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**PLANNING BOARD**  
**MARCH 15, 2017**

**PLANNING BOARD**

MICHAEL G. DOBIS,  
Chairman

HAROLD VAN EARDEN,  
Vice Chairman

WILLIAM RICE

ERINN KOLLIGIAN

RON SLONE

DAVID GABAY

BRETT HEBNER

RICHARD FISH, Alternate

A meeting of the Wilton Planning Board (“the Board”) occurred on March 15, 2017 at the Wilton Town Hall, 22 Traver Road, Wilton, New York.

**PLEDGE OF ALLEGIANCE**

**I. REGULAR MEETING:** Chairman Dobis calls the regular meeting to order at 6:35 PM. He requests a motion to address the February 15, 2017 Planning Board minutes.

**MINUTES APPROVAL:** Harold VanEarden moves, seconded by Ron Slone, for the approval of the meeting minutes of February 15, 2017 as written. Ayes: Dobis, Gabay, Hebner, VanEarden, and Slone. Opposed: None.

**CORRESPONDENCE:** Conceptual review response from Lansing Engineering re: Woodcock dated 2/23/17; transmittal letter from Nace Engineering re: KLN Warehouse addition mylars dated 3/8/17; transmittal letter from EDP re: Belmonte Builder Conservation Subdivision/Putnam Lane dated 2/28/17; transmittal letter from EDP re: Forest Grove Conservation Subdivision/Putnam Lane dated 2/28/17; transmittal letter from Saratoga County Clerk’s office re: map filing dated 2/28/17.

**IN ATTENDANCE:** Those present at the March 15, 2017 Planning Board (“the Board”) meeting are: Chairman Michael Dobis, Harold VanEarden, David Gabay, Brett Hebner, Ron Slone, Ryan K. Riper, P.E., Director of Planning and Engineering and Justin Grassi, Planning Board Attorney. Absent: Erinn Kolligian William Rice, Richard Fish, Alternate and Mark Schachner, Planning Board Attorney. Also present are: Brett Steenburgh, P.E., Joe Dannible, P.E. of EDP, Joanne Klepetar, Town Board member; Amy DiLeone, Tom Roohan, Peter Belmonte, David Carr, David McElroy, Doug Heller, P.E. and Eric Rosenberg.

**II. TOWN BOARD REFERRAL:** This referral from the Town Board concerns an application to amend the Saratoga Heritage II PUDD legislation. The property is located at 680 Route 9 near Waller Road, Tax Map No. 140.-1-73.

**SARATOGA HERITAGE II PUDD AMENDMENT:** Brett Steenburgh is presenting on behalf of the applicant, Farone Homebuilders, seeking a positive recommendation from the Planning Board to the Town Board to amend the PUDD for Saratoga Heritage Phase II. The original PUDD approval included a 1500 SF clubhouse. The proposed amendment is to eliminate the 1500 SF facility and replace it with a 400 SF pool house to contain pool equipment and bathrooms and a 20' x 40' pool with handicap access and parking. Mr. Steenburgh adds that residents of Saratoga Heritage Phase II are now utilizing the [fitness] facilities at Saratoga Heritage I. When the Everglades mixed use development is completed, part of that commercial space will be used as a fitness facility which can be shared by residents of Heritage II next door. It is applicant's view that a fitness facility in the Everglades with only 50 units would be under-utilized and that a shared usage with Saratoga Heritage Phase II makes more sense.

Chairman Dobis refers to the history of the Saratoga Heritage II PUDD, by reading from the planning board minutes from October 3, 2007, "the original plan called for a 1500 SF building with parking. The applicant would like to reconfigure the site to provide for a pool . . . It will better accommodate the needs of the tenants. That is the major reason for the change." "The pool was not part of the original PUDD legislation." He also refers to the Town Board minutes from September 6, 2007, about amending Local Law No. 2 of 2004. "By amending the legislation in section IV to provide more extensive on site recreation and fitness facilities, such as a 1,500 SF fitness center building, swimming pool and 10 parking spaces." Chairman Dobis' concern is that on-site recreation was promised and at that time, the Everglades project was non-existent.

The main issue raised by the Board is that an on-site recreation had been part of the original Saratoga Heritage Phase II PUDD as a benefit for the tenants and to date no such recreational facilities have been constructed. After a lengthy discussion, the Board members request the following information about the proposed fitness facility at the Everglades: could a cross access agreement be put in place to facilitate parking and movement between Saratoga Heritage II and the proposed fitness facility at the Everglades. What will be the size of the proposed fitness facility? How will it work if no cross connection is put in place given that the Everglades' approval was as a stand-alone project and there was mention that the property could be sold and under different ownership? What is the time line for the construction and completion of the Everglades? What are the ramifications of pedestrian and vehicle access to the proposed fitness facility? Mr. Slone wants to know how many units are in Saratoga Heritage I, Saratoga Heritage II and the Everglades and the size of the fitness facility that currently exists in Saratoga Heritage I and the size of the fitness center being proposed in the Everglades. He would like a drawing with both developments shown and how the use of the facilities would work in terms of access.

