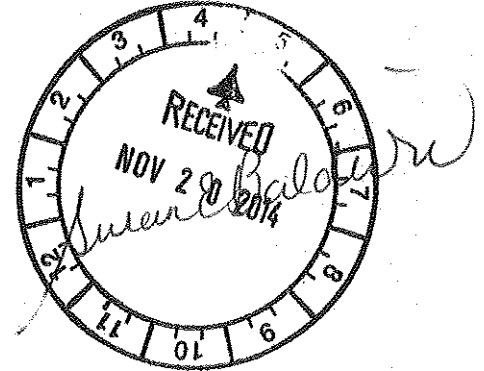




TOWN OF WILTON  
22 TRAVER ROAD  
GANSEVOORT, NY 12831-9127  
518) 587-1939, Ext. 211

MICHAEL G. DOBIS  
Planning Board Chairman

LUCY B. HARLOW  
Executive Secretary



## PLANNING BOARD MEETING

### TOWN OF WILTON

Wednesday, October 15, 2014

A meeting of the Wilton Planning Board (the "Board") occurred on October 15, 2014, at the Wilton Town Hall, 22 Traver Road, Wilton, New York. Chairman Dobis called the meeting to order at 6:32 PM.

## PLEDGE OF ALLEGIANCE

### I. REGULAR MEETING

**PRESENT:** Chairman Michael Dobis, Vice Chairman Harold VanEarden, Erinn Kolligian, William Rice, Sue Peterson, Ron Slone and Brett Hebner, Alternate. Also present are Ryan Riper, P.E., Director of Planning and Engineering and Mark Schachner, Esq. Planning Board Attorney, Jeanne Wouterz, Town Historian; Peter Coseo, Esq., Ron Taylor, Travis Rosencranse, Barnum Ferguson, Dave Massaroni and Bob Duff.

**ABSENT:** David Gabay

**APPROVE PENDING MINUTES:** Chairman Dobis wants to address the meeting minutes of September 17, 2014 and he asks for a motion and a second to approve the minutes. On a motion introduced by Ron Slone, the board adopted the following resolution:

**NOW, THEREFORE, BE IT RESOLVED,** that the minutes from the Planning Board meeting of September 17, 2014 are accepted. The resolution was seconded by Brett Hebner and duly put to vote, all in favor, on this day, October 17, 2014.

**CORRESPONDENCE:** Letter of transmittal from Lansing Engineering dated 9/30/14 re: Loudon Road Subdivision; email from Michael Valentine, Saratoga County Planning Dept., dated 10/1/14 re: Johnson's Auto Crusher's 2-lot Subdivision; letter dated 9/22/14 from Michael Valentine, Saratoga County Planning Dept., re: site plan review for Wang Yi Architecture; letter of transmittal from David Barrass dated 9/26/14 re: map for Johnson's Auto Crushers 2-lot subdivision.

### II. APPLICATIONS

#### A. JOHNSON'S AUTO CRUSHER OF CORINTH INC. 2-LOT COMMERCIAL SUBDIVISION

Peter Coseo, attorney for the applicant, is before the Board to present a revised 2-lot subdivision map. This application was previously before the Board as a 3-lot subdivision. Lot 2 is to be conveyed to his son and it is the location of the son's residence. In his conversation with Ted Serbalik of the Saratoga County Department of Public Works regarding the driveway cuts at 81 Ballard Road, Mr. Serbalik indicated that he had no recommen-

dations other than what was shown on the previous map. With respect to the driveway that was to remain, which is going to be the driveway for the lot that is not part of this proposal, he suggested it be left there for two reasons; (1) doesn't like to close a driveway if there is the possibility of it being opened back up later on; (he is cognizant of the intent of some future time to move with the Board to create a 2 lot subdivision;) and (2) because there is a building here (indicating) he felt for fire protection purposes it would be better to have a driveway all around. The driveways on the map that are shown are to remain and the others are to be closed.

Mr. Coseo addresses some of Mr. Riper's comments contained in his letter of 9/10/14. Mr. Barrass, the applicant's surveyor has established that the two houses have postal addresses currently. Mr. Riper asks about the concrete pipes in the ROW being removed. Mr. Coseo indicated he would ask the applicant that the pipes be removed prior to the next meeting.

