

**Town of Stillwater Planning Board
March 16, 2009 7:00 PM
Stillwater Town Hall**

Present: Chairperson Jo Ann Winchell; Peter Buck; Beverly Frank; Carol Marotta; John Murray & Paul Tompkins

Also Present: Daryl Cutler, Attorney for the Town; Joel Bianchi, Engineer for the Town; Ray Abbey, Bldg. Inspector/Code Enforcement; Sue Cunningham, Secretary of the Planning Board & Supervisor Shawn Connelly

Absent: Robert Barshied

Chairperson Winchell called the meeting to order and led everyone in the Pledge to the Flag.

Public Hearing 7:00 PM

**AMD
Site Plan Review
PB2008-48
SBL# 241.-1-3**

Chairperson Winchell called the public hearing to order.

Attorney Cutler verified for the record that proper notification of the public hearing was published.

A brief presentation was presented by Matthew J. Jones of Jones-Ferradino. Mr. Jones gave a brief overview of the application for Site Plan Review by AMD Fab Technologies US, Inc for the proposed permits for soil disturbance and temporary construction site plan.

No one from the audience expressed any interest in being heard.

A discussion was held on the drainage basins, inspections and maintenance during construction.

Chairperson Winchell referred to Engineer Bianchi comments of March 12, 2009 in regard to the Soil Disturbance Site Plan for the Planning Board's consideration. Engineer Bianchi went over the comments which included SEQRA, General Permit Compliance, MS4Permit Jurisdiction, 5-Acre Waiver Request, Stormwater Pollution Prevention Plan, Site Plans, and Documents to be considered as part of an Approval and Conclusions and Recommendations.

Discussion was held on Resolutions before the Planning Board this evening.

RESOLVED, that based specifically on the documents attached to this resolution, the Planning Board hereby approves the Applicant's request for Soil Disturbance approval upon the condition of the Town of Stillwater's receipt of the fully executed Development Agreement and Escrow Agreement. This approval will have no force or effect unless and until the Town receives the fully executed Agreements; and be it further

RESOLVED, that the Planning Board further conditions the approval set forth above on the following:

- (c) The Applicant shall satisfactorily address and comply with the technical comments provided by the Town Engineer as set forth in the Chazen review Letter of March 12, 2009.
- (d) The Applicant shall submit a stand alone set of site plans and/or SWPPP specific only to the Soil Disturbance approval.
- (e) The Applicant shall submit a Notice of Intent for permit coverage only after the Town of Malta's SMO issues a MS4 Certification.
- (f) The Applicant agrees to abide by any subsequent conditions imposed as part of a 5-acre Land Disturbance waiver, if one is granted by DEC.
- (g) Should the Applicant request permission to use a Town Road for construction traffic, the Applicant shall post a bond, to protect the road from damage due to such traffic, in such amount and under such terms as the Town Board deems appropriate.
- (h) The noise monitoring locations as presented are acceptable for obtaining base line information, however, the means and methods for conducting noise monitoring remain subject to review by the Town, Which will be part of the Temporary Construction Site Plan Review.

Motion carried. Resolution #17 was adopted unanimously.

**Documents to be Considered
as part of an Approval**

- Overall Project Plans Sheets submitted on February 6, 2009
 - Erosion & Sediment Control Details and Notes, Sheet DET1, dated January 30, 2009
 - Erosion & Sediment Control Details and Notes, Sheet DET2, dated January 30, 2009
- Appendix A of February 16, 2009 application; Construction Plan Narrative, Section 1.1, 1.2 and Appendix A, Summary Schedule;
- Appendix B of February 16, 2009 application; Stormwater Pollution Prevention Plan, prepared by C.T. Male Associates, dated February 17, 2009;

- Appendix C of February 16, 2009 application; Request for Waiver of 5-acre Soil Disturbance Limitation, dated February 11, 2009;
- Construction Phasing Plans Sheets submitted on February 16, 2009:
 - Construction Phasing Plan #1 Sheet CPP1, dated February 11, 2009;
 - Construction Phasing Plan #2 Sheet CPP2, dated February 11, 2009;
 - Construction Phasing Plan #3 Sheet CPP3, dated February 11, 2009;
 - Construction Phasing Plan #4 Sheet CPP4, dated February 11, 2009;
 - Construction Phasing Plan #5 Sheet CPP5, dated February 11, 2009;
 - Construction Phasing Plan #6 Sheet CPP6, dated February 11, 2009;
 - Construction Phasing Plan #7 Sheet CPP7, dated February 11, 2009.

