

**PLANNING BOARD MEETING
TOWN OF STILLWATER
STILLWATER TOWN HALL
March 28, 2022 @ 6:00 PM**

Present:

**Chairman Peter Buck (PB)
Frank Bisnett (FB), Member
Heather (Ferris) Keefer (HK), Member
Carol Marotta, (CM), Vice-Chairperson (via zoom)
Randy Rathbun (RR) Member
Marybeth Reilly (MR) Member
Kimberlee Marshall (KM) Alternate Member**

Also Present:

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

Absent:

Dale Smith (DS), Member

Pledge:

Chairman Buck 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. Keefer made a motion to approve the February 28, 2022 meeting minutes, seconded by Mr. Bisnett. Motion passed unanimously.

PB2021-26 & 27 Tanski Concrete Plant Site Plan and Special Use Permit Farley Road

Chairman Buck recognized Mr. Jason Dell of Lansing Engineering who is representing Mr. Bruce Tanski this evening. Mr. Dell stated that Mr. Tanski is also present this evening. Mr. Dell stated that they are presenting the concept plan this evening to receive comments from the Planning Board. Mr. Dell stated that the property is located on the east side of Farley Road in the Route 67 West Business District which consists of 11.88-acres. Mr. Dell stated that the applicant is proposing a 2,760 sq. ft. concrete batch plant. Mr. Dell stated that there will be one access point into the facility for ingress and egress from Farley Road. Mr. Dell stated that the parking area will be located on the south side of the concrete batch plant. Mr. Dell stated that they are proposing 9 parking spaces, 5-for employees, 1-for the company vehicle and 3-for the concrete trucks which is in accordance with the Town of Stillwater Zoning Code. Mr. Dell stated that the site will be serviced by public water but will not be serviced by public sewer. Mr. Dell stated that the applicant is proposing the use of port-a-john on site. Mr. Dell stated that the commercial

development is less than 1-acre in size and in accordance with NYS DEC General Permit a SWPPP is not required. Mr. Dell stated that an Erosion & Sediment Control Plan will be submitted to the Planning Department for review. Mr. Dell stated that there are no wetlands on the site. Mr. Dell stated that concrete batch plant is a permitted use under light industrial facilities pursuant to Table 1 of the Town of Stillwater Zoning Code.

Mr. Rathbun stated that the material which the applicant will be using at the concrete batch plant will be brought in. Mr. Dell stated that is correct. Mr. Rathbun asked about the hours of operation. Mr. Tanski stated that the hours of operation would be 8am until 4pm/5pm. Mr. Rathbun asked about the truck traffic entering and leaving the site. Mr. Tanski stated that there would be about 12 to 15 trucks entering and leaving the site. Mr. Rathbun asked if that includes the truck bringing in the material to the concrete batch plant. Mr. Tanski stated that is correct. Mr. Rathbun asked Mr. Tanski if the concrete is for his personal use to construct his ongoing projects. Mr. Tanski that is correct.

Chairman Buck stated that he does not believe the truck traffic will impact the surrounding roadways. Chairman Buck stated that there is a natural buffer with the surrounding trees on the site. Chairman Buck asked if there is sufficient space for emergency vehicles to access the site with one entrance.

Mr. Trainor stated that the concrete batch plant height is 47 ft. Mr. Trainor asked if the concrete batch plant can be seen from vehicles traveling on Farley Road and NYS Route 67. Mr. Tanski stated that the height of the trees will block the view of the concrete batch plant from Farley Road and NYS Route 67. Mr. Trainor asked about a letter credit in the case the Town of Stillwater would have to do the removal of the concrete batch plant. Mr. Tanski stated that a letter of credit would affect his ability to receive funding from the bank. Mr. Trainor stated that the Town of Stillwater usually requires a letter of credit or a bond in the case of Special Use Permits. Mr. Tanski stated that they will review their options to secure funding for the removal of the concrete batch plant. Mr. Trainor asked Ms. Lindsay Buck if the application needs to be referred to the Saratoga County Planning Board. Ms. Lindsay Buck stated that the application does need to be referred to the Saratoga County Planning Board. Mr. Trainor asked if this is a model concrete batch plant. Mr. Tanski stated that they will be building the concrete batch plant.

