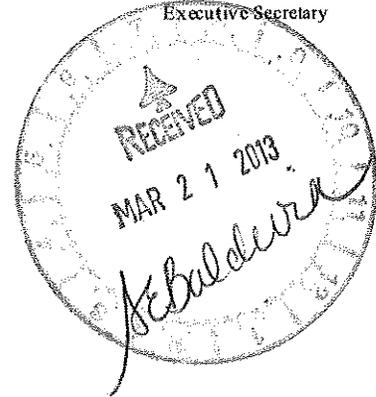




TOWN OF WILTON
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MICHAEL G. DOBIS
Planning Board Chairman

LUCY B. HARLOW
Executive Secretary



PLANNING BOARD MEETING

TOWN OF WILTON

Wednesday, February 20, 2013

A meeting of the Wilton Planning Board occurred on Wednesday, February 20, 2013, at the Wilton Town Hall, 22 Traver Road, Wilton, New York. Vice-Chairman Harold VanEarden called the meeting to order at 6:31 p.m.

PLEDGE OF ALLEGIANCE

I. REGULAR MEETING:

PRESENT: Vice-Chairman Harold VanEarden, Donald Needham, Ron Slone, Sue Peterson and William Rice. Also present was Ryan Riper, P.E., Director of Planning and Engineering. Also present: Shawn Healey of the Wilton Fire Department, Andy Brick, Esq., Larry Liska, Paul Post, and Pat Tuz.

ABSENT: Chairman Michael Dobis, Erinn Kolligian, Mark Schachner, Esq., David Gabay, Alternate and Tony Mangini, Alternate.

APPROVE PENDING MINUTES: Vice-Chairman VanEarden asks for questions or comments regarding the unapproved minutes from the meeting held on January 16, 2013. There were none; and he asks for a motion and a second to approve the minutes. On a motion introduced by Sue Peterson, the board adopted the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the minutes from the Planning Board meeting of January 16, 2013 are approved. The resolution was seconded Ron Slone and duly put to vote, all in favor, on this day, February 20, 2013.

CORRESPONDENCE: Letter from Creighton Manning re: Mixed Use Building dated 2/7/13; *Capital District Data*, Vol. 35 No. 6; Case Law Update from Bond, Schoeneck & King for Winter 2013; *Talk of the Towns & Topics*, Vol. 27, No.1 for January/February, 2013; transmittal letter from the Chazen Companies re: Panera Bread Bakery – Café dated 2/11/13; transmittal from Saratoga County Clerk's Office dated 1/31/13 re: town map filings.

II. APPLICATIONS

A. PINE BROOK LANDING SUBDIVISION: Revision of the resolution dated December 19, 2012 to correct the date of expiration from March 19, 2012 to March 19, 2013. On a motion introduced by Donald Needham, the board adopted the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the revision of the resolution dated December 19, 2012 be approved for the Pine Brook Landing Subdivision, 329 Loudon Road, zoned R-2, Tax Map No. 154.-1-8.2. The resolution was seconded by William Rice and duly put to vote, all in favor, on this day, February 20, 2013.

B. SMITH BRIDGE ROAD SUBDIVISION: Request for extension of preliminary approval. On a motion introduced by William Rice, the board adopted the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the preliminary approval for the Smith Bridge Road Subdivision [The Mill at Smith's Bridge] is extended pursuant to §109-18(A) of the Wilton Town Code for 180 days. The resolution was seconded by Ron Slone and duly put to vote, all in favor, on this day, February 20, 2013.

C. GORDON RESIDENTIAL - MIXED USED DEVELOPMENT: Stephanie Bitter, Esq., of Bartlett, Pontiff, Stewart & Rhodes, P.C, is present, along with Mike Tucker from Creighton Manning Engineering, on behalf of applicant David Gordon. Jon Lapper, Esq. could not be present. The applicant received the February 8, 2013 letter from the Director of Planning and Engineering, Ryan Riper, P.E. The applicant has no issues with the comments in the review letter and Creighton Manning is in the process of addressing those comments. The new architectural drawings are presented to demonstrate the design of the proposed mixed use structure containing 114 units with 16,000 plus SF of retail. Vice-Chairman VanEarden asks if the design has changed at all from the conceptual design. Mr. Tucker indicates the design has been refined; all the grading, utilities and storm water management have been included, but in general the plan is the same with the commercial space on the first floor and the residential units on the floors above and to the rear. Mr. Slone asks about the material for the façade. It will be masonry in the front and siding on the rest of the building. Mr. Riper refers to one of his comments regarding the ornamental landscaping for the building frontage and the use of public seating along sidewalk area. Mr. Tucker points out the 15' strip along the frontage with increased landscaping. There is now a utility easement running up Hilltop Drive so that water and sewer will both be connected to the public sewer at that cul-de-sac to Mr. Roohan's property. Mr. Rice asks about the status of the project across the street [Tom Farone's Everglades]. Mr. Riper interjects there were parking issues and so far the applicant hasn't come back. Mr. Rice refers to the line-up of the curb cuts. The curb cuts for the Everglades have been aligned with the Gordon curb cuts per DOT's request.

