

**VILLAGE OF STILLWATER
BOARD OF TRUSTEES
DECISION DENYING LAND DEVELOPMENT
AND SPECIAL USE PERMIT APPLICATIONS**

WHEREAS, Dennis DeGennaro, North Hudson Avenue LLC (Camelot Associates Corp.), as owner of certain lands in the Village known and distinguished as 950 North Hudson Avenue identified by Tax Map No. 243.76-2-1, has submitted a (1) Land Development Permit Application pursuant to Village of Stillwater Local Law No. 4 of 1994 and (2) Special Use Permit Application pursuant to Article VI of the Village of Stillwater Zoning Law; which applications are for the construction of four (4) apartment buildings comprising of 40 or 35 apartment units plus 6,250 retail space, a ten-unit garage and associated parking, utilities and landscaping as set forth in the maps and plans submitted in support of its application; and

WHEREAS, the Village Board of Trustees received and duly reviewed the application materials, plans, maps, etc. dated January 7, 2015 and thereafter amended December 9, 2014; February 27, 2015; and September 1, 2015; and

WHEREAS, the Village Board of Trustees, after due notice and publication, held public hearings and accepted public comments on the permit applications on April 21, 2015 and September 8, 2014; and

WHEREAS, the Village Board having considered the requirements set forth in Local Law No. 4 and Article VI of the Zoning Law, together with public comment thereon, and after due deliberation and consideration of said permit applications hereby determines the following:

NOW THEREFORE BE IT KNOWN AND RESOLVED THAT pursuant to Village of Stillwater Local Law No. 4 of 1994, the Village Board of Trustees by roll call vote set forth below, hereby denies the Land Development Permit Application. The basis for the decision denying the Land Development permit, as set forth on the record at the public hearing held on September 8, 2015 and summarized in the attached Special Meeting Minutes, is as follows: there is not a need for the project as proposed; the project as proposed does not fit with the existing character of the surrounding neighborhood and adjacent land uses consisting of 1-2 family homes; the location and size of the four (4) two-story apartment buildings containing 40 apartment units (or 35 unites with retail space) and accessory garage building relative to one another is too large and dense; the project lacks sufficient usable green and open space for residents; the project is in close proximity to the school and problems with existing traffic flow issues on Route 4 during peak hours are not addressed; the project lacks internal sidewalks or open space for pedestrian access and circulation to and from the buildings, parking areas and garages; the height and bulk of the buildings and their relation to other structures in the vicinity is too large for the site and character of the surrounding neighborhood; the project as designed is not consistent with historic character of Village and harmonious development

of the neighborhood; the project will have undue negative impacts on adjacent properties and the neighborhood relative to aesthetics, density, traffic and noise.

NOW THEREFORE BE IT KNOWN AND RESOLVED THAT pursuant to Article VI of the Village of Stillwater Zoning Law, the Village Board of Trustees by roll call vote set forth below, hereby denies the Special Use Permit Application. The basis for the decision denying the Land Development Permit Application, as set forth on the record at the public hearing held on September 8, 2015 and summarized in the attached Special Meeting Minutes, is as follows: the project as proposed is not consistent with desired and appropriate land use and development in the area and will have a negative effect on adjacent land uses; the project does not fit with the existing character of the surrounding neighborhood and adjacent land uses consisting of 1-2 family homes; the location and size of the four (4) two-story apartment buildings containing 40 apartment units (or 35 unites with retail space) and accessory garage building relative to one another is too large and dense; the project lacks sufficient usable green and open space for residents; the project is in close proximity to the school and problems with existing traffic flow issues on Route 4 during peak hours are not addressed; the project lacks internal sidewalks or open space for pedestrian access and circulation to and from the buildings, parking areas and garages; the height and bulk of the buildings and their relation to other structures in the vicinity is too large for the site and character of the surrounding neighborhood; the project as designed is not consistent with historic character of Village and harmonious development of the neighborhood; the project will have undue negative impacts on adjacent properties and the neighborhood relative to aesthetics, density, traffic and noise.

Voting:

Aye:

Nay:

Mayor Rick Nelson
Trustee Timothy J. Campbell
Trustee John M. Murphy
Trustee Frank Tatum
Trustee Judith Wood-Shaw

The foregoing decision and resolution was duly adopted at a meeting of the Board of Trustees of the Village of Stillwater duly conducted on September 15, 2015. Said decision shall be forthwith filed with the Village Clerk's Office and a copy mailed to the applicant.

Sher Tedesco
Village Clerk