



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

PLANNING BOARD

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Christopher Price
Thomas Murphy
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James Deloria,
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Dean Kolligian,
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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

March 15, 2023

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

PLEDGE OF ALLEGIANCE

I. CALL TO ORDER:

At 6:30P.M., Chairman Rice opens the Public Hearing.

II. PUBLIC HEARINGS:

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.

The following Notice of Public Hearing was advertised in the Saratogian Newspaper:

PUBLIC HEARING NOTICE

PLEASE TAKE NOTE that the Planning Board for the Town of Wilton will hold a **PUBLIC HEARING** 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.

SAID HEARING will be held on Wednesday, March 15, 2023, at 6:30PM at Wilton Town Hall, 22 Traver Road, Wilton, New York. At that time, all persons will be given a chance to be heard.

BY RESOLUTION of the Planning Board for the Town of Wilton, Saratoga County, State of New York.

Amy DiLeone
Planning Board
Town of Wilton

Dated: 2023-03-01

Scott Lansing of Lansing Engineering is here representing Michael Messinger:

Mr. Lansing:

- This is a two-lot subdivision. The overall parcel is 36.96 acres located along Route 50.
- Route 50 comes up through and bisects the overall parcel. So, there are two separate parcels even though it is one tax map ID.
- On the west side of Route 50, we have approximately 6.9 acres and on the east side, we have 29.9 acres.
- The two-lot subdivision proposes to take those two lots that are divided by 50 that are currently one parcel and make those two parcels, two separate parcels.
- The only other thing I want to add is that we did take a look at the smaller parcel to 6.98 acres just to make sure something could be built on that. So, we are not creating a lot that is unbuildable.
- We are here tonight for a Public Hearing, and we would like to ultimately ask for the Board's consideration for approval.

Public Comment:

- A question was asked about the surrounding zoning, and it was answered by Mr. Lansing.

Mr. Gabay moves, seconded by Mr. Murphy, to close the Public Hearing.

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.

The following Notice of Public Hearing was advertised in the Saratogian Newspaper:

PUBLIC HEARING NOTICE

PLEASE TAKE NOTE that the Planning Board for the Town of Wilton will hold a **PUBLIC HEARING** 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.

SAID HEARING will be held on Wednesday, March 15, 2023, at 6:31PM at Wilton Town Hall, 22 Traver Road, Wilton, New York. At that time, all persons will be given a chance to be heard.

BY RESOLUTION of the Planning Board for the Town of Wilton, Saratoga County, State of New York.

Amy DiLeone
 Planning Board
 Town of Wilton

Dated: 2023-03-01

Scott Lansing of Lansing Engineering is here representing 293 Louden Road Conservation Subdivision:

Mr. Lansing:

- I think the Board is very familiar with this project.
- The parcel is located at 293 Louden Road, is approximately 31.87 acres, and zoned R-2.
- The two surrounding uses include a mixture of residential single family residential properties, and there are some vacant lands also around the parcel.
- We proposed as a residential conservation subdivision per the zoning ordinance.
- We are not requesting any variances on the project, everything with the project is in accordance with the area requirements and use requirements.
- The existing home will be retained, there is an existing home down the road, there is a lot associated with that as well as a barn that is proposed to be retained.
- There are 14 lots that are proposed.

- The Town Board has declared their intent to accept that open space and we are applying that density increase.
- We are proposing a one curb cut on Louden Road, approximately 1500 linear feet of roadway, all lots would be served off of that.
- Off of that roadway, utilities public water, public sewer, Wilton Water & Sewer Authority for both of those, and stormwater would be managed on site, we are showing a stormwater management area.
- We are here tonight for a Public Hearing.

Public comment:

- Questions were raised about lot size, density, and steep slopes, wetlands, and elevation of building lots being high enough.
- Mr. Lansing answered all questions.
- The residents of 294 Louden Road had the following concerns: The number of trees to be cut down, the price point of the homes, consideration about traffic, ability to tap into water and sewer, and due to the surrounding new development, all around, they no longer belong.
- Chairman Rice says these concerns will be addressed at the regular meeting.

Mr. Gabay moves, seconded by Mr. Murphy, to close the Public Hearing.

