



Ryan K. Riper, P.E.  
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**TOWN OF WILTON  
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**PLANNING BOARD**  
**May 20, 2020**

**PLANNING BOARD**

Michael G. Dobis,  
Chairman

Harold VanEarden,  
Vice Chairman

William Rice

Ron Slone

David Gabay

Brett Hebner

Jeffrey Hurt

David Catalfamo &  
Michael Coleman  
Alternates

A meeting of the Wilton Planning Board (“the Board”) occurred on May 20, 2020 via Zoom due to public health and safety concerns related to COVID-19, in accordance with the Governor’s Executive Order 202.1.

**PLEDGE OF ALLEGIANCE  
CALL TO ORDER:**

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CALL TO ORDER:**

At 6:33 p.m., Chairman Dobis opens the Public Hearing.

**I. PUBLIC HEARING:**

**A. William Mevec: Commercial** Application for a Special Use Permit by William Mevec for a 6,000 SF commercial building. The one-story commercial building will be leased as multiple retail spaces which is a special permitted use in the RB-1 zone. Property located on 39 Northern Pines Road on 3.39 acres, Tax Map Number 114.8-1-16: zoned RB-1. Site Plan approval process to commence after Special Use Permit is granted.

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

**PLEASE TAKE NOTE** that the Planning Board for the Town of Wilton will hold a **PUBLIC HEARING** for a proposed Special Permit for The one-story commercial building will be leased as

multiple retail spaces which is a special permitted use in the RB-1 zone. Property located on 39 Northern Pines Road on 3.39 acres, Tax Map Number 114.8-1-16: zoned RB-1.

**SAID HEARING** will be held on Wednesday, May 20, 2020 at 6:30 PM via Zoom. 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.

Gavin Vuillaume of Environmental Design Partnership here on behalf of William Mevec.

General site statistics:

- Property located on 39 Northern Pines Road with frontage also on Ballard Road.
- Application for a Special Use Permit for retail.
- They are going to renovate the existing one-story 6,000 SF commercial building and it will be leased as multiple retail spaces.
- The parking lot will be updated and brought to code with angle parking for a better flow.
- There will be thirty parking spaces.
- They are working with Saratoga County to update the curb cut.
- The southern driveway will be the main driveway.
- Connecting to the existing force main.
- Eliminated the trees in the right of way and relocated them.
- The interior will be brought to code.
- The building façade will be enhanced with neutral colors.
- There will be improvements made to the southern side.

Public Comment:

- Resident asked about signage.
- Mr. Vuillaume says the signage will be on the building.
- Resident asked about the lighting.
- Mr. Vuillaume says the lighting will be on the building.

Chairman Dobis asked if there were any other questions or comments. There were none.

Dave Gabay made a motion to close the Public Hearing at 6:53 p.m. seconded by Brett Hebner.

**B. Louis P. Faraone: Seasoned Gourmet Firewood-Exit 15N:** Application for a Special Use Permit by Louis P. Faraone for Seasoned Gourmet Firewood–Exit 15N for a pre-existing non-conforming commercial retail use. Property located on 4226 Route 50 on 13.33± acres, Tax Map Numbers 141.-2-66, 141.-1-6, 141.-2-54, 141.-1-33.1 and a portion of 141.-1-31; zoned RB-1. Subdivision and Site Plan approval process to commence after Special Use Permit is granted.

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

**PLEASE TAKE NOTE** that the Planning Board for the Town of Wilton will hold a **PUBLIC HEARING** for a proposed Special Permit for Louis P. Faraone for Seasoned Gourmet Firewood–Exit 15N for a pre-existing non-conforming commercial retail use. Property located on 4226 Route 50 on 13.33± acres, Tax Map Numbers 141.-2-66, 141.-1-6, 141.-2-54, 141.-1-33.1 and a portion of 141.-1-31; zoned RB-1

**SAID HEARING** will be held on Wednesday, May 20, 2020 at 6:30 PM via Zoom. 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.

