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PLANNING BOARD
MARCH 16, 2016

PLANNING BOARD

MICHAEL G. DOBIS,
Chairman

HAROLD VAN EARDEN,
Vice Chairman

SUE PETERSON

WILLIAM RICE

ERINN KOLLIGIAN

RON SLONE

DAVID GABAY

BRETT HEBNER, Alternate

RICHARD FISH, Alternate

A meeting of the Wilton Planning Board (the "Board") occurred on March 16, 2016 at the Wilton Town Hall, 22 Traver Road, Wilton, New York.

PLEDGE OF ALLEGIANCE

I. PUBLIC HEARING: Michael G. Dobis, Planning Board Chairman, opens the public hearing at 6:31 PM and instructs members of the audience to raise their hands and announce their name and address if they have a question or comment.

STEWARTS SHOP #314: Application by Stewart's Shops Corporation for minor site plan approval for the construction of two gas canopies, installation of six fueling stations, replacement of existing sign and updating the exterior lighting to LED. Property located at intersection of Jones Road and NYS Rt. 50, on 2.83 acres. TMP 141.-1-30 zoned RB-1.

Chris Potter of Stewart's Shops Corporation describes the proposed additions and renovations to the existing Stewart's. The existing canopy will be demolished and replaced with two 20' x 73' canopies; the existing underground fuel tanks will be removed and replaced; a diesel fueling station will be added (3 + 1 dispenser) as well as 4400 SQ FT of black top to maneuver around the two canopies. NYSDOT agreed to idea of widening the entrance onto NY Route 50, and adding the left and right turn lanes. Two items added since the last meeting is an additional stamped concrete patio in the green space and a propane exchange cage on the front side of the store. Also interior remodeling to relocate electronic panels from the inside of the store to the outside (rear exterior wall); and replacing the sidewalk in front (Jones Road Front indicated) and adding bollards. To assist pedestrians, a stamped asphalt crosswalk from the store entrance to the new canopies will be installed. The steep slope on the corner of the property has been redesigned and flattened. The storm water management is adequate to service the additional impervious area. The Town Standard Notes and the data regarding the existing variances that were granted are now on the plans. Mr. Potter asks for questions.

The Chairman asks if there are any questions or comments from the audience. There are none. On a motion introduced by William Rice, the Board adopted the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the public hearing is closed at 6:36 PM. The resolution was seconded by Sue Peterson and duly put to vote, all in favor, this 16th day of March, 2016.

REGULAR MEETING: Michael G. Dobis, Planning Board Chairman, called the regular meeting to order at 6:37 p.m.

MINUTES APPROVAL: Ron Slone moved, seconded by David Gabay, for the approval of the meeting minutes of February 17, 2016 as written. Ayes: Slone, Rice, Gabay, Peterson, Kolligian, Fish, Dobis. Opposed: None.

Those present at the March 16, 2016 Planning Board (“the Board”) meeting are: Chairman Michael Dobis, Ron Slone, David Gabay, Sue Peterson, Erinn Kolligian, William Rice, Richard Fish, Alternate; Mark Schachner, Planning Board Attorney and Ryan K. Riper, P.E., Director of Planning and Engineering. Absent: Brett Hebner, Alternate. Also present are: Harold VanEarden, Planning Board Member (who chose not to serve), Captain Bullard, Maple Avenue Fire Department, Chief William Morgan, Wilton Fire Department; Mark Hutchinson and Tony Bonacio, Jason Tommell, Carl Clemente, Douglas Heller, Chris Potter, Joe Dannible and David Hauser.

