



TOWN OF WILTON
22 TRAVER ROAD
WILTON, NY 12831-9127

(518) 587-1939
FAX (518) 587-2837
Website: www.townofwilton.com

RYAN K. RIPER, P.E.
Director of Planning &
Engineering

MARK SCHACHNER
Planning Board Attorney

LUCY B. HARLOW
Secretary

PLANNING BOARD
JUNE 15, 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 June 15, 2016 at the Wilton Town Hall, 22 Traver Road, Wilton, New York.

PLEDGE OF ALLEGIANCE

I. REGULAR MEETING: Michael G. Dobis, Planning Board Chairman, called the regular meeting to order at 6:33 PM.

MINUTES APPROVAL: Erinn Kolligian moved, seconded by Harold VanEarden, for the approval of the meeting minutes of May 18, 2016 as written. Ayes: Slone, VanEarden, Gabay, Kolligian, Rice, Peterson, Dobis. Opposed: None.

Those present at the June 15, 2016 Planning Board meeting are: Chairman Michael Dobis, Ron Slone, David Gabay, Harold VanEarden, Erinn Kolligian, William Rice, Sue Peterson, Mark Schachner, Planning Board Attorney and Ryan K. Riper, P.E., Director of Planning and Engineering. Absent: Brett Hebner, Alternate. Also present are: Joe Dannible, William Neds, Jeanne Wouterz, Donald Zee, Esq.; Captain Gary Bullard, Brett Steenburgh, Richard Fish and Pat Mitchell.

CORRESPONDENCE: Greenfield Fire District change in address notification; *Capital District Data*, May/June 2016; Volume 39, Number 3; *In Motion*, Newsletter of the Capital District Transportation Committee, Volume 8 Issue 4, June 2016; correspondence from the Wilton Historic Preservation Committee re: application of Green Acres Capitol Ventures and application; correspondence dated July 1, 2016 from Saratoga National Bank re: Hilltop Drive; correspondence from EDP re: New Country Subaru application dated June 30, 2016; transmittal letter from EDP re: New Country Subaru dated July 5, 2016; comment letter from EDP re: Floral Estates Phase VI dated July 5, 2016.

II. APPLICATIONS:

A. WILTON SENIOR COMMUNITY AMENDED SITE PLAN: Chairman Dobis gives a brief description of the application. Pat Mitchell from VHB is requesting approval of an amended site plan for the Wilton Senior Community consisting of a covered drop-off area at the main entrance; a realignment of the entrance road in an effort to save some trees; a relocation of the bocce court, the addition of a pavilion and a second pickle ball court. Chairman Dobis asks Mr. Riper for his comments. Mr. Riper states the amendments are straightforward and has no other comments. Ms. Kolligian comments favorably on saving the trees. Captain Bullard from the Maple Avenue Fire Department asks if the cover is over the main road. Mr. Mitchell responds that the covered entry is over the parking area. Mr. Riper adds that the clearance is sufficient for their bus traffic. The fire trucks would not be going under the covered area.

Chairman Dobis asks for comments or questions from the Board. There being none, he asks 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 approves the amended site plan submitted by the Nigro Group for the addition of a covered drop-off at entrance to the existing building; the addition of pavilion adjacent to sports courts, an additional pickle ball court and the modification of the northern driveway. Property located at 1 Perry Road on 11.65 acres; Tax Map No. 153.-3-32.121, zoned C-1. There are no new or different environmental impacts requiring further SEQRA review. The motion is seconded by Sue Peterson, and duly put to vote, all in favor on this day June 15, 2016.

B. WALMART STORE #98 AMENDED SITE PLAN: Chairman Dobis describes the application as follows: this is an application to amend the site plan for 3600 SF addition to the existing Walmart store, property located on Old Gick Road and Lowes Drive on 21.65 acres, zoned C-1. William Neds, the representative for Walmart, recalls his last appearance before the Board and some of the issues that he discussed with Mr. Riper. The issue with CDTA bus stop has been resolved. Mr. Riper states that the Walmart employees are using a cart carrel as a break area with makeshift plywood. He feels as long as the work is being done on the addition, an improved break area could be built. Mr. Neds has advised the architect of that request. The fire department has reviewed the plan and has no comment. Mr. Riper requests that the Town Standard Notes be added and that his comment regarding the storm water be addressed. In addition the entrance to the site off Lowes Drive where the striping has worn away should be improved. He states that the Saratoga County Planning Board responded to the referral that was sent in their review letter dated June 9, 2016. Their decision was no significant countywide or intercommunity impact with the following comments:

The proposed expansion presents no direct county wide impacts. We do, however, note what the local planning board will have to review regarding the irregularity of the internal traffic circulation

the construction and alignment created by the proposed expansion (an offset intersection, movement of traffic and turns closer to the bus pick-up area, and a bump-out area impacting traffic flow).

