

**TOWN OF STILLWATER  
PLANNING BOARD MEETING MINUTES  
STILLWATER TOWN HALL  
February 26, 2018 @ 7:00 PM**

**Present:**

**Chairman Randy Rathbun (RR)**  
**Frank Bisnett (FB)**  
**Peter Buck (PB)**  
**Heather Ferris (HF)**  
**Kimberlee Marshall (KM) Alternate Member**  
**John Murray (JM)**  
**Dale Smith (DS)**

**Also Present:**

**Daryl Cutler, Town Attorney (DC)**  
**Lindsay Zepko, Director of Building and Planning (LZ)**  
**Sheila Silic, Secretary**

**Absent:**

**Carol Marotta (CM) Member**  
**Marybeth Reilly (MR) Alternate Member**  
**Ellen Vomacka, Town Board Liaison**  
**Paul Male, Town Engineer (PM)**

**Pledge:**

Chairman Rathbun 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:**

Mr. Buck made a motion to approve the minutes from the January 26, 2018 meeting, seconded by Mr. Bisnett. The motion passed unanimously.

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

Chairman Rathbun recognized Mr. Ivan Zdrahal of Zdrahal Associates who is presenting a Cluster Subdivision project before the Board. Mr. Zdrahal stated that the property consists of 80-acres which is located on the west side of County Route 75. Mr. Zdrahal stated that the undeveloped area will be owned by an HOA, stormwater will be managed on site, the road name will be known as Olympia Court with sidewalks on one side of the street. Mr. Zdrahal stated that there are 26 lots with a minimum lot size of 20,000 Sq. Ft. for single family dwellings and will be served by both public water and public sewer. Mr. Zdrahal stated that the HOA Language will be filed with the Saratoga County Clerk's Office. Mr. Zdrahal stated that most of the comments from Mr. Male's comment letter dated February 23, 2018 have been addressed. Mr. Zdrahal stated that he is waiting for final approval from NYS Department of Health, Saratoga County Sewer District #1, NYS DEC and Saratoga County Highway Department for a curb cut. Mr. Zdrahal stated that the proposed project has been revised to accommodate for future public sewer connection. Mr. Zdrahal stated that the GEIS fees have been calculated for the project. Mr. Zdrahal stated that the stormwater retention basin and the roadway will be dedicated to the Town of Stillwater.

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

Richard Dantz, 427 County Route 76

Mr. Dantz asked about if the sewage flow will be a gravity fed system or a pump station. Mr. Zdrahal stated that each single-family dwelling will have a grinder pump. Mr. Dantz asked if the stormwater retention basin is located within the property or off the property. Mr. Zdrahal stated that the stormwater retention basin is located on the property.

Chairman Rathbun asked if anyone else wished to comment, hearing none he asked for a motion to close the public hearing. Mr. Murray made a motion to close the public hearing, seconded by Ms. Ferris.

Chairman Rathbun asked about the public sewer connection for future use. Mr. Zdrahal stated that there is an easement to the north and to the south of the project for future connection to the public sewer. Chairman Rathbun stated that Ms. Marotta had some concerns regarding the nature trail, maximum clearing limits, lot restrictions and traffic.

Mr. Buck stated that he wants to make sure the stormwater management has enough drainage from the water runoff especially with hills on the property.

Mr. Murray stated that Ms. Zepko will be reviewing the stormwater management and if there are any issues they will be corrected. Ms. Zepko stated that is correct.

Mr. Smith asked about the referral letter from the Saratoga County Planning Board and if any of the members visited the project site. Ms. Zepko stated that the Saratoga County Planning Board has responded with significant inter-municipal or County-wide impact and that she does not know if the members visit the project sites.

Mr. Bisnett asked about Mr. Male's comment letter dated February 23, 2018 regarding the issues that need to be addressed. Ms. Zepko stated that the project needs preliminary approval in order for the other agencies to sign off on the project.

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

**TOWN OF STILLWATER  
PLANNING BOARD  
2018 RESOLUTION NO. 2**

WHEREAS, Halfmoon Holding, LLC, has submitted an application for a cluster subdivision regarding property located at 52 County Route 75, more fully identified as Tax Map Number 261.02-1-2.11; 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, Halfmoon Holding, LLC, for a cluster subdivision regarding property located at 52 County Route 75, more fully identified as Tax Map Number 261.02-1-2.11 will not have a significant impact on the environment.

A motion by Member Ferris, seconded by Member Murray, to adopt Resolution No. 2.

A roll call vote was taken on Resolution No. 2 as follows:

Chairperson Rathbun	Yes
Member Bisnett	Yes
Member Buck	Yes
Member Ferris	Yes
Member Murray	Yes
Member Marotta	Absent
Member Marshall	Yes
Member Reilly	Absent
Member Smith	Yes

Resolution No. 2 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on February 26, 2018.

**TOWN OF STILLWATER  
PLANNING BOARD  
2018 RESOLUTION NO. 3**

WHEREAS, Halfmoon Holding, LLC, has submitted an application for a cluster subdivision regarding property located at 52 County Route 75, more fully described as Tax Map No. 261.02-1-2.11; and

WHEREAS, a public hearing was conducted on January 22, 2018 and February 26, 2018 to consider the application, and comments were received from the public (as well as the applicant); and

WHEREAS, the Planning Board considered the public concerns raised during the public hearing, including traffic, drainage issues, and the desire of neighboring properties to access municipal sewer; and

WHEREAS, the Planning Board discussed the potential traffic impact caused by 26 residential houses and reviewed the stormwater management plan prepared by the applicant's engineer; and

WHEREAS, the applicant modified the plan to include a sewer line easement to allow the sewer line to be accessed by some of the neighboring properties to address some of the concerns expressed in the public hearing; and

WHEREAS, the Planning Board completed a SEQRA review and has issued a negative declaration pursuant to Resolution No. 2 of 2018; and

WHEREAS, the Planning Board has duly considered the application;

Now, therefore, be it

RESOLVED, that the application of Halfmoon Holding, LLC, for a cluster subdivision regarding property located at 52 County Route 75, more fully described as Tax Map No. 261.02-1-2.11, is hereby GRANTED PRELIMINARY APPROVAL; and be it further

RESOLVED, that the application is GRANTED PRELIMINARY APPROVAL, provided the applicant comply with the conditions contained in the February 23, 2018 engineering review letter by the Town Engineer, Paul Male, P.E.; 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. 3.

A roll call vote was taken on Resolution No. 3 as follows:

Chairperson Rathbun	Yes
Member Bisnett	Yes
Member Buck	Yes
Member Ferris	Yes
Member Murray	Yes
Member Marotta	Absent
Member Marshall	Yes
Member Reilly	Absent

Resolution No. 3 was adopted at a meeting of the Planning Board of the Town of Stillwater duly conducted on February 26, 2018.

Motion to adjourn: made by Mr. Murray, seconded by Mr. Bisnett motion passed at approximately 7:45 PM.