CORRESPONDENCE: Notice of Decision, ZBA Appeal No. 2016-07 re: 513 Broadway LLC and variance for 11 Blue Lupine Lane; Building Erection Storm Water Roof Runoff Control Plan dated 2/29/16 for Bonded Concrete Plant site, 13 Blue Lupine Lane; transmittal letter received 2/2/16 from EDP re: attached Canyon Run Extension Foundation Drain Analysis; transmittal letter received 2/2/16 from Hanson Van Vleet, LLC., re: attached Hydrogeologic Dewatering Analysis for Proposed Canyon Run Subdivision; proposed Deed Restrictions for Dedicated Open Space for Spencer Subdivision; transmittal letter dated 3/9/16 from Northeast Land Survey re: Subdivision of Lands of Spencer; email from Chris Potter, Stewart’s Shops Corporation re: Stewart’s Shop #314 re: return receipts; Storm Water Control Facility Maintenance Agreement for Stewarts Shop #314 received 3/1/16; letter dated 2/19/16 from VHB re: Friendly’s Restaurant; SCPB Referral Review dated 3/9/16 re: Friendly’s Ice Cream LLC; SCPB Referral Review dated 3/10/16 re: Stewart’s Shop #314.

II. APPLICATIONS:

A. STEWART’S SHOP #314: The Chairman asks for comments from Ryan K. Riper, Town Engineer. Mr. Riper comments the Board should evaluate the new items added to the plans since the last meeting. Mr. Potter distributes the revised plans to the Board. Mr. Riper asks about the changes to the sidewalk. The existing sidewalk along the side will be removed and no curbing will be replaced. It will be flush with the pavement and there will be bollards in each [parking] spot.

Mr. Riper asks about the location of the propane exchange, the aesthetic of the metal cage and bollards and asks about alternative locations. Mr. Potter states the propane exchange cage will be

located near the gas meters that are on the wall near Primo's and explains that there has to be a 10 feet separation between any electrical source and the propane. There are two sources of electricity on the Jones Road side of Stewart's. Additionally, the location behind the store in the area near the dumpster, away from the building, was discussed. Another question is about the sidewalk transition in front of Stewart's and the other stores. A section of sidewalk will be added and will be the same as the existing. Bollards will be in front of the propane cage to protect it.

The question about connecting to [public] water was discussed. There is a well in the green space that has adequate volume for the entire plaza. Mr. Riper adds there is still an open "Notice of Intent" (NOI) on the original construction and he has not received the "Notice of Termination" (NOT) on this store and the one on Ballard Road. Mr. Riper adds that site plan approval doesn't constitute signage approval - that is a separate permit process. Also required is the certification of the drawings stamped by an engineer that will include the storm water design.

Mr. Riper reads the comments from the 3/10/16 Saratoga County Planning Board Referral Review:

The site plan in and of itself poses no impacts of a county nature, If, however, there is not careful thought given to the site layout and its review the may result conflicts between the need to provide not only safe pedestrian/customer movement but also an ease to the internal movement of vehicles and their access to the areas for parking and gas pumps. Whether perceived or actual, there has been much said about being able to maneuver safely and without conflict at this store location. The increased activity associated with the proposed additions will require greater review and discussion between the board and the applicant.

The consensus is that the site is congested in terms of internal traffic flow. Mr. Dobis confirms that flow is a problem in terms of who has the right-of-way when trying to exit onto NY Route 50. Once on the site, there is no traffic guidance. Chairman Dobis asks whether there will be any signage prohibiting tractor trailers/buses trying to access the diesel pump. Mr. Potter states the diesel pump is not "high-flow" it's just for pick-up trucks and cars. The Chairman comments the possibility exists that a driver of an eighteen-wheeler or bus who is not familiar with the area might mistakenly try to access the diesel pump causing a good deal of congestion. The tight turning radius would prevent any tractor trailer from entering the fueling area. There is a no-parking sign out on NY Route 50 to discourage large trucks from parking along the shoulder. Ms. Peterson mentions the Stewart's on Route 9 which also has a diesel pump. There has not been a problem with large trucks accessing that site and it has an even tighter turning radius.

