

TOWN OF STILLWATER
PLANNING BOARD MEETING MINUTES

September 28, 2015 @7:00 PM
STILLWATER TOWN HALL

Present:

Chairperson, Robert Barshied (RB)
John Murray (JM)
Carol Marotta (CM)
Peter Buck (PB)
Randy Rathbun (RR)
Beverly Frank (BF)
Randy DeBacco (RD)

Also Present:

Daryl Cutler, Attorney for the Town (DC)
Paul Male, Town Engineer (PM)
Lindsay Zepko, Town Planner (LZ)
Sheila Silic, Secretary

Pledge:

Chairperson Barshied called the meeting to order at 7:00 PM and led everyone in the Pledge to the Flag.

Review and approval of the minutes of Planning Board meetings:

Ms. Frank made a motion to approve the minutes from the August 24, 2015 meeting as amended. Mr. Rathbun seconded, Mr. Murray abstained.

PB2015-20, Riley/Giovanone Minor Subdivision, 84 Durham Road

Chairman Barshied recognized Mr. Jason Tommell of Van Dusen and Steves, representing Mr. Riley and Mr. Giovanone. Mr. Tommell briefly recapped the project before the Board. Mr. Tommell stated this is a two lot subdivision located on the east side of Durham Road and was revised on September 21, 2015. Mr. Tommell stated that Lot #1 will be a two acre lot in the front and the flag lot will retain the remaining 9.6 acres. Mr. Tommell stated that Mr. Riley and Mr. Giovanone received an Area Variance on August 10, 2015 for lot width on Lot #1. Mr. Tommell stated that there will be a shared driveway and will have emergency pull offs if the driveway exceeds 500 ft. in length. Mr. Tommell stated that the 10 ft. wide utility easement will not be accessed as a driveway. Mr. Tommell stated that the proposed single family dwelling will be located on the knoll to take in the view.

Ms. Marotta asked what the reason is that the flag lot would not have its own access for ingress and egress. Mr. Riley stated that they propose to share the existing driveway versus constructing an additional driveway. Ms. Marotta asked if there is an easement agreement for the driveway access going over Lot #1. Mr. Tommell stated that the driveway easement will be shown on the final map.

Chairman Barshied proceeded to open the public hearing and asked if anyone wished to comment on the public hearing, hearing none Chairman Barshied proceeded to close the public hearing.

Chairman Barshied asked if anyone had any concerns or questions and hearing none he asked to move to discuss SEQRA.

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 34**

WHEREAS, David and Michelle Riley have submitted an application for Subdivision Approval regarding property located at 84 Durham Road more fully identified as Tax Map Number 242.00-1-15.24; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is an unlisted action requiring SEQRA review; and

WHEREAS, pursuant to 6 NYCRR §617.6, the Stillwater Planning Board is the lead agency for SEQRA review; and

WHEREAS, the applicant has submitted a fully completed Short Environmental Assessment Form (EAF); and

WHEREAS, the Planning Board has duly reviewed the EAF and has considered the criteria contained in 6 NYCRR §617.7(c), to determine if the proposed action will have a significant impact on the environment;

WHEREAS, the Planning Board reviewed each of the 11 factors contained in Part 2 of the EAF and determined that the proposed action will have no, or only a small, environmental impact;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, David and Michelle Riley, for Subdivision Approval regarding property located at 84 Durham Road, more fully identified as Tax Map Number 242.00-1-15.24, will not have a

significant impact on the environment.

A motion by Member Frank, seconded by Member DeBacco, to adopt Resolution No. 34 of 2015.

A roll call vote was taken on Resolution No. 34 of 2015 as follows:

Chairman Barshied	YES
Member Buck	YES
Member DeBacco	YES
Member Frank	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES

Resolution No. 34 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on September 28, 2015.