Justin Grassi of Saratoga Law is here on behalf of Louis P. Faraone for Gourmet Seasoned Firewood.

General site statistics:

- The Site Plan consists of two parcels owned by the applicant, two parcels owned by entities which he is a managing member, and one parcel intended to be subdivided from the Donald Tooker Living Trust. The sale of the parcel is contingent on subdivision approval currently before this Board.
- The applicant will need a Special Use Permit for retail, Site Plan review, and Subdivision review.
- The existing pre-existing, non-conforming use has expanded beyond the 2007 approval and needs to come into compliance.
- The parcels are being explained by Attorney Grassi.
- Attorney Grassi explains the history of the parcels.
- Storage of firewood related materials on parcels 141.-1-33, 141.-1-6
- Variance for storage on one parcel in 2007.
- There are multiple area variances on the property from 2008.
- The items have been removed from the DOT right of way.
- The signage was removed today.

Public Comment:

- Resident raised concern of adjacent property (owned by Donald Tooker) remaining agricultural. (Land is in an agricultural conservation easement with Saratoga PLAN).
- Attorney Grassi says nothing will involve Tooker's property (currently used as farmland).
- Resident is concerned about the storage of wood on the back of the property that borders applicant's property.
- Attorney Grassi says no wood will be stored there.
- Resident questioned all the junk on the property.
- Mr. Riper says that will be addressed during site plan review.
- Attorney Grassi explains there is a variance for the storage of wood on one parcel for 10 ft. rear setback.
- Adjacent property owner says trees have been removed from his property without his permission.
- Attorney Grassi says he will look into the removal of those trees.

Chairman Dobis asked if there were any other questions or comments. There were none.  
Dave Gabay made a motion to close the Public Hearing at 7:19 p.m.  
seconded by Brett Hebner

**I. REGULAR MEETING:**

**PRESENT:** Chairman Michael Dobis, Jeffrey Hurt, Brett Hebner, Dave Gabay, Dave Catalfamo, Alternate; Ryan K. Riper, P.E., Director of Planning and Engineering, Mark Schachner, Planning Board Counsel and Amy DiLeone, Executive Secretary

**ABSENT:** Harold VanEarden, Ron Slone, William Rice, and Michael Coleman

**MINUTES APPROVAL:** Dave Gabay moves, seconded by Dave Catalfamo for the approval of the meeting minutes of April 15, 2020 as written. Ayes: Chairman Dobis, Jeffrey Hurt and Dave Catalfamo, Alternate

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

## **II. APPLICATIONS:**

**A. William Mevec: Commercial** Application for a Special Use Permit by William Mevec for a 6,000 SF commercial building. The one-story commercial building will be leased as multiple retail spaces which is a special permitted use in the RB-1 zone. Property located on 39 Northern Pines Road on 3.39 acres, Tax Map Number 114.8-1-16: zoned RB-1. Site Plan approval process to commence after Special Use Permit is granted.

Gavin Vuillaume of Environmental Design Partnership here on behalf of William Mevec.

Mr. Riper addresses the items in his review letter to the Board.

- More detail needed on the buffering.
- Enhance the building façade.
- The Board is going to waive the utility easement, street trees, lighting and sidewalks.
- The Board would like to see the site enhanced with landscaping and increased buffering.
- Set the Public Hearing for Site Plan review for June 17, 2020.

Chairman Dobis asked if there were any other questions or comments. There were none.