A short form EAF has been completed by applicant for the purpose of SEQRA review. Mr. Schachner, the Planning Board Attorney, raises the question about the answer "not applicable" to question 5(b) and why the applicant answered that way. Question number 5 is in reference to zoning and the comprehensive plan; in part (a) the question posed is the "proposed action a permitted use under the zoning regulations" and the applicant has answered yes which is appropriate. Part (b) asks is it consistent with the adopted comprehensive plan and applicant has answered "not applicable". Mr. Potter says it's probably a mistake. He would agree that the action is consistent, considering this is an existing development and this is just a modification of what is currently there. Mr. Schachner

states that as far as he and the Board knows it does seem consistent and asks if the applicant's representative is willing to change that answer on Part 1 of the EAF and initial it. Mr. Potter agrees to do so. The answer to 5(b) is changed to "yes" and initialed.

Mr. Schachner reads the eleven questions in Part 2 of the EAF – Impact Assessment. During the SEQRA review, the Board replies to all the questions that "no, or small impact may occur." Chairman Dobis asks for motion on SEQRA. On a motion introduced by David Gabay, the Board adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board for the Town of Wilton moves for a negative declaration for SEQRA in connection with the minor site plan application submitted by Stewart's Shops for the site additions and modifications to the Stewart's Shop #314, located at the intersection of Jones Road and NY Route, on 2.83 acres, TMP 141.-1-30 zoned RB-1. The motion is seconded by Ron Slone, and duly put to vote, all in favor, on this day, March 16, 2016.

Chairman Dobis follows up on Mr. Riper's comments about the addition of the LP storage facility and reiterates the concern about the aesthetics and the possibility of relocating it. Several suggestions are discussed. Ms. Kolligian suggests it be located near the dumpster area, away from the building. Mr. Potter states that placing them near a dumpster is not safe as there are occasional fires in the dumpsters. The cage itself is about 5 feet wide and 2.5 feet deep. Mr. Slone suggests moving the ice machine so that there is 10 feet separation from the electrical source. Mr. Potter says there are windows there and the cage would limit the visibility to the gas pumps. Even by putting the ice machine in the back, the required separation isn't there. With the exception of Ms. Kolligian, the Board's consensus is that the proposed location in the front is okay. Captain Bullard doesn't see an issue with the proposed location.

Chairman asks for any other comments from the Board and whether the Board is ready for a motion. On a motion introduced by David Gabay, the Board adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board for the Town of Wilton approves the minor site plan application submitted by Stewart's Shops, for the site additions and modifications to Stewart's Shop #314, located at the intersection of Jones Road and NY Route, on 2.83 acres, TMP 141.-1-30 zoned RB-1. The motion is seconded by Sue Peterson, and duly put to vote, all in favor, on this day, March 16, 2016.

B. 11 BLUE LUPINE LANE: The amended site plan application is for construction of a 9700 SQ FT addition to an existing steel fabrication building, construction of a paint booth and an expansion to the gravel yard. The location is 11 Blue Lupine Lane on 6.15 acres zoned C-2. Doug Heller from the LA Group is representing the applicant, 513 Broadway LLC. Applicant received a variance from the ZBA allowing the building addition to be ± 7 feet from the northern property line. Mr. Heller responds to a question about the amount of separation provided from the residences located behind the site. A sixty-two foot wooded buffer will be maintained from the property line. Mr. Bonacio, of

513 Broadway LLC, mailed a letter of explanation and plans to the two residences. No responses have been received to date.

Mr. Riper states that in addition to the comments in his letter dated 2/4/16 he asks that the variance information be on the mylar; it should also be noted on the mylar that additional plantings may be required in the buffer zone as necessary in the future. Also certification by an engineer or RLA that the construction is in conformance with the approved plans and storm water requirements.