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 35**

WHEREAS, David and Michelle Riley have submitted an application for Subdivision Approval regarding property located at 84 Durham Road, more fully described as Tax Map No. 242.00-1-15.24; and

WHEREAS, a public hearing was conducted on September 28, 2015 to consider the application, and no comments were received from the public as well as the applicant; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 34 of 2015; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of David and Michelle Riley for Subdivision Approval of lands located on 84 Durham Road, more fully identified as Tax Map Number 242.00-1-15.24; is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the conditions, which were included in the September 25, 2015 Memorandums from Paul Male, P.E., and that the following additional conditions are met prior to approval of the application:

1. The final map show the easement for the driveway;
2. An easement is filed with the County Clerk's office and a filed copy is provided to the Town; and be it further

RESOLVED, that the applicant must file the approved subdivision map, with all required annotations (a copy of which is annexed hereto), with Saratoga County within 62 days of its execution, or the action by this Board shall become null and void; and be it further

RESOLVED, that the Secretary is authorized and directed to transmit a copy of this Resolution to the Applicant, the Town Clerk and the Building Inspector-Code Enforcement Officer.

A motion by Member Marotta, seconded by Member Rathbun, to adopt Resolution No. 35 of 2015.

A roll call vote was taken on Resolution No. 35 of 2015 as follows:

Chairman Barshied	YES
Member Buck	YES
Member DeBacco	YES
Member Frank	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES

Resolution No. 35 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on September 28, 2015.

PB2015-21, Bell Minor Subdivision, 71 Blizzard Road

Chairman Barshied recognized Mr. David Bogardus of North East Land Survey, representing Mr. and Mrs. David Bell. Mr. Bogardus briefly recapped the project before the Board. Mr. Bogardus stated this is a two lot subdivision located on the East side of Blizzard Road. Mr. Bogardus stated that Lot #1 would consist of 25.6 acres and that Lot #2 would consist of 9.2 acres. Mr. Bogardus stated that the driveway has been moved about 100 ft. to the north and will provide a stop distance of 390 ft. on Blizzard road. Mr. Bogardus stated that this is a shared driveway and the easement language has been done. Mr. Bogardus stated that the percolation test was performed, wetlands have been delineated and all of Mr. Male's comments have been addressed.

Chairman Barshied asked Mr. Male if there was anything else that needed to be addressed. Mr. Male stated that everything has been addressed and that there are no other issues.

Chairman Barshied proceeded to open the public hearing and asked if anyone wished to comment on the public hearing, hearing none, Chairman Barshied proceeded to close the public hearing.

Chairman Barshied asked if anyone had any additional concerns or questions and hearing none he asked to move to discussion of SEQRA.

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 36**

WHEREAS, David and Emma Bell have submitted an application for Subdivision Approval regarding property located at 71 Blizzard Road more fully identified as Tax Map Number 232.-1-45.1; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is an unlisted action requiring SEQRA review; and

WHEREAS, pursuant to 6 NYCRR §617.6, the Stillwater Planning Board is the lead agency for SEQRA review; and

WHEREAS, the applicant has submitted a fully completed Short Environmental Assessment Form (EAF); and

WHEREAS, the Planning Board has duly reviewed the EAF and has considered the criteria contained in 6 NYCRR §617.7(c), to determine if the proposed action will have a

significant impact on the environment;

WHEREAS, the Planning Board reviewed each of the 11 factors contained in Part 2 of the EAF and determined that the proposed action will have no, or only a small, environmental impact;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, David and Emma Bell, for Subdivision Approval regarding property located at 71 Blizzard Road, more fully identified as Tax Map Number 232.-1-45.1, will not have a significant impact on the environment.

A motion by Member DeBacco, seconded by Member Rathbun, to adopt Resolution No. 36 of 2015.

A roll call vote was taken on Resolution No. 36 of 2015 as follows:

Chairman Barshied	YES
Member Buck	YES
Member DeBacco	YES
Member Frank	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES

Resolution No. 36 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on September 28, 2015.

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 37**

WHEREAS, David and Emma Bell have submitted an application for Subdivision Approval regarding property located at 71Blizzard Road, more fully described as Tax Map No. 232.-1-45.1; and

WHEREAS, a public hearing was conducted on September 28, 2015 to consider the application, and no comments were received from the public as well as the applicant; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 36 of 2015; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of David and Emma Bell for Subdivision Approval of lands located on 71 Blizzard Road, more fully identified as Tax Map Number 232.-1-45.1; is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the conditions, which were included in the September 11, 2015 Memorandums from Paul Male, P.E.; and be it further

RESOLVED, that the applicant must file the approved subdivision map, with all required annotations (a copy of which is annexed hereto), with Saratoga County within 62 days of its execution, or the action by this Board shall become null and void; and be it further

RESOLVED, that the Secretary is authorized and directed to transmit a copy of this Resolution to the Applicant, the Town Clerk and the Building Inspector-Code Enforcement Officer.

