code requires sidewalks on one or both sides of the street. Mr. Zdrahal stated that this project is on a dead-end street and with the low traffic he does not feel sidewalks are necessary. Mr. Zdrahal stated that he had spoken to Mr. Minick and he agrees that sidewalks are not necessary. Vice-Chairman Murray stated that this would be up to the discretion of the Planning Board. Vice-Chairman Murray asked Ms. Zepko to refer the application to the Saratoga County Planning Board. Ms. Zepko stated that she will be to referring the application to the Saratoga County Planning Board.

Ms. Winchell stated that the discussion at February 27, 2017 Planning Board meeting was to move the project’s entrance closer to the Battery Blvd entrance. Mr. Zdrahal stated that area of the property has existing wetlands. Ms. Winchell stated that she is favor of the sidewalks and individual lamp post with a sensor. Ms. Winchell stated that she would like to see the entrance to the development located in the safest area entering onto County Route 75. Mr. Zdrahal stated that the entrance will have to remain were it is due to the slopes and wetlands.

Mr. Cutler asked about the proposed trails that were on the previous map compared to what is being proposed on the current map. Mr. Zdrahal stated that the changes shown on the current map are due to the wetlands on the property.

Vice-Chairman Murray stated that a motion is in order to schedule the Public Hearing for the January 22, 2018 Planning Board meeting.

Ms. Ferris made a motion to hold the Public Hearing on January 22, 2018 seconded by Ms. Reilly. A rollcall vote was taken.

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| Chairperson Marotta | ABSENT |
| Vice-Chairman Murray | YES |
| Member Buck | YES |
| Member Ferris | YES |
| Member Rathbun | ABSENT |
| Member Reilly | YES |
| Member Winchell | YES |

Motion to adjourn: made by Ms. Winchell, seconded by Mr. Buck motion passed at approximately 8:55 PM.