Chief Morgan inquires about the paint booth and requests information about its size, the volume of paint and the types of paint that will be used. Mark Hutchinson states the volume is about 250 gallons per year; most of the fabricated product is unpainted. Types of paints vary from sprayable latex, some epoxy (1 -2 gallons.) All commercial paint is used, no military. The paint booth is large enough to paint a semi-truck in. The capture is done by filters. The booth has a combination of down and up draft, with filter banks on the bottom and on top.

Chairman Dobis notes that SEQRA review and determination is required on this application and asks Mr. Schachner to assist. Mr. Schachner reads the eleven questions from the short environmental assessment form – Part 2. The Board replies to all the questions that “no, or small impact may occur.” The Chairman asks if the same question (5b) is answered incorrectly, and Mr. Schachner replies that the applicant will need to correct the form - the answer should be “Yes” rather than “Not applicable”. Chairman Dobis asks for motion on SEQRA. On a motion introduced by Ron Slone, the Board adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board for the Town of Wilton moves for a negative declaration for SEQRA in connection with the amended site plan application submitted by 513 Broadway LLC for the 9700 SQ FT addition to the existing commercial building and other site modifications located at 11 Blue Lupine Lane on 6.15 acres, Tax Map No. 128.-1-97 zoned C-2, and that the project will not result in any significant adverse environmental impacts. The motion is seconded by David Gabay, and duly put to vote, all in favor, on this day, March 16, 2016.

Chairman Dobis asks Mr. Riper for his comments. The required notes on the mylar regarding the variance and the buffering are reiterated. On a motion introduced by Ron Slone, the Board adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board for the Town of Wilton approves the amended site plan application submitted by 513 Broadway LLC, for the 9700 SQ FT addition to the existing commercial building and other site modifications contingent upon adding the variance information on the mylar and comment # 3 of Mr. Riper’s letter dated 2/4/16. Property located at 11 Blue Lupine Lane on 6.15 acres, Tax Map No. 128.-1-97 zoned C-2. The motion is seconded by David Gabay and duly put to vote, all in favor, on this day, March 16, 2016.

C. BONDED CONCRETE, INC.: The amended site plan application is for the construction of a 2,534 SQ FT building and to replace aggregate bins, hoppers and silos with more up-to-date equipment. The property located at 13 Blue Lupine Lane on 7.83 acres. Tax Map No. 128.-1-98 zoned C-2. The applicant, Carl Clemente and his representative Jason Tommell with Van Dusen and Steves are present for the application. The plan is to put in a new concrete batch plant the same size as the existing one, replace the silos, conveyor belt and some aggregate bins to improve the operation. There should be less environmental impacts because of the improved technology. Mr. Clemente has executed the Town's Storm water Management Agreement. Mr. Riper concurs that applicant is enhancing the operation with a cleaner system; the building will have a vacuum system to collect dust. Mr. Clemente explains that any excess water will be recycled into the next concrete batch. Chairman Dobis asks for comments or questions, there being none, he requests a motion. On a motion introduced by David Gabay,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board for the Town of Wilton approves the amended site plan application submitted by Bonded Concrete, Inc. for 2534 SQ FT building and other site improvements located at 13 Blue Lupine Lane, on 7.83 acres, Tax Map No. 128.-1-98 zoned C-2. There are no new or different environmental impacts requiring further SEQRA review. The motion is seconded by Ron Slone and duly put to vote, all in favor, on this day, March 16, 2016.

D. FRIENDLY'S RESTAURANT: Application for an amended site plan approval for the addition of a drive-through to an existing Friendly's restaurant including the installation of a menu board and speaker. The site is located at 3075 NY Route 50, a portion of Tax Map No. 153.-3-86.111 zoned C-1. David Hauser, the construction manager with Friendly's, explains the enhancements that will be made to the existing building. Some modifications to the paving and markings will also be made.