A motion by Member Murray, seconded by Member Frank, to adopt Resolution No. 37 of 2015.

A roll call vote was taken on Resolution No. 37 of 2015 as follows:

Chairman Barshied	YES
Member Buck	YES
Member DeBacco	YES
Member Frank	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES

Resolution No. 37 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on September 28, 2015.

PB2015-19, Paul Lescault Major Subdivision, 18 Brightman Road

Chairman Barshied recognized Mr. James Vianna of James Vianna Land Surveying representing Mr. Paul Lescault. Mr. Vianna briefly recapped the project before the Board. Mr. Vianna stated this is a five lot subdivision located on the westerly corner of Brightman Road and County Route 76. Mr. Vianna stated that Lot #1 received an Area Variance on from the Zoning Board on

August 10, 2015 lot width at the building line. Mr. Vianna stated that Mr. Males comments on the emergency pulls offs, percolation test, DEC has signed off on the wetlands and the driveways will be paved. Mr. Vianna stated that Item #13 regarding the Fire District, Mr. Vianna stated that he will be contacting Fire District in the next few days. Mr. Vianna asked about the GEIS and Park & Recs fees on the four lots.

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

Richard Dantz
427 County Route 76

Mr. Dantz stated that when the property was sold to Mr. Lescault it wasn't worth much but he built three houses, sold two and made his residence in the other house. Mr. Dantz stated that the property is now worth more and has been helpful to Town by increasing the tax base. Mr. Dantz stated that he has no opposition to what Mr. Lescault is proposing.

Howard McAvoy
401 County Route 76

Mr. McAvoy has concerns pertaining to well water and the aquafer and asked if the water was going to be public or private well. Mr. McAvoy asked if Mr. Lescault will be building four spec homes and then putting the houses up for sale. Mr. McAvoy stated that there will be a loss of habitat for the insects and the animals as well as building more houses will raise Town taxes. Mr. McAvoy stated that does not agree with the applicant and opposes this project.

Mr. Vianna stated that each house will have a private well and the maximum buildout is four houses. Mr. Vianna stated that he not sure what Mr. Leacault's plans are for the building on the other four lots. Mr. Vianna stated that Mr. Leacault plans on selling his house at 18 Brightman Road and building on the back lot.

James Close
3 Brightman Rd

Mr. Close stated that he agrees with Mr. McAvoy. Mr. Close asked the Board if they take into consideration the vision of the Comprehensive Plan with the development of the property and the traffic on County Route 76 and Brightman Road. Mr. Close stated that there is an increase in traffic with all the development going on in the Town. Mr. Close stated the Town should give land owners a deduction on their taxes if the landowners keep their property undeveloped. Mr. Close also stated that if anyone on the Board has a financial interest in the property they should not be voting on the project.

Chairman Barshied stated that the Board has to follow the Zoning Ordinances and the Board makes their decision on what is being presented by the applicant.

Chairman Barshied asked if there was anyone else who wished to make public comment, hearing none Chairman Barshied proceeded to close the public hearing.

Ms. Marotta stated that the layout of the subdivision has large lots, will bring the property up in value and will have a positive impact on the neighborhood.

Chairman Barshied stated that public water is not available at this time and there is only one house that will be visible from the road.

Mr. Murray stated that what he has seen and heard this evening he agrees with Ms. Marotta, this will enhance the neighborhood.

Mr. Rathbun stated that he also agrees with both Ms. Marotta and Mr. Murray in their assessment of the Mr. Lescault's project.

Chairman Barshied asked if anyone had any additional questions or concerns and hearing none he moved to discussion of SEQRA.