Mr. Grassi, Planning Board Attorney states that the Board has 90 days to make a recommendation to the Town Board. If the Board needs additional information, the Board can postpone its decision for 90 days. The Board's options are to approve; approve with modifications or disapprove. The modifications could be based on the Board's input; for example, a requirement for cross-access easement or agreement; proof of a shared use agreement; parking determinations required by the Board; a prohibition on who cannot use the facilities. An approval with a modification or disapproval goes back to the Town Board and the Town Board can still vote and can simply move ahead and approve with a super-majority vote. If they disagree with the Board's proposed modifications, they can still approve the application as submitted. If the Planning Board gives a

negative decision, the Town Board will need a super-majority to override it. In the event the Planning Board has disapproved the proposal, or has approved with modifications which the applicant is unwilling to make, then an affirmative vote of not less than four-fifths of the members of the Town Board is required to establish the PUDD.

Mr. Riper states that in 2010, two additional 8-unit buildings were approved for Saratoga Heritage Phase II and the pool and pool house were part of that approval. A pending Certificate of Occupancy is conditioned upon the pool house and the pool being constructed. The language of the PUDD is they “shall” build this 1500 SF facility. Work has continued on these two buildings for many years. Everglades has not started construction. Chairman Dobis recalls that there was a possibility that Everglades property would be sold. Then the use of the Everglades could be negated for Saratoga Heritage II or the project may not happen at all. Having knowledge of when the proposed Everglades facility is available and also revisiting the cross-access issue is warranted before making a recommendation.

Based upon the input and questions by the Board, it is decided that no action will be taken regarding the recommendation until the information requested is supplied.

### **III. PRE-APPLICATIONS:**

#### **SONOMA GROVE: 193-LOT CONSERVATION SUBDIVISION, DCG DEVELOPMENT, APPLICANT and BELMONTE BUILDERS 60-LOT CONSERVATION SUBDIVISION, PETER BELMONTE, APPLICANT.**

Chairman Dobis states that on a pre-application there are no approvals. It is a presentation to the Board for informational purposes only. There are two properties on which the development is being planned: one is located off of Putnam Lane and Jones Road, on 424± acres, zoned R-2. The second is located on Putnam Lane on 122 acres, zoned R-2.

Joe Dannible of EDP is presenting on behalf of Belmonte Properties and DCG Development Company regarding two pre-applications. The projects have been submitted separately and any approvals would be granted separately. He will be discussing the two projects together both of which have been in the planning process for many years. The combined acreage of the two proposed projects is 540 – 550 acres. In the middle of the properties is Town park land making an approximate total of 600 acres. It has the potential of being a significant and premier residential community in the Town of Wilton. There will be municipal water and sewer. The storm water will be managed on site. The applicants are taking a proactive approach to the planning process by looking at establishing the densities and those densities in turn will be used to evaluate the potential environmental impacts of this project.

Mr. Dannible indicates on the plan the parcels owned by DCG Development, Belmonte Properties and the 40 acres owned by the Town of Wilton. He has combined both layouts for the 60 lots and the 193 lots on one subdivision map. There will be a mix of unit sizes and unit types from small maintenance free communities to larger estate lots and a few mixed in between. The proposal is to tie in some existing trails at the northern end of the property and connect various portions of the project into the Town land and ultimately give access out to Putnam Lane and Jones Road. He

reviews the criteria and computation for conservation subdivisions and applicants will be applying to the Town Board for a density bonus of 10% increase for the creation of the trail system and the dedication of land (up to 200 acres dedicated to the Town as park land, if the Town accepts).