III. REGULAR MEETING:

PRESENT: Chairman William Rice, Chris Price, Tom Murphy, Dave Gabay, Chad Jerome, Jim DeLoria, Alternate; 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 Catalfamo, Mr. VanEarden, Dean Kolligian, Alternate

MINUTES APPROVAL: Chris Price made a motion, seconded by Mr. Murphy for the approval of the meeting minutes of February 15, 2023, as written.

Ayes: Chairman Rice, Chad Jerome, Chris Price, Tom Murphy, Dave Gabay, Jim DeLoria, alternate

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

IV. 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.

Town Counsel Mark Schachner reads the SEQRA Part II questions to the Board. All questions were answered “No” with all subsequent questions answered “No” or “Small” with exceptions of the following questions:

1. Impact on Land (Yes); subsequent questions answered “No” or “Small”
7. Impact on Plants and animals (Yes); subsequent questions answered “No” or “Small”
14. Impact on Energy (Yes), subsequent questions answered “No” or “Small”

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

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wilton Planning Board does hereby move for a negative declaration on SEQRA for the 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.

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

Mr. Riper, the Town Engineer addressed his letter dated March 7, 2023, to 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 to approve the Application for Preliminary Subdivision 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.

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby move to approve the Application for Final Subdivision for Commercial Subdivision by Michael Messinger for a two (2) lot commercial subdivision. Conditioned upon compliance with the Town Engineer, Ryan Riper's review letter dated March 7, 2023. Property located at/on 4029 NYS Route 50 on 36.96 acre(s), Tax Map No(s). 154.- 1-1; zoned C-1.

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

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, Louden Road Properties, LLC.

Mr. Lansing:

- We are proposing 14 Lots. One of those lots will be the existing lot that is on the site.
- Everything is proposed in accordance with the code standards, as far as use and area requirements.
- We do include a 10% density bonus because the Town Board did declare their intent to accept the open space.
- The only thing above and beyond that I want to add that I did not mention during the public hearing is we did receive comments from Mr. Riper, we have taken a look through those. We do not take exception to those comments. We actually have a draft response together; we are just finalizing that response. We will get that out tomorrow or the day after.
- We would like to request the Board's consideration for Preliminary approval.

Comments from the Public hearing being addressed.

Traffic on Louden Road:

Mr. Riper:

- It is cumulative traffic impact. As this subdivisions comes in with 14 lots, it is not a significant traffic impact on its own. But, add in all the other subdivisions throughout the Town.
- Something we are doing this year, at some point, is a town-wide traffic study, updating traffic studies have been done every five to 10 years in the town.
- Looking at the roads and the intersections, looking at cumulative effects, and also looking at what are some of the build outs of the town.
- The line of sight is looked at by surveyors. And there are standards by New York State DOT which are based on speed, what your line of sight should be.

Traffic Mitigation fees discussed along with the proposed roundabouts in general.

Seasonal high ground water discussed per Wilton Town Building Code.

Town Counsel Mark Schachner reads the SEQRA Part II questions to the Board.

All questions were answered “No” with all subsequent questions answered “No” or “Small” with exceptions of the following questions:

1. Impact on Land (Yes); subsequent questions answered “No” or “Small”
7. Impact on Plants and animals (Yes); subsequent questions answered “No” or “Small”
14. Impact on Energy (Yes), subsequent questions answered “No” or “Small”

Mr. Murphy, Mr. Gabay, and Mr. Jerome speak to the residents of Louden Road.

Mr. Murphy: I can see the anguish in both of your faces. Okay, I do not know if you are a longtime resident, but I see that your husband is a longtime resident here. And I could say that the Board, to speak for this Board, that we work within the limits that we do to try to make the best for the community. Okay. Safety is number one. And a lot of other features come into play and stuff like that so I can see you are concerned about what is happening down the road. So, we have to work with the parameters of what was given to us by the law and stuff like that.