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 38**

WHEREAS, Paul Lescault has submitted an application for Subdivision Approval regarding property located at 18 Brightman Road more fully identified as Tax Map Number 231-1-61.11; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is an unlisted action requiring SEQRA review; and

WHEREAS, pursuant to 6 NYCRR §617.6, the Stillwater Planning Board is the lead agency for SEQRA review; and

WHEREAS, the applicant has submitted a fully completed Short Environmental Assessment Form (EAF); and

WHEREAS, the Planning Board has duly reviewed the EAF and has considered the criteria contained in 6 NYCRR §617.7(c), to determine if the proposed action will have a significant impact on the environment;

WHEREAS, the Planning Board reviewed each of the 11 factors contained in Part 2 of the EAF and determined that the proposed action will have no, or only a small, environmental impact;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Paul Lescault, for a Subdivision Approval regarding property located at 18 Brightman Road, more fully identified as Tax Map Number 231-1-61.11, will not have a significant impact on the environment.

A motion by Member Rathbun, seconded by Member DeBacco, to adopt Resolution No. 38 of 2015.

A roll call vote was taken on Resolution No. 38 of 2015 as follows:

Chairman Barshied	YES
Member Buck	YES
Member DeBacco	YES
Member Frank	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES

Resolution No. 38 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on September 28, 2015.

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 39**

WHEREAS, Paul Lescault has submitted an application for Subdivision Approval regarding property located at 18 Brightman Road, more fully described as Tax Map No. 231-1-61.11; and

WHEREAS, a public hearing was conducted on September 28, 2015 to consider the application, and several comments were received from the public as well as the applicant; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 38 of 2015; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Paul Lescault for Subdivision Approval of lands

located on 18 Brightman Road, more fully identified as Tax Map Number 231-1-61.11, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant comply with the conditions, which were included in the September 11, 2015 Memorandums from Paul Male, P.E., and these conditions be met prior to approval of the application; and be it further

RESOLVED, that the applicant must file the approved subdivision map, with all required annotations (a copy of which is annexed hereto), with Saratoga County within 62 days of its execution, or the action by this Board shall become null and void; and be it further

RESOLVED, that the Secretary is authorized and directed to transmit a copy of this Resolution to the Applicant, the Town Clerk and the Building Inspector-Code Enforcement Officer.

A motion by Member Marotta, seconded by Member Rathbun, to adopt Resolution No. 39 of 2015.

A roll call vote was taken on Resolution No. 39 of 2015 as follows:

Chairman Barshied	YES
Member Buck	YES
Member DeBacco	YES
Member Frank	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES

Resolution No. 39 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on September 28, 2015.

PB2015-18, Jean Lescault Lot Line Adjustment (3), 1 Brightman Road

Chairman Barshied recognized Mr. James Vianna of James Vianna Land Surveying, representing Mr. Jean Lescault. Mr. Vianna stated that Mr. Lescault would like to propose a 3 Lot Line Adjustments on the property located on the easterly corner of Brightman Road and County Route 76. Mr. Vianna stated that the 6 acre horse shoe shaped property encompasses both sides and the rear of the existing four lots. Mr. Vianna stated that each of the Lot Line Adjustments will give more property to the existing parcels which will make each lot more conforming to the Town of Stillwater Zoning Codes.

Chairman Barshied asked if the lots would need Area Variances before the Planning Board moved forward with the Lot Line Adjustments. Mr. Male and Ms. Zepko stated that when the building permit is presented to the building department it would then be determined if the lot would need an Area Variance but having the lots being increased in area creates a lesser non-conformity.

Mr. Murray asked if the lots would need Area Variances when the lots will be more non-conforming with the Lot Line Adjustments. Mr. Cutler stated that an Area Variance may be needed depending on where the placement of the house is located on the property which would be shown on plot plan.

Ms. Marotta asked if the mobile home at 1 Brightman Road will be removed as it condemned. Mr. Vianna stated that he does not know what Mr. Lescault's intentions are for the mobile home. Ms. Marotta stated that the satellite dish in the Saratoga County Right-of-Way and should be removed. Ms. Marotta asked Ms. Zepko if the application has gone to Saratoga County Planning Board. Ms. Zepko stated that the Saratoga County Planning Board has not reviewed the application yet.