Mr. Riper states that this is a SEQRA Type II action and addresses his comments made in his 3/9/16 letter. He also offers the comments made in the 3/9/16 review letter from the Saratoga County Planning Board:

In accordance with the Memorandum of Understanding between the Town of Wilton Planning Board and the Saratoga County Planning Board, the above-noted referral has been reviewed by the staff and deemed to present no countywide impact. We encourage the town planning board to carefully consider the internal movement of vehicles through the site with particular attention to the safety of pedestrians/customers moving between the front parking spaces and the restaurant entrance.

Mr. Riper wants to discuss the traffic increase and the internal traffic flow pattern around the store. Mr. Hauser responds that the area around the front entry pick-up window will be enhanced with plantings to deter people from crossing the drive lane being created. Most of the parking is opposite the drive-through. The traffic study indicates more impact at the lunch hour (10 cars per hour) and the evening hour is approximately the same. The volume is minimal. Ms. Kolligian asks about the average wait time for an order. It is about 4 minutes states Mr. Hauser. The biggest change will be to the interior of the restaurant such as new equipment that will make delivery of food more efficient

and reduce waiting time for customers. There is no need for staging (parking lane) in terms of vehicles since waiting for orders will be 4 minutes or less. The outside tables will be removed and the area turned into a planter to deter pedestrians from entering into the traffic flow. There will still be the ability to walk up and order ice cream. Mr. Ripper adds that no significant increase in traffic to the mall loop road is anticipated. Captain Bullard of the Maple Avenue Fire Dept. brings up the tight turning radius that now exists around the picnic tables. Since they are being removed there will be more room for the trucks to turn.

On a motion introduced by Sue Peterson, the Board adopted the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board for the Town of Wilton approves the amended site plan application submitted by Friendly's Ice Cream LLC for the drive-through addition to the Friendly's Restaurant located 3075 NY Route 50 on one acre, a portion of Tax Map No. 153.-3-86.111 zoned C-1. There are no new or different environmental impacts requiring further SEQRA review. The motion is seconded by David Gabay and duly put to vote, all in favor, on this day, March 16, 2016.

E. CANYON RUN EXTENSION: Application for a 44-lot conservation subdivision. Property is located on Gailor Road zoned R-1. Joe Dannible from EDP is representing the applicant: T & G Associates. The Board is to determine whether preliminary status has been met and if so, to set the public hearing. Mr. Dannible comments on the concern the Board has previously expressed about the installation of a closed drain system. He has prepared a power-point to help explain or answer questions about drainage, groundwater and how that is being treated. A hydrogeologist has been hired to study ground waters, to perform test wells on site, to do soil testing to determine ground water flow and how that may impact any ground water in the area, to determine the downstream implications of this ground water to the tributaries to the Snook Kill.

Mr. Dannible describes the overall subdivision plan and the existing conditions. There are 14 existing parcels, a large tract of land and an approved 12 lot subdivision (Canyon Run Extension) that is viable and can be developed at any time. There will be a single road with cul-de-sac going off of Gailor Road. Applicant is proposing a no cut/minimal cut buffer along the property lines for lots backing on the existing homes on Damascus Drive. At the edge of that buffer, there will be a drainage swale so that any water runoff will be collected there and discharged to the storm water management area. This is to ensure safety to the neighbors on Damascus Drive – nothing from this project will negatively affect their property.

Mr. Dannible explains what is meant by a closed drainage system: it is contained within the road and connected to the house with a solid hard pipe that surrounds the perimeter of the house and is located 3 feet below the footings [the slab of the basement]. There will be a perforated pipe encapsulated in stone and then filter fabric to preserve longevity of the system. This pipe is connected to the road and discharges into the closed drainage system which goes out and discharges to the spring. There is also a redundant system, an internal drain system that's connected to a sump pump within the house in the event there is a failure within the closed drainage system. This is to make sure that no water gets into the house or basement. All houses will have basements. Chairman Dobis likes the idea of a

back-up system. What could cause a failure that would result in the back-up system being activated? There is no history of failure, but if it did happen it would result from inadequate installation.