Mr. Bisnett asked what is on the adjacent property to the north on Farley Road. Mr. Dell stated that the property to the north has a wood operation. Mr. Bisnett asked if that is the location of the proposed "sawmill". Mr. Tanski stated that is correct. Mr. Bisnett asked about placing a time limit on the concrete batch plant where the applicant would have to come back before the Planning Board for review. Ms. Lindsay Buck stated that the Planning Board could request a review of the project after a certain time line under the temporary Special Use Permit.

Ms. Reilly asked for clarification on the number of trucks entering and exiting the site. Mr. Tanski stated that the number could vary between 10 to 18 trucks depending on the day/project. Ms. Reilly asked what the capacity of the concrete batch plant is in regards to the amount concrete generated. Mr. Tanski stated that he does not have that information. Mr. Tanski stated that this is a portable concrete batch plant and will eventually be removed from the site.

Ms. Marshall asked what the plan is for removing the concrete batch plant when it is no longer needed. Mr. Tanski stated that there are no plans for the removal of the concrete batch plant at this time. Ms. Marshall asked what the time frame is for the operation of the concrete batch plant. Mr. Tanski stated that he does not know what the time frame will be for the length of operation. Ms. Marshall asked Mr. Tanski if he has a bonding agent for bonding capacity. Mr. Tanski stated that he does not have a bond agent.

Chairman Buck asked Mr. Male if he had any questions or concerns. Mr. Male stated that he has no questions or concerns.

Mr. Dell stated that he will address Mr. Male's comment letter dated March 24, 2022 for the April 25, 2022 Planning Board meeting.

Mr. Tanski asked if the Planning Board would prefer that the placement of the concrete batch plant to be placed further into the wooded area.

Ms. Lindsay Buck stated that there are certain landscaping requirements in this zoning district.

Ms. Marotta stated that this is a temporary concrete batch plant operation. Mr. Tanski stated that is correct. Ms. Marotta asked about the amount of dust that will be raised from the operation of the concrete batch plant. Mr. Tanski stated that there is new engineering with this concrete batch plant in regards to dust. Ms. Marotta stated that there is a wash out area for the concrete trucks. Mr. Tanski stated that is correct.

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

Chairperson Buck	Yes
Vice Chairwoman Marotta	Yes (Via zoom)
Member Bisnett	Yes
Member Keefer	Yes
Member Reilly	Yes
Member Marshall	Yes
Member Rathbun	Yes

PB2022-06 Forest Ridge Site Plan Amendment, Cold Springs Road

Chairman Buck recognized Mr. John Romeo of M.G. McLaren Engineering and Land Survey who is representing Gala Builders. Mr. Romeo stated that Mr. Zachary Durrrough is also present this evening. Mr. Dorrrough stated that the proposed modifications to the Site Plan is because of the cost to build. Mr. Dorrrough stated that each 12-unit apartment building will have 4 integrated garages and the two 10-unit apartments are unchanged from the previous approved project where each unit will have an integrated garage. Mr. Dorrrough stated that they are proposing a reduction of 88 parking spaces for a total of 551 parking spaces. Mr. Romeo stated that the project exceeds the minimum of 520 parking spaces. Mr. Dorrrough stated that the revised Site Plan increases the club house with addition of a second story from 6,500+/-sq. ft. to 9,500+/- sq. ft. with an