Chairman Barshied asked if anyone had any additional concerns or questions. Mr. Rathbun, Mr. DeBacco and Mr. Buck stated that there is no need to have a public hearing as it straight forward Lot Line Adjustment. Chairman Barshied stated he felt a public hearing should be held. A roll call vote was taken 4-0-3.

Chairman Barshied	Yes
Member Buck	No
Member Murray	Yes
Member Marotta	Yes
Member DeBacco	No
Member Rathbun	No
Member Frank	Yes

Chairman Barshied stated that the public hearing was set for the next Planning Board meeting on October 26, 2015.

PB2015-24, Custom Cakes Home Occupation, 28 Morgan Court

Chairman Barshied asked if the applicant was present to represent the project before the Board this evening. The applicant was not present for the meeting. Chairman Barshied asked Mr. Male if had reviewed the application. Mr. Male stated this as a Site Plan application for a Home Occupation to bake custom cakes for weddings, birthdays, showers, etc., in a commercial kitchen to be located in the new home under construction. Mr. Male stated the commercial kitchen will not be accessible from the house and will not change the exterior view of the house. The Applicant has stated that this business will be for custom orders and will not have any retail

component. Mr. Male stated the Applicant has indicated that the kitchen layout may be revised after the Health Department review.

Ms. Marotta asked that the minutes reflect that she made a motion for a public hearing with no one seconded the motion.

Chairman Barshied asked if anyone had any addition concerns or questions and hearing none he asked to move to discussion of SEQRA.

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 40**

WHEREAS, Custom Cake has submitted an application for Site Plan Review of a home occupation regarding property located at 28 Morgan Court more fully identified as Tax Map Number 253.23-1-3; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is an unlisted action requiring SEQRA review; and

WHEREAS, pursuant to 6 NYCRR §617.6, the Stillwater Planning Board is the lead agency for SEQRA review; and

WHEREAS, the applicant has submitted a fully completed Short Environmental Assessment Form (EAF); and

WHEREAS, the Planning Board has duly reviewed the EAF and has considered the criteria contained in 6 NYCRR §617.7(c), to determine if the proposed action will have a significant impact on the environment;

WHEREAS, the Planning Board reviewed each of the 11 factors contained in Part 2 of the EAF and determined that the proposed action will have no, or only a small, environmental impact;

Now, therefore, be it

RESOLVED, that the Planning Board hereby determines that the proposed action by the applicant, Custom Cake, for a Site Plan Review regarding property located at 28 Morgan Court, more fully identified as Tax Map Number 253.23-1-3, will not have a significant impact on the environment.

A motion by Member Rathbun, seconded by Member DeBacco, to adopt Resolution No. 40 of 2015.

A roll call vote was taken on Resolution No. 40 of 2015 as follows:

Chairman Barshied	YES
Member Buck	YES
Member DeBacco	YES
Member Frank	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES

Resolution No. 40 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on September 28, 2015.

**TOWN OF STILLWATER
PLANNING BOARD
2015 RESOLUTION NO. 41**

WHEREAS, Custom Cake has submitted an application for Site Plan Review of a home

occupation regarding property located at 28 Morgan Court, more fully described as Tax Map No. 253.23-1-3; and

WHEREAS, the Town Zoning Law does not require that a public hearing be held in order for the Planning Board to act on an application for Home Occupation Site Plan Approval; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 40 of 2015; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Custom Cake, for Site Plan Review of a home occupation on lands located on 28 Morgan Court, more fully identified as Tax Map Number 253.23-1-3, is hereby GRANTED; and be it further

RESOLVED, that the application is GRANTED, provided the applicant obtain New York State Department of Health approval; and be it further

RESOLVED, that the Secretary is authorized and directed to transmit a copy of this Resolution to the Applicant, the Town Clerk and the Building Inspector-Code Enforcement Officer.

A motion by Member Murray, seconded by Member Buck, to adopt Resolution No. 41 of

2015.

