



**TOWN OF WILTON**  
**22 TRAVER ROAD**  
**WILTON, NY 12831-9127**  
(518) 587-1939 Ext. 201

**PLANNING BOARD**

William Rice,  
Chairman  
Harold VanEarden,  
Vice Chairman  
David Catalfamo  
David Gabay  
Christopher Price  
Thomas Murphy  
Chad A. Jerome  
James Deloria,  
Alternate

Amy DiLeone  
Executive Secretary  
Planning & Engineering

Ryan K. Riper, P.E.  
Director of Planning &  
Engineering

Joshua Carlsson  
Land Use Administrator

Mark Schachner  
Planning Board Counsel

**PLANNING BOARD**

**February 15, 2023**

A meeting of the Wilton Planning Board (“the Board”) occurred on February 15, 2023, at 6:30 P.M., at Wilton Town Hall, 22 Traver Road, Wilton NY 12831.

**PLEDGE OF ALLEGIANCE**

**I. CALL TO ORDER:**

Chairman Rice opens the regular meeting at 6:30P.M.

**II. REGULAR MEETING:**

**PRESENT:** Chairman William Rice, Hal VanEarden, Chris Price, and Tom Murphy; Ryan K. Riper, P.E., Director of Planning and Engineering, Mark Schachner, Planning Board Counsel, Josh Carlsson, Land Use Administrator, and Amy DiLeone, Executive Secretary

**ABSENT:** Dave Gabay, Jim DeLoria, Chad Jerome, and Dave Catalfamo

**MINUTES APPROVAL:** Mr. VanEarden made a motion, seconded by Mr. Murphy for the approval of the meeting minutes of January 18, 2023, as written.

Ayes: Chairman Rice, Hal VanEarden, Chris Price, and Tom Murphy

**CORRESPONDENCE:** None other than those relating to current applications before the Board.

### III. APPLICATIONS:

**A. Commercial Subdivision: Michael Messinger:** Application for Commercial Subdivision by Michael Messinger for a two (2) lot commercial subdivision. Property located at/on 4029 NYS Route 50 on 36.96 acre(s), Tax Map No(s). 154.-1-1; zoned C-1.

Scott Lansing of Lansing Engineering is here to represent Michael Messinger for a commercial subdivision.

Mr. Lansing:

- The subdivision is the Messinger parcel which is just south of Ingersoll Road.
- The overall parcel is a developed 37 acres lot that is split by Route 50. There are 30 acres on the eastern side and about 7 acres on the western side.
- The parcel on the eastern side is the subject of another application.
- What we did was take a look at the parcel, there was concern that we were creating a parcel that could not be built on, so we provided the Town some assurance that something can happen with this parcel we put together a very quick rough layout plan of what could happen, and something could be built on the parcel. We are not proposing a site plan. We are just trying to demonstrate that you can build, at a minimum, a 4,000 square foot structure.

No comments from the Board or Mr. Riper, Town Engineer.

The Board set the Public Hearing for March 15, 2023, at 6:30PM.

**B. 293 Louden Road Residential Subdivision: Louden Road Properties, LLC:** Application for 293 Louden Road Residential Subdivision by Louden Road Properties, LLC for a fourteen (14) lot residential, conservation subdivision. Property located at/on 293 Louden Rd on 31.87 acre(s), Tax Map No(s). 154.-1-10.1; zoned R-2.

Scott Lansing of Lansing Engineering is here to represent 293 Louden Road Residential Subdivision.

Mr. Lansing:

- The Board is very familiar with this project. We have been before the Board with this application, the project has not changed as far as the number of lots or the original configuration.
- Since the last meeting, we were in front of the Town Board to talk to them about the open space, we were showing one extra lot for the 10% increase. That was predicated on the Town Board declaring their intent to accept the open space.
- The Town Board did declare their intent to accept the open space. So, the number lots that are shown we feel is appropriate.