Part of the process is to begin looking at potential environmental implications: applicants are looking for Board comments and requests regarding what mitigation factors would be proposed. Jones Road has the highest volume of traffic for a town road in Wilton. This project proposal of 250 units coming out onto Jones Road will have cumulative impacts; how that traffic will impact the adjacent intersections will be looked at as part of review process. The subdivision layout may change but the trip generation will be based upon the density, the number of lots and the traffic generated. Applicants are committed to working with Town to develop the scope of work; to choose the appropriate traffic engineers to analyze and determine possible mitigation for those potential impacts, for example, a second means of emergency ingress/egress to the site. There could be as many as 250 units with single point of access, so applicant is proposing a boulevard entrance coming off of Jones road to provide two different lanes to get in and out of the site. Other options are a potential emergency access connection to Bullard Lane. Another issue is the realignment of Putnam lane which has an extremely acute angle and presents a safety issue. Part of a traffic study will be how to best realign Putnam Lane into the site and rework the intersection to make it safe. It will have to be determined whether Putnam Lane will be a primary entrance or a secondary one gated for emergency services; or to potentially upgrade Putnam Road to a standard town road. This will depend on the results of traffic studies and the traffic engineers who understand the turning movements may have suggestions on how to appropriately terminate Putnam and create a new intersection for the development. There is some open space shown on the plan where the entrance feature and possibly a pull-off area and mail kiosk might be located. Mr. Dannible describes the boulevard entrance that will have a wide median with 18 foot travel lanes, facilitating emergency vehicles should one lane be blocked; there would be two ways of ingress.

Mr. Dannible mentioned land that was to be donated to the Town for trails. Mr. VanEarden asks what is the calculation for the density bonus based on. Mr. Riper responds that the calculation for density is based on a conservation subdivision which is set forth in the Town regulations. If the Town Board accepts the donated lands, the applicant can receive a 10% density bonus. With regard to the existing Town land, it is intended to be interconnected with the trails to the County land just north of Bullard Lane which also connects over to Scout Road. There is interconnectivity of trail networks that would eventually extend to Jones Road. The idea is to connect Gavin Park and the Saratoga Camp on Scout Road with a trail network.

This large of a development will be built in phases. A project of this size will take perhaps ten years to build out. He could easily see 50 units per phase, or 5 phases of 50 units. The Belmonte land with the potential of 60 lots could be built in one phase. The lands of DCG could be done differently by marketing 3 different unit types; it is early in the process to know at this point. Mr. Riper asks if the DCG roads and infrastructure would be constructed in order to access the Belmonte piece on the north end. There will definitely be a tie-in; it would depend on what level of improvement would be needed to Putnam Lane for a separate access to that site. Those projects want to be interconnected to provide as many routes in and out of the properties for safety and access for emergency services.

When asked about the size of the Belmonte houses, Mr. Dannible refers to the Mill at Smith Bridge Road where there are 7,000 SF lots with 2000 SF houses and maintenance free. Floral Estates V has ¾ acre lots and 3-4000 SF houses. The 193 lots would be a mix of unit types, some duplexes, small cottage type homes, some standard 20,000 SF lots similar to Canyon Run, also some larger estate lots with multiple acre parcels. Much will depend on what happens in the real estate market in the next ten years. Mr. Gabay asks about the topography of the lands donated to the Town. The land itself is made of knolls and depressions, wetlands make up about 55 acres with potential donations of up to 200 acres. There is quite a lot of buildable land on the property. Wetlands are deducted from the density computation. The lands are roughly 75% forested and 25% operating or recently operating farm fields. On the lands of Belmonte there is some active mining of sand which is being exported from the site.

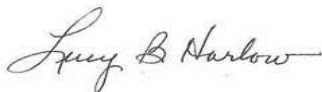
Mr. Gabay states the traffic impact is the most complex problem that needs to be solved. Mr. Riper: One of the first steps will be for the Town to hire a traffic engineer, to look at the curb cuts and entrances and analyze the volume of traffic, the impacts not just at the curb cut but further down, look at the scope of what we want the engineers to analyze. If the Board wants to go that route, we could start that process. Chairman Dobis agrees that is the way to move forward and the Board agrees. Mr. Dannible states that the applicants are willing to contribute funds and asks that the study be completed in a timely manner. He also mentions that there will be significant fees that will be coming as part of an initial application. It's important in a project of this magnitude to understand what potential traffic mitigation will come from this study before those fees get submitted. They could have a significant change on the developers' decision to move forward on this project. Mr. Riper will talk to some traffic engineers and come up with a scope of work for the project to look at the overall impact. Then upon receiving a proposal a determination would be made about fees which would be shared with the applicants and the Board.

**IV. ADJOURNMENT:**

Chairman Dobis asks for a motion to adjourn. On a motion introduced by Harold VanEarden, the Board adopts the following resolution:

**NOW, THEREFORE, BE IT RESOLVED** that the meeting of the Planning Board be adjourned at 7:55 p.m. The motion is seconded by Ron Slone and duly put to vote, all in favor on this day March 15, 2017.

Date Approved: April 26, 2017



Lucy B. Harlow, Executive Secretary