Mr. Gabay: I know what it is like to grow up in an area and see a change, nobody likes that. And the reality, that's part of it as landowners who invest in land, at some point, they have got to get remuneration for paying the taxes. So, things are going to get developed. And as my colleague just brought up, we can only work within the parameters of our rules to do that, as long as it fits, it is, well, the only way to protect yourself in a situation like that. I live on Parkhurst Road, and it is one of the last vestiges of an undeveloped area, the only thing we can do is buy all the property around you. And that is an unrealistic endeavor sometimes. So, change is part of what is going along. And I know it is emotional, you do not like to see that. But as a Planning Board, the best we can do is to make sure that the rules are followed, when it comes to

development and density, and any impacts it has on the environment. That is the only joy I can bring into this.

Mr. Jerome: And I would add that, you know, obviously the town is taking a lot of effort to try and get the open space and to connect trails and to try and keep some of that character that Wilton has. And that natural aspect of land would not be developed later on. And so, there is a concerted effort to do that, to improve those things. For the residents of the town, as my colleague said, as well, yes, development happens anywhere you live. I have always been a big proponent of smart development. And not necessarily just breezing everything down and building whatever you can. But there are legal constraints that we have as a Board to prevent something from happening, necessarily. If development is within the laws and the regulations and codes that exist. We kind of think that we can be smart about it. But it is taking a good effort at trying to balance. You know what Wilton has meant to a lot of residents over the many years that many people have lived here. And you know, there are a lot of people, clearly it from just my experience in these meetings, in the town board meeting, people with your lifetimes. And there is a reason for that, well, this is a great place to live. And so, it is a balance that has to be maintained.

Chairman Rice says you live in a desirable Town and look at the bright side you can easily sell your home.

Zoning is discussed.

Chairman Rice: This subdivision is perfectly allowed in our zoning regulations. This is exactly the builder, personally owns this property, is not asking the town for any waiver of anything. He is building this project exactly to what the zoning regulations allow to be built. We do not make the zoning plan, we just take what was given to us by the town and the state, and if that was impossible, we do not do that.

Mr. Jerome suggests to the residents that they start attending Town Board meetings and get educated and involved in the Town's development.

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

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

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

Mr. Riper, the Town Engineer addressed his letter dated March 6, 2023, to the Board. Most of the items will be taken care of moving forward. Some of the items were about

trail connectivity and where this subdivision is actually connecting into the trails that are being built.

Mr. Riper: There has been a lot of trail connectivity recently with some of these subdivisions. We try to, with all these subdivisions, have interconnectivity between existing subdivisions and new subdivisions. This subdivision will connect to the subdivision that is being built off of Edie Road and Amy Lane. There are trails that are being built there, there will be a loop on the lands of Jourdan's that are on existing trails, those will connect down through into Loudon Road. Also, another subdivision that is being proposed off of the Grande Highlands subdivision, which is the one-off Edie Road, there is going to be connectivity into that subdivision or within more trails and connectivity further. So, the goal is to have a large interconnecting trail network, which is coming together pretty well. At this point, you can park over by the emergency squad on Jones Road, connect through the subdivisions through county land through state land on Edie Road to the north, through Wilton Wildlife and Preserve Park area on Scout Road, miles of trails there. I believe altogether, there are 30 plus miles of trails. You can connect to cross Route 50 connecting into more state land where county forest lands Ruggles Road, there's town property, town trails, hopefully, there will be a connection again to Edie Road from there. So, you could theoretically do a large loop from Jones Road around to Scout and Ruggles and be off road, the entire time. So that is the goal, is to have interconnectivity. Lots of trails are being proposed to other locations in the Town as well. I think the Town is doing a great job with recreational opportunities and challenges, good balance, even though there is development in the Town. A lot of this development is providing other recreational opportunities. That is the goal.

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

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

C. Biss Parcel Subdivision: The Saratoga Group/Wilton, LLC: Application for Biss Parcel Subdivision by The Saratoga Group/Wilton, LLC for a thirty (30) lot residential subdivision. Property located at/on 4243 NYS Route 50 on 70.43 acre(s), Tax Map No(s). 141.-2-74.1; zoned R-2.

Scott Lansing of Lansing Engineering is here to present the Biss Parcel Subdivision for The Saratoga Group/Wilton, LLC.