**Empire Warehousing Corp.
Esplanade Site Plan Review
PB2009-57
SBL#262.-1-10**

Mary Slevin, Attorney spoke on behalf of the applicant, Mr. McNeary, and introduced the project to the Planning Board. An application has been submitted by Empire Warehousing Corporation for an amendment to the Zoning Ordinance to adopt a new Mixed Use Zoning District in the City of Mechanicville and to further amend the Zoning Map for the City of Mechanicville which is now zoned Heavy Industrial. An application has been concurrently submitted to the Town of Stillwater to amend the Zoning Ordinance to adopt a similar Mixed Use District in the Town of Stillwater and to further amend the Zoning Map for the Town of Stillwater to apply the Mixed Use District for the property located along Route 32 from Industrial District.

Ms. Slevin turned the presentation over to a representative from Creighton Manning Engineering, Robert Osterhoudt. Mr. Osterhoudt went over the Esplanade project Statistics which encompasses lands in City of Mechanicville and the Town of Stillwater. The site is 10+ acres with approximately one acre being in Stillwater, the current zoning is industrial with the proposed zoning to be mixed-use, square footage of entire project is approximately 36,241 consisting of residential units and commercial use, and greenspace which will be utilized for recreation, stormwater management and lawns.

Discussion was held on the phases of the project, timetable of the project, buffers, condo vs. apartments, grants being applied for, traffic study, water & sewer, marketing analysis and when to set a date for a public hearing.

Resolution # 18

Esplanade—Schedule Public Hearing

Motion by J. Murray and seconded by P. Tompkins to adopt Resolution #18 as follows:

WHEREAS, Empire Warehousing Corp. has submitted an application for site plan review regarding property located on North Main Street in the City of Mechanicville and Town of Stillwater, more fully identified as Tax Map Numbers 262.38-1-3 and 262.00-1-10, respectively; and

WHEREAS, the Applicant refers to the proposed project as “The Esplanade”.

WHEREAS, the Planning Board wishes to solicit the comments of the Town’s citizens regarding the site plan review application of Empire Warehousing Corp. for The Esplanade project;

Now, therefore be it

RESOLVED, that a public hearing is hereby scheduled for April 20, 2009 at 7:00 p.m. to be held at Town Hall to afford the applicant the opportunity to present its justification for its site plan application regarding The Esplanade and to provide the public with an opportunity to comment on the proposal.

Motion carried. Resolution #18 was adopted unanimously.

Adoption of Minutes: Motion by J. Murray and seconded by P. Buck to adopt the minutes of the March 2, 2009 Planning Board Meeting. **Motion carried.**

Old Business

Donnelly Construction: Discussion was held on the accessory buildings, and buffer. Chairperson Winchell stated that the recommendation came down from the County Planning and asked if she was free to sign the Mylar.

Engineer Bianchi stated that she was free to sign the Mylar.

Robinson Knoll: Chairperson Winchell inquired if the final letter was rectified and sent to the applicant and not the owner.

Engineer Bianchi will check to see if the letter rectified and sent to the applicant.

Joint Meeting: discussion was held on setting a confirmed date for the joint meeting. A date was set for April 25th from 9:00 am to noon.

AMD: C. Marotta commented on the power line progress.

P. Buck commented on the large amount of material the Planning Board has been receiving. He believes that they should request that the Town Board hire someone to review all the material and have AFT pay for the consultant.

C. Marotta commented on the difference between the Malta and Stillwater Site Plan Application.

Discussion was held with the Engineer who was hired by Malta to review the documents that are submitted.

Motion by J. Murray and seconded by P. Tompkins to adjourn the Planning Board meeting at 9:50 pm.

Respectfully submitted by

Sue Cunningham
Secretary to the Planning Board