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

NOW THEREFORE BE IT RESOLVED that the Planning Board approves the amended site plan application submitted by Walmart Stores, Inc., for a 3600 SF addition to the existing Walmart store located on Old Gick Road and Lowes Drive; Tax Map No. 153.-3-110 zoned C-1. Final approval of the amended site plan is subject to the satisfaction of the following requirements: completion of items set forth in Ryan Riper's letter of May 16, 2016. There are no new or different environmental impacts requiring further SEQRA review. The motion is seconded by Harold VanEarden, and duly put to vote, all in favor on this day June 15, 2016.

C. CANYON RUN EXTENSION CONSERVATION SUBDIVISION: This is an application for preliminary approval of a 44-lot conservation subdivision located on Gailor Road, on 38 ± acres, zoned R-1. Joe Dannible of Environmental Design Partnership reviews issues that came up during the two public hearings on this project. A lot of concerns expressed by the public have been addressed. Several additional studies were prepared regarding noise impact and downstream drainage. Hydrogeological studies were completed looking at groundwater movement throughout the site and the area which further identified that this project will have no adverse impacts to any of the adjacent properties in relation to ground water or noise. Presented at the last meeting is the deed-restricted open space that was increased by 2 acres assuring that no clearing of trees would occur behind the residents located in that area of the property.

The applicant is looking for preliminary approval and a negative declaration for SEQRA. Then the applicant can move on with the outside agency reviews and come back when comments are received from those agencies for final approval.

One of the residents asked about the cost of noise barriers along the Northway. The cost varies greatly anywhere from 2.5 to 4.5 million per linear mile. This project occupies one-third to one-half of a mile so the cost estimate would be in the range of 1 million to 2.5 million dollars. This is a cost this project cannot bear. The material is acoustical concrete constructed in a wall 14-15 foot high. Chairman Dobis asks about the affect this would have on the standing vegetation. Currently there is a 100 foot no-cut buffer that is required in the Northway Corridor Overlay District. In order to construct such a wall on this project would mean taking out 30-40 feet of the buffer along the Northway side. The earth berm with plantings on top that was suggested would take out the entire 100 foot buffer to have a meaningful berm high enough to mitigate any of the noise.

Chairman Dobis asks if there are any changes to the plans since they were last presented. Mr. Dannible responds that there are no further changes. Mr. Riper refers to the EDP letter dated June

15, 2016 which responds to all of Mr. Riper's previous comments. EDP will be updating their drawings to submit to the other agencies and to address Mr. Riper's comments.

Chairman Dobis asks the Board whether they have any questions or feel that Mr. Dannible should present the project again. There being no response the Chairman moves on to the SEQRA review. Mr. Schachner, the Planning Board Attorney reads the questions from the completed Short Environmental Assessment Form dated May 11, 2016. He reads each of the eleven questions contained in Part 2 – Impact Assessment. The Board responds to each of the eleven questions that, "No, or small impact may occur" and based upon the Board's responses, the Chairman requests a motion for a negative declaration. On a motion introduced by Erinn Kolligian, the Board adopts the following resolution:

NOW THEREFORE BE IT RESOLVED, that the Planning Board has determined that a negative declaration for SEQRA be issued for the conservation subdivision application known as Canyon Run Extension. The motion is seconded by Ron Slone and duly put to vote, all in favor on this day June 15, 2016.

Chairman Dobis asks Mr. Riper if has any comments before moving on to preliminary. Mr. Riper states that any preliminary approval should be contingent upon addressing the review items that are set forth in the June 15th, 2016 letter from EDP. There being no questions or comments from the Board, the Chairman asks for a motion. On a motion introduced by Ron Slone, the Board adopts the following resolution.

NOW THEREFORE BE IT RESOLVED that the Planning Board approves the preliminary application submitted by T & G Associates for the Canyon Run Extension 44-lot conservation subdivision, located on Gailor Road on 38.06 acres TMP 128.-1-86, 128.-1-90, 128.5-3-27 through 38; and 128.5-3-98, zoned R-1 contingent upon revising the drawings to meet the requirements set forth in the response letter from EDP dated June 15, 2016. The motion is seconded by Harold VanEarden and duly put to vote, all in favor on this day June 15, 2016.

D. THE EVERGLADES MIXED USE SITE PLAN: Application for preliminary approval of 4 mixed use buildings containing a total of 50 residential units and 8620 SF of commercial/professional space. Property located on NYS Route 9 on 3.34 acres; Tax Map No.140.13-1-1, zoned H-1. Brett Steenburgh is present on behalf of the Applicant, Thomas Farone Home Builders. As stated at the last meeting Applicant was granted conceptual approval. A preliminary package has been submitted to the Town. Ryan had raised some concerns at the last meeting regarding the elevations that were submitted which had some inconsistencies. He requested samples or documentation as to the exterior building materials which would be provided. The materials on the elevations have been specifically identified on the plans recently submitted. They are consistent with what is being constructed in the H-1 district with the brick and EIFS façade along the front, and a mixture of an EIFS and vinyl siding product along the sides with vinyl shakes of the same grade that was utilized on the Gordon building across the street. These samples have been delivered to the Town. The plans have been submitted to the fire department for their review. He hasn't received any comments. He did send plans to the emergency services but did

not get a certified receipt back. Mr. Riper has issued a comment letter dated 6/7/16. Most of the comments are notes on the plans. The larger items would be the landscaping being compliant with the H-1 district. Mr. Steenburgh will see that those details are compliant. He will also submit plans to Mike Mooney [WWSA] for his review. Applicant is hopeful that the Board will schedule a public hearing on the project tonight.