Chairman Dobis asks for questions and comments, there being none, he asks for a motion for conceptual approval and a motion to have the Board declare lead agency status.

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

**NOW, THEREFORE, BE IT RESOLVED**, that the subdivision application for the Lands of Johnson's Auto Crusher, Inc. be given conceptual approval. The resolution was seconded by Erinn Kolligian and duly put to vote, all in favor, on this day, October 15, 2014.

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Wilton Planning Board has declared itself SEQRA lead agency for the purpose of a coordinated review of this subdivision application. The resolution was seconded by William Rice and duly put to vote, all in favor, on this day, October 15, 2014.

Chairman Dobis sets the public hearing for November 19, 2014 at 6:30 p.m.

**B. PINE BROOK LANDING SUBDIVISION AMENDMENT**

This is an application to merge two lots into one. The property is located at 22 Rose Terrace. The area is zoned R-2. The lots to be merged are lot 11 and lot 12. Barnum Ferguson with Environmental Design Partnership is representing Dave Trojanski of Trojanski Builders. The lots to be consolidated are within the existing Pine Brook Landing Subdivision located on northern side of Loudon Road one mile east of the intersection with Ingersol Drive.

Lots 11 and 12 combined would make a 14.64 acre lot. The request that the lots be merged is to accommodate an 8000 SF house. The current deed restrictions will not change. Chairman Dobis remarks that there would appear to be no negative impacts. This is a request to amend a previously approved subdivision. Mr. Schachner comments that it is not technically a SEQRA Type II action and the Board should comment if the Board feels there are no new environmental impacts that are different than the prior SEQRA review.

On a motion introduced by William Rice, the Board adopted the following resolution:

**NOW, THEREFORE, BE IT RESOLVED**, that the subdivision amendment of the Pine Brook Subdivision to merge two lots [Lots 11 and 12] into one [Lot 11 revised] is approved. The Board feels that there is no adverse environmental impact caused by the lot-line adjustment. The property is located at 22 Rose Terrace. Tax Map Nos. 154.-5-11 and 154.-5-12 zoned R-2. The resolution was seconded by Ron Slone and duly put to vote, all in favor, on this day, October 15, 2014.

### C. LOUDEN ROAD CONSERVATION SUBDIVISION

Travis Rosencranse from Lansing Engineering is representing R. J. Taylor Builders for a conceptual discussion of an 18-lot conservation subdivision. Mr. Riper confirms that the applicant is not seeking any approvals tonight. The property is located at 309 Louden Road, zoned R-2. He describes the location as being north of the Pine Brook Subdivision. The parcel is 40.5 acres; taking out wetlands and constrained lands leaves 29.97 acres of buildable land. The density calculation is 16.2 lots, added to that is the 10% increase for the density bonus, which comes out to the 18 proposed lots. There will be 2000 LF of road with two minor impacts on ACOE wetlands. Public water and sewer will be available to the subdivision. The plans show the entrance to subdivision aligned with entrance to trailer park. The square footage of the homes has not been determined but they will have basements.

The existing house lot belongs to the current owner, Robert Duff and would be split by the proposed road. Mr. Riper points out that lot would form two separate lots, one lot on either side of the road; although, the lot on the south side would not create a buildable lot, a deed restriction could be appended keeping it as open space. The subdivision plan indicates 20 lots total and the parcel acreage needs to be verified. Mr. Taylor interjects that it was thought that the lot at the front could be considered one lot, even though it is to be split by the road. He is advised that if it was maintained as one lot, a town road dedication could not be considered. The lot lines stop at the town ROW.

The lot that contains the proposed community garden would be considered a lot in itself. Anything outside the "deeded" parcels would be considered HOA land. If that is not an option, then the lot lines would be extended to the overall boundary of the parcel. The intention is to form a HOA so that residents will have a place for a community garden. There will be a gravel path to it which will be wide enough for a car. Mr. Riper adds that there is a stream that goes from the west to the east where there are ACOE and DEC wetlands. There is a pre-existing farm bridge over the crossing that has been impacted by logging. Mr. Taylor indicates his willingness to mitigate that impact with DEC and return the bridge back to its normal state.

Chairman Dobis states that when there is a conservation subdivision, the town always has first refusal to any open space. The subdivision open space has been discussed with Supervisor. Generally the trend by the Town is not to take a donation of open space unless there is connectivity to some other existing town resource or some other valuable protected piece of property. There follows a discussion of 10% density bonus that is available when valuable open space is offered by the developer to the Town.