Mr. Liska, the property owner next door to the Gordon project, has reviewed the latest site plan and it appears that the fence line he requested has been added. He states the location of the two dumpsters adjacent to his property line is unacceptable. His house and pool are 15 feet from the property line; both are in close proximity to the dumpsters located to the south of the Gordon project. This issue was to be resolved. Mr. Tucker states there are two dumpster locations, one for the commercial use at the front and one at the rear; both are heavily screened with fencing and landscaping and they are enclosed. Mr. Liska objects to the location of the dumpsters and the potential odor. At the last meeting he understood the dumpsters were to be located in the rear. Mr. Riper clarifies that the placement of the dumpsters at the rear of a parcel is discretionary. Mr. Riper suggests that the dumpster near the center be enclosed within a garage structure if feasible. Mr. VanEarden understands Mr. Liska's concerns. Mr. Tucker states the current location of the dumpsters in question is for convenience to the commercial space but he will talk to the applicant. There is a discussion of how the kind of use for the commercial space may impact the dumpster location and about the garbage removal.

Mr. Liska believes that Gordon Residential did a good job working with him. He approves of the location of the garages which serve as a buffer on his side. Mr. Riper adds that the garages are to be built prior to the building construction to act as a buffer.

Mr. Andy Brick, with the law firm of Donald Zee, is present on behalf of the Farones. He confirms that the intersection of the Everglades will line up with the Gordon project. The major concern of his client is the size and scope of the building. He comments on the current elevation being more industrial and institutional in nature with very little architectural break-up, particularly the depth of the building design is a concern. It will clearly be the largest building in the hamlet zone. Mr. Farone's multi-unit buildings are smaller in nature. The Gordon proposal will drastically alter the character and perception of the hamlet zone and will detract from his client's existing buildings. The primary concern is that this project is not in keeping with the existing apartment uses as well as the proposed Everglades project across the street which has 3 floors with commercial space on the ground floor. Mr. Brick asks if there is going to be a phasing plan provided. The construction is in two phases and that is shown on the latest plans. Each phase of the building has to be 100% complete before the next phase can be started.

Mr. Riper states that the Gordon project fits within the hamlet zoning requirements. Architectural examples are given. Mr. Tucker states that it is somewhat difficult to perceive from the drawings that there is some relief in terms of building footprint. There are overhanging porches along the sides of the building and the front doors are recessed. The coloration of the building materials has changed to more earth tones than the original depiction of the façade.

Shawn Healey of the Wilton Fire Department asks about the width of the entrances into the courtyard. His concern is about something happening in the courtyard. Mr. Tucker indicates one opening is about 12 feet wide and the others are approximately 15 feet wide. A plan has been submitted to the emergency service agencies which showed the turning radius.

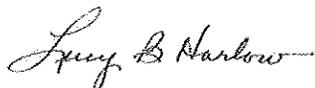
Mr. Needham asks about the commercial delivery access and loading area. Mr. Tucker indicates there will be a common corridor along the back of the commercial space. He is not anticipating a heavy type of commercial use that would require a lot of deliveries. There is a 12' x 35' space available for parking of a commercial delivery vehicle. Striping or some other indication that limits that space be used for commercial delivery is suggested. Mr. Riper suggests there be a right-hand turn lane exiting the site for vehicles to make a southbound turn onto Route 9.

SEQR will have to be addressed as will the Saratoga County Planning Board recommendations when they are made available. Any outstanding items from Mr. Riper's comments should be addressed and hopefully the issue of the dumpster location will be resolved. Vice-Chairman VanEarden asks for other questions or comments. The public hearing is set for 3/20/13 at 6:30 pm.

Ms. Patricia Tuz, residing at 2 Amanda Court, enters and expresses her concern about the Smith Bridge Road Subdivision. She is advised about the status of the project and that the applicant has been given an extension of 180 days of the preliminary approval. She is also advised to access the website for agenda information and to contact Lucy Harlow for information.

ADJOURNMENT: At 7:05 p.m., Sue Peterson moves to adjourn the meeting. Donald Needham seconds the motion and all board members are in favor on this day, February 20, 2013.

Approved: March 20, 2013



Executive Secretary