- The only other item is, we did receive comments from Mr. Riper, we do not take exception to the comments. I think those are comments that we can work on and address as we move forward.
- The primary thing we are looking for this evening is, similar to last application, to request the Board's consideration to set a Public Hearing for the project and that is it. Thank you.

Mr. Riper, Town Engineer addresses his letter dated February 8, 2023, to the Board.

There are no comments or questions from the Board.

On a motion introduced by Mr. Murphy the Board adopts the following resolution:

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Wilton Planning Board approves the Application for Conceptual Subdivision for 293 Louden Road Residential Subdivision by Louden Road Properties, LLC for a fourteen (14) lot residential, conservation subdivision. Property located at/on 293 Louden Rd on 31.87 acre(s), Tax Map No(s). 154.-1-10.1; zoned R-2.

The motion is seconded by Mr. VanEarden and duly put to vote, all in favor, on February 15, 2023

Set the Public Hearing for March 15, 2023, at 6:31PM

**C. Route 50 Self-Storage: JAG I, LLC** Pre-Application for Route 50 Self-Storage by JAG I, LLC for 33,590± sq.ft. of self-storage units. Property located at/on 4248 NYS Route 50 on 2.77± acre(s), Tax Map No(s). 141.-2-47.2; zoned RB-1.

Luigi Palleschi of ABD Engineering and Tim Barber of JAG Construction are here to represent JAG I, LLC for Route 50 Self-Storage.

Mr. Palleschi:

- We were here last month with a little different layout than what we have before you tonight.
- We have changed a few things, increased the buffer on the east side next to the John Biss's property.
- We still have the 30-foot buffer along Route 50.
- We have a 50-foot buffer on both sides.
- We have made an application to the ZBA for the area setback for the rear of the property.
- We are proposing the building's 15 feet as well as the pavement 15 feet off the rear yard.
- There is railroad property along the back, and there is plenty of trees to buffer the tracks along the back.
- A lot of the trees that will remain along this perimeter will also stay.

- We looked at stormwater, we have a stormwater design or preliminary design, with catch basins instead of dry wells. We will have some dry wells within our detention basins for frozen ground conditions.
- We have, on this layout, 40.6% green space which now meets the minimum requirement of 35%.
- All in all, in the six buildings there is a total of 33,590 square feet.
- We are proposing street trees and landscaping along Route 50, and we also have a decorative fence that will be installed along Route 50 as well.
- We have made application for the area variance for the rear of the property.
- We are here tonight for a recommendation to the ZBA for the area variance.

Area Variance discussed by the Board and the Applicant.

Mr. Riper, Town Engineer addresses his comments to the Board:

Mr. Riper:

- The frontage, the dense 25-foot-wide landscaping needs to be considered
- Stormwater infiltration basins, and stormwater practices shall be placed to the rear or to the side.
- Sometimes with self-storage unit's pervious pavement is used in-between the units.
- There is an existing drywell, at the front entrance that is going to remain; that is not traffic rated.
- DOT Permit at the entrance.
- Que length at entrance for trucks.
- No access to the John Biss parcel with the two sheds on it.
- 15-20 ft. utility easement along the front.
- Site lighting.
- Standard notes for self-storage units.
- Test pits, ground water is a concern. The area has flooded in that past.
- Fire truck access.
- Need to provide mapping from CRIS (Cultural Resource Information System).

There were no questions from the Board.

On a motion introduced by Mr. Price the Board adopts the following resolution:

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board does hereby move for favorable recommendation to the Zoning Board of Appeals for the Application for Route 50 Self-Storage by JAG I, LLC for 33,590± sq.ft. of self-storage units. Property located at/on 4248 NYS Route 50 on 2.77± acre(s), Tax Map No(s). 141.-2-47.2; zoned RB-1.

The motion is seconded by Mr. Murphy and duly put to vote, all in favor, on February 15, 2023.