Mr. Dannible explains in detail the findings of the study prepared by the hydrogeologist Kirby Van Fleet. It has been determined that in the area where the proposed drainage system would be, there will be an impact resulting in the ground water being lowered by 3 to 5 feet depending on the location in the site. From the edge of the drainage system to 500 feet away, the impact on ground water would be lowered by one to two feet. That amount lessens the further distance away from the site. There are no existing wells within the "cone of influence" of this drainage system; this results in no impact on wells. The ground water from the site discharges ultimately into the tributary of the Snook Kill. Mr. Dannible delves into the technical details of the report's findings with regard to the impact of this additional ground water on the tributary. The report shows that at the point of connection to the stream there will be a minimal impact on the volume of water and the velocities of water coming into the stream. Mr. Rice and Mr. Gabay ask about the likelihood of the stream freezing and if the ground water flowing into the frozen stream would cause erosion. There is a discussion about the classification of this tributary of the Snook Kill being a CT stream. Mr. Gabay expresses his interest in the "nuts and bolts" of cutting into this stream and whether DEC would be involved. He believes a permit from DEC would be necessary. Mr. Dannible informs him that the drainage system of the Olson Farm Subdivision discharges into this same tributary and no permit was necessary in that instance. Mr. Riper adds that this is ground water and there is no surface infiltration such as storm water being entered into this system. There is no disturbance of the stream bank or bed. Permits become necessary if the wetland or bed/bank of the stream is being disturbed. That is not being proposed in this case.

Mr. Riper reviewed the Van Fleet study and met with the Highway Superintendent to discuss the implications. Superintendent Woodcock expressed concern about the downstream culverts and how the proposed drainage system would impact them. There are two culverts that cross the stream. The culverts were examined to determine if there was any accommodation necessary due to the minimal additional flow that would be contributed to the stream. There was no indication of long term erosion or scouring as a result of 1.5 inches of rainfall that occurred in February of this year. Mr. Dannible explains the volume of water going through these pipes and states that the impact of the additional groundwater is negligible. The conclusion from the report is that there will be minimal to no impact on the groundwater in the surrounding areas, or the tributary to the Snook Kill, or any of the downstream culverts associated with this tributary.

Another concern was the headlight glare from vehicles when coming out of the development, 80% of those will be taking a left hand turn. In the other direction, the house in question was not visible due to the vegetation. Mr. Riper suggests adding a few evergreens to that location to mitigate the sweeping headlights coming across into the neighboring backyards. Contact with the landowner is encouraged. Mr. Dannible agrees to do so.

Chairman Dobis remarks that this was an excellent presentation that answers a lot of questions. Mr. Slone asks if the hydrogeologist would be at the public hearing. The project engineer that wrote the study will be present at the hearing. Mr. Gabay suggests a communication with DEC stating the nature of the project with regard to impacts on the tributary in question. Mr. Dannible agrees to investigate that. Mr. Schachner comments that DEC should respond in writing to a jurisdictional

inquiry. In response to a question about the open vs. closed drainage system from Mr. Fish, Mr. Dannible points out that the closed drainage system within the town road which is taking flow from the houses as well as the underdrain system, the most appropriate way to deal with that is to have that system within the right-of-way owned by the Town and that a tax district would be set up for the long-term maintenance and possible replacement of that system. Mr. Riper had requested the applicant prepare and present this in-depth hydrogeological study about the drainage and the culverts due to Superintendent Woodcock's position that those culverts cannot handle the additional groundwater. Chief Morgan asks about the surface water – does it have an impact. This is historically wet land. Mr. Dannible states that NYS regulations state that you cannot discharge surface water runoff from a site at any greater velocity that currently leaves the site. The math has been done and it has been proven that there is no impact. The Superintendent's concerns have been answered. Mr. Riper plans to discuss the report findings with the Highway Superintendent. Mr. Dannible offers to come up and present the information personally.