A roll call vote was taken on Resolution No. 41 of 2015 as follows:

Chairman Barshied	YES
Member Buck	YES
Member DeBacco	YES
Member Frank	YES
Member Marotta	YES
Member Rathbun	YES
Member Murray	YES

Resolution No. 41 of 2015 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on September 28, 2015.

PB2015-22, Henry W. Gronczniak Minor Subdivision, 586 NYS Route 9P

Chairman Barshied recognized Mr. David Bogardus of North East Land Survey, representing Mr. Bruce Gronczniak Administrator for the Estate of Henry W. Gronczniak. Mr. Bogardus stated that Mr. Gronczniak would like to do a two lot subdivision to bring the property into conformance with Zoning. Mr. Bogardus stated that the house and the camp have a private well, public sewer and only the house has furnace. Mr. Bogardus stated that the well house will be removed and replaced with a dome cover. Mr. Bogardus stated that the encroachment on the neighbor's property from the crush stone will be removed and placed on Mr. Gronczniak's property. Mr. Bogardus stated that Mr. Gronczniak intentions are to sell both properties.

Chairman Barshied stated that Mr. Gronczniak is fixing a code violation and making the lots conforming to Zoning.

Chairman Barshied asked if anyone had any additional concerns or questions and hearing none, he stated that the public hearing was set for the next Planning Board meeting on October 26, 2015.

PB2015-23, Cold Spring Road Mix Use Project, Cold Spring Road

Chairman Barshied recognized Mr. Scott Lansing of Lansing Engineering, representing Mr. Kailen Mackay. Mr. Lansing stated that the property is 220 acres with 11.77 acres which is wetlands located on Cold Spring Road. Mr. Lansing stated that Mr. Mackay would like to put a housing development on the west side of Cold Spring Road which consists of 97 acres and the remaining acreage developed into commercial business. Mr. Lansing stated that each single family dwelling would be on two acre lots. Mr. Lansing stated that there will be two access points for egress and ingress, one located on Cold Spring road and the other access point on Joyce Road. Mr. Lansing stated that there will be a buffer between the houses on Joyce Road and the first three lots between the residential and commercial development. Mr. Lansing stated that the housing development would have public water and sewer. Mr. Lansing stated the Site Plan Review for the commercial business will presented to the Board as a later date.

Mr. Buck asked if there is natural gas available to both of the developments. Mr. Mackay stated

that is possible to get natural gas to both developments.

Chairman Barshied stated the cul-de-sac has to conform to the Zoning Code. Chairman Barshied stated that this conforms to zoning and is not asking for more than what is allowed so they will not need an Area Variance. Chairman Barshied asked about the financial impact on the school.

Ms. Marotta asked if this connects to the roundabouts located in Global Foundries. Mr. Mackay stated that there are easements on the property. Ms. Marotta asked about the managing and cutting of the trees. Mr. Mackay stated that when a lot was sold the land would then be logged. Ms. Marotta asked if the open space would remain treed. Mr. Mackay stated that there will be some trees remaining in the open space area. Ms. Marotta asked if there will be sidewalks in the development. Mr. Lansing stated that were not currently part of the development plan.

Mr. Cutler stated that there is a drainage district on the map and who would manage the open space. Mr. Male stated that a home owners association and/ or a park district could manage the open space. Mr. Cutler asked if any of the property is in the Fisher Act and if so is it the new or old Fisher Act. Mr. Mackay stated that it is the Fisher Act but is not sure as to which Fisher Act it is in.

Mr. Murray asked about the buffer distance in between the residential and commercial side of the project. Mr. Lansing stated that buffer is 100 ft. to 120 ft. between the two developments. Mr. Murray stated that he has concerns about the traffic accessing County Route 76 and NYS Route 9P. Mr. Murray stated that the traffic study for this area should be reviewed.

Chairman Barshied asked if anyone had any additional concerns or questions and hearing none, he asked for a motion for Conceptual Approval of a Cluster Subdivision granted per Town Subdivision Regulations. A motion was made by Mr. Buck, seconded by Mr. Rathbun. Motion passed unanimously.

Motion to adjourn: Made by Mr. Murray, seconded by Ms. Frank, motion passed unanimously at approximately 9:30 p.m.

**The next Planning Board Meeting will be
Monday, October 26, 2015**