Mr. Lansing:

- We are here this evening, ultimately, just to request the Board's consideration to set a Public Hearing for the project.
- I think the Board is quite familiar with the project. So, I will not go into great detail, but we are happy to answer any more detailed questions.
- It is located at 4243 Route 50.
- The overall parcel is approximately 111 acres, 70 acres of that, is where the actual proposed development is located. It is a proposed conservation residential subdivision, similar to the last application.
- The project is proposing open space dedication.
- We are proposing 30 lots.
- Overall, this is an extension off of Grande Highlands Phase II subdivision.
- There are approximately 3500 linear feet of town road, public water, stormwater is mitigated on site, and there will be individual wastewater treatment systems.
- That is essentially it. Again, I think it is an appropriate time now to set a Public Hearing, to hear comments and from the public. So, we can address those comments.
- We do have comments from Mr. Riper, we do not take exception to those comments, we will provide formal responses for those and the public comment.

Board discussion on connecting the cul-de-sacs, stormwater, eventually paper road and the Saratoga County referral letter.

Mr. Riper, the Town Engineer addressed his letter dated March 7, 2023, to the Board.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby move to approve the Application for Conceptual Subdivision for Biss Parcel Subdivision by The Saratoga Group/Wilton, LLC for a thirty (30) lot residential subdivision. Property located at/on 4243 NYS Route 50 on 70.43 acre(s), Tax Map No(s). 141.-2-74.1; zoned R-2.

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

Set the Public Hearing for Wednesday, April 19, 2023.

D. Route 50 Self-Storage: JAG I, LLC 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 are here tonight to continue discussion on 4248 Route 50 for self-storage buildings.
- You have seen this plan before and made a recommendation to the ZBA.
- We appeared before the ZBA at the February 23 meeting. We were granted a variance for the building setbacks along the rear of the property, which abuts the railroad property.
- The layout you see here is, again, 33,590 square feet. Access from Route 50 via the existing curb cut that is there today, with some modifications needed to just widen that.
- We have looked at the stormwater at this point. We have updated the plan to show porous pavement in between the buildings.
- We have worked out the details for stormwater. We have graded the site out and I think I explained this at the last meeting where you know, the watershed area really comes from up in this area and all travels towards this site. So, we have analyzed the calculations for stormwater for the DEC manual.
- There is a natural drainage course that lies in this low point of the site because it is lower than the elevation of the road.
- So, we have got stormwater, not only for porous pavement on our site, but we also have to deal with the off-site runoff that is coming into our site.
- We have all of that designed, we do have an area where the water will come along the front, and a culvert pipe underneath the main roadway, and then over to the side where we have our main stormwater practice, which is an infiltration basin.
- Along the side, we did test pits out there, dug down eight feet and saw no water table, all beautiful sand. Good percolation rate and there was a topsoil layer.
- We feel that in the wintertime, when the ground was frozen and the water cannot get through the topsoil, and that is the timing that people have seen water in the past.
- With our proposal, designed for the 100-year storm, we are going to put in dry wells, which will allow the stormwater runoff to get underneath that layer. And the dirt and frozen grounds get into that nice sand so that it continues to work. Reducing any amount of ponding.
- On site, we looked at the existing on or near peak elevation, which is lower than the adjoining property. And the same thing with the new development, we are actually peaking less than what is happening today.
- So, we feel like at this point, we have the stormwater covered.
- As proposed before, a lot of landscaping up front along Route 50. We have decorative fencing, as well.
- That will help soften the look of the self-storage facilities, as well as block the stormwater swale along the front of the property.
- We got street trees and shrubbery in front of the fence. So, when driving up and down site, we feel that this will help soften the self-storage units.