additional 2,500+/- sq. ft. which are covered porches. Mr. Dorrrough stated that there will be a pavilion area for the residents. Mr. Dorrrough turned the presentation over to Mr. Romeo. Mr. Romeo stated that the outdoor patio area has been reduced in size to 4,100 sq. ft and will be constructed with porous pavers to infiltrate the surface water. Mr. Romeo stated that the outdoor activity area will include an outdoor static exercise area that will be accessible from the trail. Mr. Romeo stated that the outdoor recreational area will include a 1,200+/- sq. ft. restroom and locker building. Mr. Romeo stated that the outdoor pool has brought into the clubhouse. Mr. Romeo stated that outdoor exercise area will be open to the public. Mr. Romeo stated that there are retaining walls throughout the site which are less than 4 ft in height. Mr. Dorrrough stated that the changes proposed are buildings 6, 12, 15 and 22 from 10-unit apartment buildings to four 14-bay garage buildings and storage building. Mr. Romeo stated that buildings 21 and 23 will remain 10-unit apartment buildings and all remaining apartment buildings have been changed to 12-unit apartment buildings. Mr. Romeo stated that the changes to the clubhouse and the outdoor recreational space does not require any modifications to the SWPPP. Mr. Romeo stated that the revised Site Plan did not change the density of the project.

Mr. Trainor asked if the roadways are private or public. Ms. Lindsay Buck stated that the roadways are private until it connects to Shenandoah Drive, which is a public road.

Ms. Marotta asked the applicant if he was aware of the project to the west which could produce thru traffic into this development. Mr. Dorrrough stated that they purchased the property from the developer of the project to the west. Mr. Dorrrough stated that they are currently working with the developer. Ms. Marotta asked about the restrooms being open to the public and who will be maintaining/cleaning the restrooms. Mr. Dorrrough stated that his staff will be maintaining and cleaning the restrooms. Ms. Marotta asked where the public would park to access the trail system. Mr. Dorrrough stated that the public would park at the clubhouse to access the trail system and outdoor exercise area. Ms. Marotta stated that the outdoor exercise area is part of the trail system. Mr. Dorrrough stated that is correct. Ms. Marotta stated that not all the apartments will have access to a garage with the revised Site Plan. Mr. Dorrrough stated that some residents would prefer discounted rent instead of a garage. Ms. Marotta stated that she did not see any parking spaces on the plans for the 10-unit apartment buildings. Mr. Dorrrough stated that the 10-unit apartment buildings have 10 parking spaces, with integrated garages and driveways with 1 extra parking space. Ms. Marotta stated that the outdoor pool is now located inside the clubhouse. Mr. Dorrrough stated that is correct.

Ms. Lindsay Buck stated that there needs to be a more detailed drawing showing the parking spaces and the dumpster locations. Ms. Lindsay Buck asked Mr. Dorrrough if the road names would be changed. Mr. Dorrrough stated that the road names will not be changed.

Ms. Reilly asked if the clubhouse is just for the residents or open to the public. Mr. Dorrrough stated that the clubhouse is just for the residents of the development.

Mr. Rathbun stated that there needs to be more clarification on the parking spaces that are required.

Ms. Marshall stated that the Planning Board needs a more adequate parking detail. Ms. Marshall asked about a lighting plan for the development.

Ms. Keefer stated that she agrees with the Planning Board comments regarding more detailed plans.

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

Chairperson Buck	Yes
Vice Chairwoman Marotta	Yes (Via zoom)
Member Bisnett	Yes
Member Keefer	Yes
Member Reilly	Yes
Member Marshall	Yes
Member Rathbun	Yes

PB2022-07 Colonial Road Cluster Subdivision, Colonial Road

Chairman Buck recognized Mr. Joseph Dannible of Environmental Design Partnership who is representing Malta Development. Mr. Dannible stated that Mr. Wayne Samascott and Mr. Thomas Samascott of Malta Development are also present this evening. Mr. Dannible stated that they are presenting the conceptual plan this evening to receive comments from the Planning Board. Mr. Dannible stated that the applicant is proposing a Conservation Cluster Subdivision located on the west side of Colonial Road in the T3N Zoning District which consist of 26.68+/- acres. Mr. Dannible stated that the applicant is proposing a 23-lot subdivision with single-family dwellings. Mr. Dannible stated that the lots will be serviced with public water and public sewer. Stormwater will be managed on site and that and the roadway into the development will be a public road and dedicated to the Town of Stillwater. Mr. Dannible stated that there are 7.3+/- acres of NYS DEC wetlands on the site which leaves 16+/- acres for development. Mr. Dannible stated that the applicant would like to reduce the frontage from 100 ft. down to 60 ft. Mr. Dannible stated that they have received Mr. Male's and Ms. Lindsay Buck's comment letter dated March 24, 2022 and have addressed some of the comments but, not all of the comments as of yet.