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

Part II questions are:

1. *Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? “No “*
2. *Will the proposed action result in a change in the use or intensity of use of land? “No “*
3. *Will the proposed action impair the character or quality of the existing community? “No “*
4. *Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? “No “*
5. *Will the proposed action result in an advanced change in the existing level of traffic or affect existing infrastructure for mass transit, biking, or walkway? “No “*
6. *Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? “No “*
7. *Will the proposed action impact existing:*
  - a. *Public/ private water supplies? “No “*
  - b. *Public/private wastewater treatment utilities? “No “*
8. *Will the proposed action impair the character or quality of important historic, archaeological, architectural, or aesthetic resources? “No “*
9. *Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora, and fauna? “No “*
10. *Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems? “No “*
11. *Will the proposed action create a hazard to environmental resources or human health? “No”*

On a motion introduced by Brett Hebner, the Board adopts the following resolution:

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board for the Town of Wilton adopts a negative declaration on SEQRA for subdivision by William Mevec for a 6,000 SF commercial building. The one-story commercial building will be leased as multiple retail spaces which is a special permitted use in the RB-1 zone. Property located on 39 Northern Pines Road on 3.39 acres, Tax Map Number 114.8-1-16: zoned RB-1.

The motion is seconded by Dave Gabay and duly put to vote, all in favor, on May 20, 2020.

Seven questions for Special Use Permit (§129-175) were discussed and agreed upon by the Board.

On a motion introduced by Dave Gabay, the Board adopts the following resolution:

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board does hereby grant the request for the Special Use Permit for William Mevec for a 6,000 SF commercial building. The one-story commercial building will be leased as multiple retail spaces which is a special permitted use in the RB-1 zone. Property located on 39 Northern Pines Road on 3.39 acres, Tax Map Number 114.8-1-16: zoned RB-1. Site Plan approval process to commence after Special Use Permit is granted.

The motion is seconded by Dave Catalfamo and duly put to vote, all in favor, on May 20, 2020.

The Public Hearing for Site Plan Review was set for June 17, 2020 at 6:00PM,

**B. Louis P. Faraone: Seasoned Gourmet Firewood-Exit 15N**: Application for a Special Use Permit by Louis P. Faraone for Seasoned Gourmet Firewood–Exit 15N for a pre-existing non-conforming commercial retail use. Property located on 4226 Route 50 on 13.33± acres, Tax Map Numbers 141.-2-66, 141.-1-6, 141.-2-54, 141.-1-33.1 and a portion of 141.-1-31; zoned RB-1. Subdivision and Site Plan approval process to commence after Special Use Permit is granted.

Justin Grassi of Saratoga Law is here on behalf of Louis P. Faraone for Gourmet Seasoned Firewood.

Mr. Riper addresses the items in his review letter to the Board.

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

Part II questions are:

1. *Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? “No “*
2. *Will the proposed action result in a change in the use or intensity of use of land? “No “*
3. *Will the proposed action impair the character or quality of the existing community? “No “*
4. *Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? “No “*
5. *Will the proposed action result in an advanced change in the existing level of traffic or affect existing infrastructure for mass transit, biking, or walkway? “No “*
6. *Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? “No “*
7. *Will the proposed action impact existing:*
  - a. *Public/ private water supplies? “No “*
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8. *Will the proposed action impair the character or quality of important historic, archaeological, architectural, or aesthetic resources? “No “*
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10. *Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems? “No “*
11. *Will the proposed action create a hazard to environmental resources or human health? “No”*

On a motion introduced by Brett Hebner, the Board adopts the following resolution:

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board for the Town of Wilton adopts a negative declaration on SEQRA for subdivision by William Mevec for a 6,000 SF commercial building. The one-story commercial building will be leased as multiple retail spaces which is a special permitted use in the RB-1 zone. Property located on 39 Northern Pines Road on 3.39 acres, Tax Map Number 114.8-1-16: zoned RB-1.

The motion is seconded by Dave Gabay and duly put to vote, all in favor on May 20, 2020.

Seven questions for Special Use Permit (§129-175) were discussed and agreed upon by the Board.

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board does hereby grant the request for the Special Use Permit by Louis P. Faraone for Seasoned Gourmet Firewood–Exit 15N for a pre-existing non-conforming commercial retail use. Property located on 4226 Route 50 on 13.33± acres, Tax Map Numbers 141.-2-66, 141.-1-6, 141.-2-54, 141.-1-33.1 and a portion of 141.-1-31; zoned RB-1.