- Over on the northerly side, you have John Biss's property, we have a double row of red cedars that will also help buffer that side yard that the building is 50 feet away. And we are proposing the double row of cedars. But having the design of this building number six, continuous, the building itself will buffer the residential from the facility.
- If you go to the other side of the property, there is residential here as well. And we are more than 50 feet away from the building. But we are going to maintain these trees, the existing vegetation that is there now and we will have the stormwater as green vegetation. And in talking with that neighbor, we are going to be adding additional trees on that side, just low lying for low growth stuff. That was a discussion that Mr. Barber had with that resident.
- So, we are willing to improve and add additional trees on the side. But again, similar to on the John Biss side, there is that existing self-storage facility there now which has units and gravel closer to the residence. And as part of this proposal, all the units will all get removed and all the units will be on the front side so everything stays internal and will provide buffers to both residents.
- We received Ryan Riper's comments, and we had a chance to go through all of those. I think I touched on most of them here tonight.
- Something I did not touch on yet was the fire truck. We were able to look at the fire truck turning, and we are providing the Town of Wilton Fire Truck turning template. We also did have a model run for the entire movement through the site which we can provide as an exhibit. But this template that we showed does meet the radii for the Wilton fire truck.
- Since the last meeting we had to widen the Loop Road if you will, to 26 feet and 28 feet in order to accommodate that fire truck turning.
- Our goal tonight would be SEQRA and possibly setting a Public Hearing for April.
- So, at this time, I will turn it over to the board, unless you want to mention, these are the renderings that were also shown previously. We feel that we are meeting the intent of the code with the masonry, or some type of texture on the building facades.
- This is your front look, where you got some sort of masonry look, and textured material with some faux windows, flat roof with some decorative top, and then your garage doors, and small siding between the doors.
- The intent is really to get the front of this building to really look nice, by adding landscaping and so forth.

Discussion between the applicant, Tim Barber, and Chairman Rice regarding the triangular piece of property adjacent to the proposed self-storage site, which is land hooked to the farm across the street.

- Chairman Rice is insisting that Mr. Barber ask the owner, Mr. Biss to purchase this piece of property in order to clean up the site.
- Mr. Barber does not think that purchasing the property is going to happen, but he will ask Mr. Biss.

- Mr. Barber agrees it would round out the site but does not think it should affect his proposed application.

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

Mr. Riper:

- Section 129- 176 O, which is specific to self-storage and the requirements of self-storage.
- One of the requirements is a 25-foot-wide dense vegetative barrier along the frontage.
- They are providing some vegetation along the frontage, a single row of plantings.
- I think they have addressed the building siding materials. I do not know if you have samples.
- On commercial projects, the actual samples of that building materials are presented.
- The renderings show that he is doing stone and metal. So that is aesthetically pleasing.
- One thing that I think this code is looking for, the intent of it, is to have an aesthetically pleasing self-storage site, with the 25-foot dense buffer shielding it from the roadway.

Mr. Barber: I spent a lot of money on the facade of the front of these. We are squaring them up, putting the faux windows in, we are doing the stone along the fronts, we are doing a vertical rib architectural panel with an accent on the top. And then with the decorative fencing that goes up and around the sides. I think it is a Class A facility.

- The drainage along the frontage, the stormwater as part of the code. Stormwater is supposed to be to the sides or to the rear.
- I noticed you mentioned tonight that you are actually draining along the front across the road. But you know, if the drainage you have a large area to the northeast, on this side, for infiltration, instead of having it in the frontage, on that side would be better or having the pipe, to the back of the property that way it opens up your front for more landscaping.

Discussion between Mr. Paleschi and Mr. Riper regarding, stormwater management, how wet the site is, the berm John Biss built, flooding on the site, and the Town needs to make sure you are not flooding the neighbor.

The Board discusses the 25-foot dense vegetative buffer with the applicant. The Board wants to see more vegetation in the front. If the Biss property is acquired the landscaping must continue to the corner of that property.

Chairman Rice: The Planning Board is requesting that you ask Mr. Biss to acquire the corner piece of property.

Mr. Palleschi: And he is going to ask, just to remind the board that the application was made for this piece of property.

Discussion by the Board on whether or not Conceptual should be given on this project.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby move to approve the Application for Conceptual Site Plan 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. Jerome and duly put to vote, all in favor.

Set the Public Hearing for Wednesday, April 19, 2023.

E. Forest Grove, Phase 1B: Forest Grove, LLC: Application for Forest Grove, Phase 1B by Forest Grove, LLC for Phase 1B to include fifty-four (54) residential lots with modifications to unit types, road cross section, and width. Property located at/on Jones Rd on 560± acre(s), Tax Map No(s). 141.-1-29.1 & 141.-2-4.2; zoned R-2.

Joe Dannible and Peter Belmonte are here tonight to represent Forest Grove, LLC.

Mr. Dannible: Here we have Forest Grove LLC. In our application to amend Phase IB of the approved 321 lot conservation subdivision known as Forest Grove. Located on Jones Road, and Branch Boulevard, as many of you have probably driven that road and see the new roundabout. That has been put in by this property as part of the Phase I improvements.