Mr. Riper reads some of the items from his 10/14/14 letter to the applicant regarding his conceptual review of the subdivision plan.

Chairman Dobis asks for questions or comments from the Board and the audience. He polls the Board in response to Mr. Taylor's question about whether the Board has any issues with the basic layout. Mr. Rice suggests a paper road (or a bike path) to the east for connectivity if that land were to be developed. In general, Mr. Slone likes the idea of a connection, but doesn't see any advantage in this case. Mr. Riper will take a look at the parcel to the east but explains that the wetlands are a consideration. Chairman Dobis asks that applicant provide the Board with a map view showing the adjacent tax map parcels and Mr. Rice would like to see where the lot to the north connects to the road frontage.

### D. THE CROSSINGS AT NORTHERN PINES

This application is to amend site plan for the purpose of removing a dumpster from current site and relocating it. The property is located at 23 Northern Pines, zoned H-1. Mr. David Massaroni is here to explain the reason for the requested amendment. The dumpster in question was installed adjacent to building #1 but due to the odor, was moved next to the other dumpster at the end of the property. There is a discussion of making a motion to approve the amendment.

Mr. Riper states that the Town is holding escrow for a sidewalk. He would like to address this issue, rather than have the applicant come back in again, in spite of the fact that this matter is not on the agenda. It is agreed that it should be dealt with tonight. This concerns a proposal to have sidewalk stubs, 10 to 15 feet long that would connect to Wilton-Gansevoort Road and also Northern Pines Road. However the elevation of building # 1 is much higher than the Wilton-Gansevoort Road, as much as 7 to 10 feet, and there is no way a sidewalk can be constructed in a safe manner and meet code requirements.

Chairman Dobis states that there if a sidewalk that was approved but never installed, by ordinance, it needs to be installed. Mr. Riper states the applicant can pay a sidewalk fee. That is one way to fulfill the requirement as opposed to building the sidewalk. The question seems to be if the sidewalk can't be built from an engineering standpoint, it doesn't make sense to take the money for something that can never be built.

There is a potential need for a sidewalk if the other side of Wilton-Gansevoort Road is developed. If that becomes the case, there would have to be County approval for a crosswalk. At this point there is nothing to connect to. It would be a question of connecting the sidewalk that exists up to the edge of the road. The sidewalks around the perimeter of building #1 are constructed. It is the stub to the Wilton-Gansevoort Road that isn't feasible to construct. It could be moved adjacent to the two-way entrance to the Wilton-Gansevoort Road which is a much safer location. For planning purposes it would make sense to wait and see what the destination is. The zoning requirement has been met; there is a sidewalk along the frontage of the road.

The Board could eliminate those sidewalk stubs that currently have no destination. The drawing on page C-2 has to be revised in any case to eliminate the dumpster and a note could be added to address the two stubs that were approved, but not built, at the same time. The only legal issue would be if any of this was an issue back at the time the original approval was being considered in terms of the public reaction. The Board acknowledges that they were present at that time and this sidewalk problem was not an issue with the public. A motion is needed to amend the site plan for the location of the dumpsters and for the removal of the two sidewalk stubs.

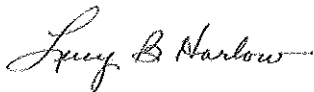
On a motion introduced by Ron Slone,

**NOW, THEREFORE, BE IT RESOLVED**, that the site plan be amended to remove the dumpster from the current site adjacent to building #1 and relocate it on the property located at 23 Northern Pines Road, Tax Map No.114.8-1-9, and further, that the site plan page C-2 show the removal of the stub sidewalks that have not been built and that a note be placed on the plan that states that the future sidewalk connections to the Wilton-Gansevoort Road and East Lane shall be determined by the Planning Board at a future date for cross connections. The resolution was seconded by Harold VanEarden and duly put to vote, all in favor, on this day, October 15, 2014.

#### IV. ADJOURNMENT

On a motion introduced by Sue Peterson that the meeting be adjourned; it is seconded by Erinn Kolligian. All board members are in favor. The meeting is adjourned at 8:00 PM.

Approved: November 19, 2014



Executive Secretary