**D-BATS Facility: Upstate Sports Development Group**, Application for D-BATS Facility by Upstate Sports Development Group, LLC for a two (2) lot subdivision and construction of a ±43,200 sq.ft. indoor recreation facility. Property located at/on 696 Route 9 on 15.47 acre(s), Tax Map No(s). 140.1-68.131; zoned PUDD.

Doug Heller of the LA Group and Dean Kolligian of Mountain Ledge Limited Partnership are here tonight representing D-BATS Facility by the Upstate Sports Development Group.

Mr. Kolligian: We've been in front of this board before; we originally had proposed roughly 60,000 square foot multi use building here that was adjacent to Route 9. The original proposal had that multi use building with roughly 35,000 square feet of commercial space on the ground floor, and then two stories worth of 24 residential units above that, as no surprise, except for when the number came out, and the sticker shock value came with it. We got the proposal put together from a contractor based upon the preliminary costs associated with the building of that size, that number came in substantially higher than what we had pro forma. And so we took a step back to say, okay, what can we do with that property, we have an anchor tenant, which is D-BATS, who's represented here by Adam Britton, who is the owner of that franchise, and they want to continue to proceed with that, we just didn't want to get into the back and forth of whether or not we're going to have to worry about building that structure, potentially getting a CO for that, while we were looking to add on to that building later on down the road. We took a step back, we looked at the property that we have existing, which is roughly a 12-acre parcel, and which had preapprovals that date back probably 20 plus years, we took a step back to look at a 50,000 square foot pad that was pre-approved in the rear of the parcel. And the commitment that we have with the D-BATS facility, which take 20 to 25,000 square feet of that space. We felt more comfortable based on the estimated cost from construction, to switch that use to the rear of the overall property right now, put this one on the back burner for future use. Again, it was not due to lack of interest, we had verbal commitments for most the full ground floor. And as we all know, in the residential world with apartments, we probably could have done those relatively quickly. But it was a big number to come out of pocket. We took a step back reevaluated, took our commitment from our existing anchor tenant, put that into a recreational use facility in the rear of the property. Mountain Ledge Limited Partnership is going to sell a piece of that property to the new investment group that is going to build the recreational use facility.

Mr. Heller: This was associated with the PUDD which had a 50,000 square foot building in the back and that 50,000 was thought to be a multi-story building. With the new plan there is only going to be a single story that is 43,000 square feet. Now going into this, we have the D -BATS facility by itself. I know, big things with the Board are drop off area. We have the main door entrance to the facility, and we have a nice prominent drop off area along the side. We are proposing a new two-way entrance off of Mountain Ledge Drive, and parking along the back and the sides. I know we have

discussed with the Board in the past is the parking requirements for the Town are very high for an indoor recreation. So, for this size facility, it is required to have 216 parking spaces. What we are proposing here is 124 spaces, and actually, all three of these bays shown on the plans are to be banked parking, which would then add another 75 on to that. So that would get you closer to the 200 spaces. But the applicant feels that 125 is more than enough. That is without doing any sort of shared parking to with SUNY Adirondack.

Discussion:

- Shared parking with SUNY Adirondack.
- Pedestrian access from SUNY Adirondack.
- Different programs than last time; D-BATS indoor recreation, basketball courts and Pickleball.
- The proposed subdivision of the property is mentioned, this is a legal matter.
- Shared maintenance agreement for the parking between the two entities.
- There is room for a large building, why not make it bigger. The answer is economics.

The Board agrees this is a wonderful project that is needed in the Town of Wilton.

Chairman Rice asked if there were any questions from the audience, there were none.

It is noted there are people from the Knollwood Subdivision in the audience and that their correspondence (2 letters) had been received by the Board.

**NOW, THEREFORE, BE IT RESOLVED** On a motion made by Mr. VanEarden that the meeting of the Planning Board be adjourned at 7:17PM.

The motion is seconded by Mr. Murphy and duly put to vote, all in favor, on this day February 15, 2023.

Date Approved March 15, 2023.

Amy DiLeone,  
Executive Secretary