- I see a lot of new faces on this board. I think only Dave and Bill were on the Board during this approval. It was in 2018 when we first started coming in and 2021, we got approval and started building the initial phase of the project.
- The property itself is roughly a 600-acre parcel of land, we are developing 321 lots on it. And deeding, roughly 400 acres of that land to the Town.
- We get into much more detail with the number but trying to keep it brief because this is an approved project. We are just looking for a minor amendment in the next phase.
- This is the improved master plan for the community 321 lots with five/six different unit types. This is the overall limits of Phase I development, which we had approved by this Board several years ago.
- We subsequently divided the phase right about at this point. This the roundabout, the main entrance to the site was Phase IA. Phase IB is the remaining portion of that and that is what we are here to talk about tonight.
- This is the proposed revised Master Plan probably looks nearly identical to what I was just showing you. The main change in this plan would be located within that triangle highlighted in the red. We are taking the seven townhouse lots or 14

individuals detached lots, and we would like to turn them into 10 single family lots.

- Essentially, we are reducing the density of this space from 58 Lots to 54 lots with the area that I highlighted there as the only change we are proposing for this section of the community.
- Another change that we are proposing came up during the initial review when we were constructing the road. Some of the initial roads were built on a smaller road cross section a little bit narrower, that is what was approved but it was not the Town Standard.
- The Highway Superintendent came in and asked for the roads to be widened to the current Town Standard. So, we are doing that.
- What we have proposed; right now, the road ends somewhat in this area, and it is the overall pavement width of 26-feet. The requirement is a 28-foot-wide pavement width.
- What we do not want to do is do a transition in the middle of the road widening it, it is going to look a little odd. What we have decided to do, and we think is the best approach, is to extend that 26-foot-wide pavement width to this intersection, with the total width of the pavement is 26-ft, the lanes are 11-foot each with 2-foot a wing curb on both sides. This new road extending from there seems to be the logical transition point.
- The road Angeles Avenue will be the full 28 foot wide with 12-foot lanes and 2-foot wing curbs and then the continuation of Daintree at this point will also extend the to the 28-foot-wide road cross section.
- Essentially, those are the changes that we are proposing for the subdivision, really related to that road cross section again widening it, to bring it to the Town Standard.
- Change of those units going down from 58 total lots of units if you will in this phase to the 54 units.
- I would mention there was some confusion with some tables and lot areas and lot sizes. I have been working with the Town to work out some of those discrepancies. Some people were considering the frontage at the right of way line and Town of Wilton defines their frontage at the setback line which created some of the confusion. I will state between the approved Master Plan and the proposed amendment to the master plan. The lot width the lot sizes have not changed. But we did update the chart to correct a couple of typos and submitted that to the town.
- That being said we would like to continue to move forward with the project we are working on to seek approval for Phase IB. Phase IB has gone to the health department, DEC, and Sewer District to finalize and memorialize the approvals they have already been granted for the project as well.

Discussion of Putnam Lane being narrow and difficulty of emergency access especially when vehicles are parked in the street.

Mr. Riper, Town Engineer addresses his letter dated March 9, 2023, to the Board:

Mr. Riper: Joe, our code does say the lot widths, not road frontage, lot widths are at the building line. There were a couple lots not meeting the widths that were shown on the master plan, there was some confusion, I believe, with the tables and charts. Josh emailed you; he did a great job of laying out the review for that research. Going back to 2018 or so because there have been a lot of changes throughout this project. And in particular, one was I think, the lot width of the attached dwellings, 100 versus 90. So, have you made changes to the lot widths?

Mr. Dannible: We have not. And I can certainly go back through these records and show that the 100 foot I think was in one of the original plans, we had changed it probably in 2020/2019, the narrowest townhome lots and again, the ones that are already been constructed and build approved, some of them get down to 90ft. at their narrowest for the great lot. Some of them are 96ft., some of them at 102ft. It just varies. And that is something we wanted to carry out through the entire community is varying the lot widths to be able to create a variation in architecture within the community.

Mr. Riper: But maintaining the minimum and I think that is where it comes up minimal. And I think I was looking at what we sent out. It was always 100ft. through your tables until this submission.