Ms. Lindsay Buck asked about the grey colored squares are on the front of all the dwellings. Mr. Dannible stated that the grey squares indicate the porches on the single-family dwellings and the driveways. Ms. Lindsay Buck stated the porches need to be located behind the setback lines. Ms. Lindsay Buck asked if the cul-de-sac could be reconfigured and provide the required frontage. Mr. Dannible stated that with T3N Zoning it would be hard to reconfigure the roadway. Ms. Lindsay Buck asked about lots 19, 20 and 21 being triangular lots which has caused boundary line issues for the Code Enforcement Officers in the past. Mr. Dannible stated that they will review the triangular lots. Ms. Lindsay Buck stated that the applicant is combing the T3N Zoning and the Cluster Subdivision Zoning. Ms. Lindsay Buck asked if there is a dwelling in the front of this development. Mr. Dannible stated that is correct. Ms. Lindsay Buck stated that

according to the Zoning Code, sidewalks are to be placed on one or both side of the street at the discretion of the Planning Board.

Mr. Trainor asked who will be maintaining the stormwater on the site. Mr. Dannible stated that the stormwater basins would be dedicated to the Town of Stillwater.

Chairman Buck asked about lots 22 and 23 and the distance is from the road. Mr. Dannible stated that lots 22 and 23 are about 1,000 ft. from the roadway. Chairman Buck stated that the driveways will need to have an apparatus turn around area for emergency vehicles.

Ms. Marotta stated that the driveway will also need to be built to support the emergency vehicles. Ms. Marotta asked if this application is still being proposed as Conservation Cluster Subdivision. Ms. Lindsay Buck stated that this application is the first Conservation Cluster Subdivision in the T3N Zoning District. Ms. Lindsay Buck stated that the Zoning states: “§ 210-155 **Lot sizes in cluster and conservation subdivisions.** After the final residential density is determined, there shall be a minimum lot size of 20,000 square feet in a cluster or conservation subdivision. The Planning Board shall determine appropriate lot sizes during its review. When determining appropriate lot sizes, the Planning Board shall consider required utility separations, including on lot wastewater treatment and water wells.” Ms. Marotta stated that there are certain requirements with the zoning for a Conservation Cluster Subdivision. Ms. Marotta stated that this proposed plan does not meet the requirements. Ms. Marotta asked about the setbacks from Colonial Road. Mr. Dannible stated that that they are trying to preserve the viewshed from Colonial Road into the development. Mr. Dannible stated that there is a grade difference from Colonial Road to the development site.

Mr. Rathbun asked if the sidewalks will be dedicated to the Town of Stillwater. Mr. Dannible stated that is correct. Mr. Rathbun asked if the Highway Superintendent, Matt Harris, has reviewed the sidewalk plans. Ms. Lindsay Buck stated that she has not contacted the Highway Superintendent, Matt Harris, as of yet. Mr. Rathbun asked about the line-of-site for ingress and egress from the development onto Colonial Road. Mr. Dannible stated that there will be some clearing of vegetation for a better line-of -site. Mr. Rathbun asked if there is a lighting plan for the development. Mr. Dannible stated that there will be individual carriage lights on each dwelling.

Ms. Keefer made a motion to table the project for additional engineered, plans seconded by Mr. Rathbun. A roll call vote was taken.

Chairperson Buck	Yes
Vice Chairwoman	Yes (Via zoom)
Member Bisnett	Yes
Member Keefer	Yes
Member Reilly	Yes
Member Marshall	Yes
Member Rathbun	Yes

Motion to adjourn made by Ms. Keefer, seconded by Ms. Marshall at approximately 7:35 PM