Ms. Kolligian asks about the mailboxes. The applicant is proposing three-car parallel space off the side of the road where a mail kiosk located. Chairman Dobis asks about the distance between the parking space and Gailor Road. The concern is about stacking and making sure the stopped vehicles are not interrupting traffic in the travel lane. The distance is approximately 60 feet.

Mr. Riper deems the subdivision application complete for preliminary and indicates the public hearing can be set. Chairman Dobis schedules the public hearing for 6:30 PM on April 20, 2016.

Mr. Riper inquires about the schedule for the continuation of the subdivision review. The drainage district will necessitate an action before the Town Board. The Town Board will be looking to the Planning Board for its opinion. Mr. Dannible says the long-term plan is that once preliminary approval is received, the subdivision plans will be submitted to DOH and DEC who take 6-9 months to review a project. That should be enough time for the tax district process to be completed. Mr. Riper affirms it should be a condition of final approval prior to commencing construction. The tax district is established prior to any dedication of the roadway.

F. SPENCER CONSERVATION SUBDIVISION: Application for an 8-lot conservation subdivision located on Edie Road on 21.25 acres zoned R-2. David Bogardus represents the Spencer family. He was last before the Board August 19, 2015. The property contains delineated DEC wetlands along the southern border. There will be 8 legal building lots, 800 linear feet of road with a cul-de-sac which will be dedicated to the Town. Nine acres of the twenty-one acres site will be de-restricted. He has submitted the restrictive covenants and has not received any feedback. He hands the document to the Board members. Both the storm water and septic system design has been done. The eight ½ foot test pits indicate no ground water, excellent soil, percolation rates are 4 minutes. He mentions Mr. Riper's comment letter and states he has not had time to make any plan changes yet. There was a comment about leaving adequate room for a road along the storm water management area and that will be addressed.

Mr. Riper mentions the 4 foot separation on the septic system needs to be on the plans. He states the plans are deemed ready for preliminary and the public hearing can be set. Chairman Dobis sets the hearing for 6:31 on April 20th, 2016. Mr. Bogardus will submit a revised set of plans to Mr. Riper before the public hearing.

H. TIMBER HARVEST PERMIT: Application by John O'Donnell for a permit to harvest timber on 20 acres on behalf of Miriam Messinger. Property located at 4029 NY Route 50 on 36.9 acres zoned C-1. Mr. O'Donnell, a consulting forester, is overseeing the harvest and timber sale for the Messingers. The property has been harvested in the past. There are existing infrastructures as far as access roads. Egress onto NY Route has a good line of sight through an existing access on the property associated with the commercial operation. Mr. Gabay asks about the kind of harvesting. It is a conservation cut which is selective. The past harvesting has stimulated growth. In the SWPPP, he presented the harvesting in a phased plan. He prefers not to phase the operation. Mr. Riper confirms that there is no clearing, just harvesting involved. Phasing is not necessary since 1 acre or less is being disturbed. He recommends putting signage on NY Route 50 and extra stone on the access road/skid trail.

On a motion introduced by Ron Slone the Board adopted the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board for the Town of Wilton, approves the application submitted by John O'Donnell for timber harvesting on 20.25 acres on the property owned by Miriam Messinger located at 4029 NY Route 50, Tax Map No. 155.-1-1 zoned C-1. The motion is seconded by David Gabay, and duly put to vote, all in favor, on this day, March 16, 2016.

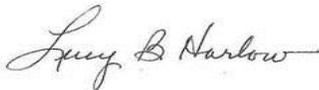
As part of the permit process, Chairman Dobis signs off on the application as well as Mark Mykins and Kirklin Woodcock.

V. ADJOURNMENT:

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

NOW, THEREFORE, BE IT RESOLVED that the meeting of the Planning Board be adjourned at 8:29 p.m. The motion is seconded by William Rice and duly put to vote, all in favor on this day March 16, 2016.

Approved: April 20, 2016



Executive Secretary