Chairman Dobis asks Mr. Riper if he considers the plans ready to set the public hearing. Mr. Riper states some of the comments on his review letter are regarding items that need to be completed before the plans are deemed ready for preliminary status; i.e. Town Standard Notes to be placed on the plans; WWSA application must be sent in; some items on the list relate to the H-1 requirements: the plantings, the lighting, the sidewalks, which should all be detailed.

Chairman Dobis asks if any of the items mentioned might come up at a public hearing. Mr. Riper says yes, for example he didn't see the building height on the architectural drawings. That's an unknown – there are required height restrictions. These need to be on the drawings per Item #3 on his comment letter of 6/7/16. There is a general note on your plans that says building height is 40 feet, but maximum zoning height is 35 feet. Item #2 – landscaping, street trees, lighting, and town easement line – all need to be shown per the H-1 zone. The Board may request public space at the frontage, with benches, landscaping, and a bicycle rack which was done across the street at the Gordon site. Mr. Steenburgh describes what was included in creating this courtyard area with a wall and arbor entry. That is essentially public space being adjacent to the commercial spaces that can be utilized by the public. Mr. Riper mentions a note describing each apartment building as having 11,985 SF. Mr. Steenburgh states that is a typo. Mr. Riper concludes these things need to be addressed before a public hearing, before the public see these errors and they become an issue. Mr. Steenburgh says he will have these items addressed by Monday of next week.

Chairman Dobis expresses his concern in recalling the public hearing for the Gordon project, where members of the public asked very specific detailed questions. It was important for that project that the requirements were met and had been shown on the plans. He asks the Board for their input. Mr. Riper adds that if the Board should desire, they can ask for an isometric drawings. Mr. Slone and Ms. Kolligian agree that would be helpful. Ms. Peterson adds that would help with the public hearing. Mr. Steenburgh says that the isometric drawings are the responsibility of the architect and not within his control.

Ms. Kolligian adds in view of the possibility that the public turn out may be as large as the Gordon project, here there are four buildings in the same area; the details need to be correct. Mr. Riper states it's the Board decision but there are a lot of items that could have been addressed and still need to be addressed. Mr. Riper suggests that each item on his list be gone through and a response written to each. Mr. Steenburgh says the water and sewer connections are shown and the notes regarding the garages are on there. Mr. Riper states the sewer needs to be extended to the south end of the project – that should be investigated. Mr. Steenburgh responds that end of the site was raised to get the sewer as far as possible. The site pitches off and there isn't clearance. Mr. Riper suggests having a discussion with the Saratoga County Sewer District and see if they would require an easement for a force main. Ms. Kolligian asks if there has been any comment back from the fire department yet. Mr. Steenburgh states the plans were sent before the last meeting. She is concerned about going between the two buildings and then to the parking lot all the way to the right that there is not an "in and out" and what the turn radius in there

would be. She confirms there is only one way in and out and there is no connection in back to adjacent property. Mr. Steenburgh recalls the fire department representative commented at the last meeting that he had received the plans. But the emergency services have not; he has not gotten a return receipt from them. There are not any review letters from either agency. Mr. Steenburgh can reach out again. Mr. Zee comments that both agencies were notified. It is difficult to demand responses from them. They will follow up with both agencies and copy the Board with any correspondence. Mr. Riper will follow up as well. Chairman Dobis wants to make sure they have been notified before the public hearing.

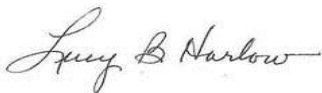
Chairman Dobis asks if this project get approved is there a time frame for it to get started or completed. Mr. Steenburgh can't speak for the owner, but he would think things would move pretty quickly since the owner is moving his offices over to the new site. Donald Zee, attorney for the applicant, states that the project once approved would be sold before it is built.

Mr. Gabay mentions the lighting in the hamlet, that lights have a black cap to minimize diffuse lighting, however, when he looks at Split Rail and Heritage Phase I, he sees no black caps. He is concerned about light pollution. Mr. Zee states those projects were not in the hamlet zone – they pre-dated the hamlet zoning. That requirement was not in place at that time. Mr. Riper adds those are the kind of details, i.e. the lighting and the landscaping that need to be on the plans. The next deadline is July 5th.

III. 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 7:20 p.m. The motion is seconded by Erinn Kolligian and duly put to vote, all in favor on this day June 15, 2016.

Approved: July 20, 2016

A handwritten signature in cursive script, appearing to read "Lucy B. Harlow".

Executive Secretary