Mr. Dannible: Yes, even in the submission it was at 100ft. And it was strictly a typo we have shown the 90ft. wide townhomes lots and the architecture that has gone along with them for probably about three years now. We improved the standard plans; all the various distances relate to those smaller widths at 90ft. at the absolute minimum.

Mr. Carlsson: They were 100ft. according to the charts. They were 100ft all along until this submission.

Mr. Dannible: The stamped plans that are filed at the county by a surveyor, the lot widths are identified correct as 90ft. to 96ft. to 102ft. and that is what we want to continue to use.

Chairman Rice: There's some that are 90ft. actual surveyed width. I signed plans that say that the chart says 100.

Mr. Dannible: I will also say, the cover sheet also identifies minimum lot width of 60ft.

Chairman Rice: Well, there is a discrepancy, right, we have to straighten it out.

Attorney Schachner: It is part of what was filed because it was filed with the map. My question is, is the chart part of what was filed with the map?

Mr. Belmonte: Yes

Attorney Schachner: It means that a corrected chart should be filed with the map.

Chairman Rice: As long as we agree that that is the case. Is that the case? We approved 90ft., that is just a typo in the chart?

Mr. Riper: Survey layout? So, do you want to say all right, this layout is what we want? And the chart is what the chart is.

Chairman Rice: How about we correct it, how do we correct it?

Mr. Riper: File the plan with the corrected chart. But with Phase IB you are not filing another master plan. The master plan will be updated this year.

The Board is in agreement that there needs to be a master plan update and Mr. Belmonte suggests a detail sheet or chart that should be filed with every phase.

Mr. Riper: In number four of my letter is the multi-use path to Putnam Lane is not shown on the phasing plan for trails. So, it is on the master plan but was not showing on the phasing plan. Noticed several spelling mistakes, some of the other things, we talked about, manhole structures preferred outside of the paved areas when feasible. I understand it is complicated and difficult, but if it is possible, to one less structure for highway to hit. I think one of the signage tables, the street signage table that was missing, the planting plan along the roadway. I do not know how long the Angeles Way is but there are only six trees being proposed. My thought in this neighborhood, sidewalks, street trees, it would be some more trees placed along the roadway, just aesthetics. Going back to 2018, you know, this subdivision was a premier subdivision, which is going to stand out from all the others, right? No offense, but I just see this as okay, a tree every five houses or so.

Mr. Dannible: We could put a note on the plan that we will provide throughout the entire subdivision. One tree between the street and the front setback line. So, in the front yard of every lot at a minimum.

Mr. Riper had additional comments on the berm and the plantings, the roundabout, and the generators. Mr. Belmonte said they would be addressed.

Mr. Dannible said there would be one large change to the Master Plan coming forward very soon. And beyond that it will really just be the individual phases and setting up units in the unit mix and the types of units throughout.

Mr. Belmonte said for the new members if they would like us to come in and bring them through everything that got us to where we are today and where we see it going forward. We are more than glad to do that.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby move to approve the Application for Forest Grove, Phase 1B by Forest Grove, LLC for

Phase 1B to include fifty-four (54) residential lots with modifications to unit types, road cross section, and width. Conditioned upon compliance with the Town Engineer, Ryan Riper's review letter dated March 9, 2023. Property located at/on Jones Rd on 560± acre(s), Tax Map No(s). 141.-1-29.1 & 141.-2-4.2; zoned R-2. There are no new or different environmental impacts requiring further SEQRA review.

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

F. Maple Ave Pizza Shop: Brian Brumley: Application for Maple Ave Pizza Shop by Brian Brumley for area variance(s) for a building use change from wine store to sit-down pizzeria. Property located at/on 556 Maple Ave on 2.4 acre(s), Tax Map No(s). 153.5-2-5; zoned CR-1.

George Turner is here to represent Brian Brumley for Maple Ave Pizza Shop.