The motion is seconded by Hal VanEarden and duly put to vote, all in favor, on May 20, 2020.

**C. Stanley Business Facility: John Stanley** Application for Final Site Plan by John Stanley for Stanley Business Facility for a one story 4,000 sq. ft. garage with an attached 624 sq. ft. office and two 10,000 sq. ft. single story self-storage facilities. Property located on 2 Blue Lupine Lane and Ballard Road, on 3.54 acres, Tax Map No. 128.-1-91; zoned **C-2**.

Mr. Riper addresses the items in his review letter to the Board.

- Landscaping Plan was submitted on April 1, 2020.
- Evergreen buffering on Ballard Road and the boundary line can be evaluated before the CO is issued.

Lynn Sipperly is present to represent John Stanley for Stanley Business Facility.

- Additional plantings were added per the Boards request to screen the uses on the property.
- Changed some Evergreens to Hemlocks and that will provide the additional screening the Board was looking for.

Chairman Dobis asks for comments or questions from the Board members. Attorney Schachner suggests an addition to the motion for reviewing the landscaping before issuance of the CO.

On a motion introduced by Dave Gabay, the Board adopts the following resolution:

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board does hereby grant the Application for Final Site Plan by John Stanley for Stanley Business Facility for a one story 4,000 sq. ft. garage with an attached 624 sq. ft. office and two 10,000 sq. ft. single story self-storage facilities. Conditioned upon compliance with the Town Engineer, Ryan Riper’s review letter dated May 13, 2020 and landscaping to be reviewed by the Town before issuance of the Certificate of Occupancy. There are no new or different environmental impacts requiring further SEQRA review. Property located on 2 Blue Lupine Lane and Ballard Road, on 3.54 acres, Tax Map No. 128.-1-91; zoned C-2.

The motion is seconded by Brett Hebner and duly put to vote, all in favor on May 20, 2020.

**E. Michael Decker: Spectrum at Wilton Marketplace** Application for Preliminary Site Plan by Michael Decker and CT Male for Spectrum at Wilton Marketplace for proposed project

to construct a 4,050 sq. ft. commercial building. Property located on Lowes Drive on .89± acres Tax Map No.153.-124; zoned C-1.

Frank Palumbo, CT Male Associates is present to represent Michael Decker for Spectrum at Wilton Market Place.

- Schedule a Public Hearing for June 17, 2020.
- The second entrance at Market Place Drive has been removed.
- Parking has been reconfigured.
- Stormwater has been moved back from the road.
- Providing a more detailed landscaping plan.
- Building materials are being described.
- Consistent with other buildings around.
- Same color numbers as the Aldi building.
- The Board would like to see samples of the final colors.
- Adding the entrance onto Lowes Drive and providing a traffic analysis.
- Traffic information should be on the drawings.
- The drive lane in the rear will be open to Aldis parking lot.
- Stormwater is explained with the inclusion of river rock and boulders.
- Per Town code stormwater should be in the rear. Planning Board will have to waive to allow stormwater in the front.
- Explanation and discussion of the sidewalk layout and pedestrian mobility to Board.
- Extend sidewalk up Lowes drive to end of this project.
- Any paths to Pyramid Pines will need coordination with park owner and is not part of this project.
- Option of future connections noted on plans.
- Attorney Schachner questions the number of sidewalks the applicant is willing to provide.
- The overall percentage cost of sidewalks is discussed for this project.
- Set the Public Hearing for June 17, 2020 at 6:31 PM.

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

**NOW, THEREFORE, BE IT RESOLVED** that the meeting of the Planning Board be adjourned at 8:54p.m. The motion is seconded by Dave Catalfamo, and duly put to vote, all in favor on this day May 20, 2020.

Date Approved June 17, 2020

Amy DiLeone  
Executive Secretary