Mr. Turner:

- We were before the Board back in 2018. For an outdoor recreational use. We did a minor site plan amendment to what was previously approved, which was a commercial office space with probably seven parking spaces.
- So, you know, to go forward with a little outdoor recreational facility kind of creates a little bit more of a family-oriented space. We went through the whole application process.
- The question ended up, you know, with a nice little golf course here. You know, back then we had plans for a wine store, there was a haircut facility inside this small personal service building, and then the golf course. There is also a small rental above the wine store.
- We submitted an application to Town about a month ago for a change of building use for the wine store to convert it to a pizzeria sit down restaurant.
- The structure itself has all the restaurant equipment still inside the facility. So, to convert the existing structure back over to a restaurant really is not going to take much interior improvement.
- You know, all the equipment is there, you know, except for maybe the pizza oven and stuff like that.
- So, we made the site plan amendment application. And there was a determination that came back from the Zoning Board regarding use variance that is needed. And there were a couple of small comments on the site plan itself.
- But since then, we submitted an application to the Zoning Board for an area variance.
- The total, considering the four uses, was a maximum or total of 150,000 square feet, we are at about 100 Plus, so there is a request for relief about 43,000 square feet, which is about an acre or one use.
- So, what we understood was that basically, we were up against potentially losing one use, which we highly recommend the Board does not do that. But we can

talk about that a little bit more. And we can think about it in a couple of different ways.

- But you know, we are here tonight just kind of give a little brief overview, you know, we obviously know that we have to go in front of the Zoning Board for this area of variance.
- So, what we are looking to do is back in 2018, we had some overflow parking to the rear of the property that was shown and approved. In the event that there was let us say festival type events or the parking up front or, you know, where we can stage that. I think over the course of four or five years and operation there was once or twice where there were some overflow parking issues.
- There were a few occasions and were brought up and were addressed regarding parking. So, I think what happened was, there were two news outlets that day that were reporting on, you know, the golf course, just opening and stuff like that, and it definitely spurred some interest.
- So, but since then there has not really been a problem. So, you know, with the conversion of the building use, you know, obviously, with some of the historical stuff, going, you know, with parking and everything, you know, we thought it was a good time to, you know, install that for, for parking to the rear, to help free up some space, in this application here.
- You know, the change of use did increase the parking demand. So, trying to, you know, reconfigure the space without doing a lot of site work, it is really not much more in difference. We are going to get about six spots up front, where it is convenient for the uses. And then basically, what is going to happen is all employees would be, you know, asked to move to go back to this area of the site. So that would free up parking spots for a couple of things here. This change of building is what it is going to do for the community is also kind of make this a little bit more family oriented, you know, wine store, golf course, family oriented, is not as great blend or mix. So, you know, converting it to a sit-down restaurant, pizzeria sort of makes sense in the family oriented in the grand scheme of things, too, is, you know, we have been engaged with the town for several years, over a couple of years now, talking about this changing use.
- There were a couple of certificate of occupancy issues with some site items that were not addressed before. You know, we had a temporary CO for Mini Golf. We were asked to, you know, kind of get all our ducks in a row for the pizzeria.
- Going to try and connect to sewer and do not want to lose any of the uses.

Discussion:

- Access the 12 parking spaces in the back.
- In 1950 verbal permission from National Grid to cross the property to access the property in the back.
- Need an easement from National Grid.
- Approval to tie into sewer, but still need permission from one landowner, Mr. Gailor.
- The Town needs to review the sewer connection plans.
- Twenty patrons for pizzeria one parking space for 2.5 seats.

- There have been parking issues in the past.
- Without the parking in the back, they cannot meet the parking.
- There is a 15ft. landscaped buffer that may be compromised by installing the gravel accessway.
- The Board is looking at this for a recommendation to the ZBA for area variances for square footage for the uses.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby give a favorable recommendation to the Zoning Board of Appeals for the Application for Maple Ave Pizza Shop by Brian Brumley for area variance(s) for a building use change from wine store to sit-down pizzeria. Property located at/on 556 Maple Ave on 2.4 acre(s), Tax Map No(s). 153.5-2-5; zoned CR-1.

The motion is seconded by Mr. Jerome and duly put to vote, all in favor except Chairman Rice, on March 15, 2023.

NOW, THEREFORE, BE IT RESOLVED On a motion made by Mr. Murphy that the meeting of the Planning Board be adjourned at 9:36PM.

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

Date Approved April 19, 2023.

Amy DiLeone,
Executive Secretary