



**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  
Dean Kolligian,  
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**

**June 21, 2023**

A meeting of the Wilton Planning Board (“the Board”) occurred on June 21, 23, 23, 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. Mountain Ledge Drive Multi-Use Recreational Facility (f/k/a D-BATS): Upstate Sports Development Group, LLC:** Application for the Mountain Ledge Drive Multi-Use Recreational Facility by Upstate Sports Development Group, LLC for two (2) lot commercial subdivision and the construction of a 48,000 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.

**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 Mountain Ledge Drive Multi-Use Recreational Facility (f/k/a D-BATS) by

Upstate Sports Development Group, LLC for two (2) lot commercial subdivision and the construction of a 48,000 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.

**SAID HEARING** will be held on Wednesday, June 21, 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.

Doug Heller of the LA Group is here to represent the Mountain Ledge Multi-Use Recreational Facility.

Mr. Heller:

- The project location is Route 9 and Mountain Ledge Drive.
- We are in front of the Board for both site plan and subdivision.
- We are going to subdivide the lot into two separate parcels. Lot one would house the existing SUNY building and lot two would be the new development.
- There would be a cross access easement for both access and utilities between the two.
- For the site plan application, we are proposing a 48,000 square foot indoor recreation facility.
- There is associated parking for 123 parking spaces and an additional 75 spaces banked for the future establish.
- Then just to my rear, this is the proposed elevation of the building where the entrance right here is kind of at the center.

There were no Public Comments.

The Board likes the improvements that were made to the building façade.

Mr. Murphy made a motion to close the Public Hearing seconded by Mr. Gabay.

### **III. REGULAR MEETING:**

**PRESENT:** Chairman William Rice, Tom Murphy, and Dave Gabay, Jim DeLoria, Alternate, and Dean Kolligian, 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:** Chris Price, Dave Catalfamo, Hal VanEarden, Chad Jerome

**MINUTES APPROVAL:** Mr. Gabay made a motion, seconded by Mr. Murphy for the approval of the meeting minutes of May 17, 2023, as written.

Ayes: Chairman Rice, Tom Murphy, Dave Gabay and Jim DeLoria, Alternate.

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

**IV. APPLICATIONS:**

**B. A. Mountain Ledge Drive Multi-Use Recreational Facility (f/k/a D-BATS): Upstate Sports Development Group, LLC:** Application for the Mountain Ledge Drive Multi-Use Recreational Facility by Upstate Sports Development Group, LLC for two (2) lot commercial subdivision and the construction of a 48,000 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 is here to represent the Mountain Ledge Multi-Use Recreational Facility.

Mr. Heller:

- One up-date since the last meeting is the garbage location.
- The existing SUNY building currently had their garbage cans right out where a future driveway could be connecting into.
- So currently what they do is actually put their trash in a truck and bring it back to the dumpsters.
- That gave us a little bit more flexibility on where those dumpsters would go. So, we actually tuck them in with the new indoor recreation.
- The other update is the traffic study. There was a traffic study completed previously when the D-BATS and the multi-use was going to be up in the front that was then updated for this new indoor recreation. Basically, the results were that there will be minimal impacts to the intersections which they look at Route 9, Mountain Ledge and that's Waller and Route 9 Waller and Mountain Ledge Drive. So, they kind of looked at all those intersections around this area. And then with that, too, they looked at sight distance for Mountain Ledge Drive and Route 9 and there were more than adequate sight distances in both directions.

Mr. Ripper, Town Engineer addressed his letter dated June 14, 2023, to the Board.

The Board required the 28 ft. utility easement and waived the sidewalks and street trees.

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 Preliminary Subdivision for the Mountain Ledge Drive Multi-Use Recreational Facility by Upstate Sports Development Group, LLC for two (2) lot commercial subdivision Property located at/on 696 Route 9 on 15.47 acre(s), Tax Map No(s). 140.-1-68.131; zoned PUDD.

The motion is seconded by Mr. DeLoria and duly put to vote, all in favor, on June 21, 2023.

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 Final Subdivision for the Mountain Ledge Drive Multi-Use Recreational Facility by Upstate Sports Development Group, LLC for two (2) lot commercial subdivision. Conditioned upon the Town Engineer, Ryan Riper's letter dated June 14, 2023. Property located at/on 696 Route 9 on 15.47 acre(s), Tax Map No(s). 140.-1-68.131; zoned PUDD.

The motion is seconded by Mr. Murphy and duly put to vote, all in favor, on June 21, 2023.

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board does hereby move to approve the Application for Preliminary Site Plan for the Mountain Ledge Drive Multi-Use Recreational Facility by Upstate Sports Development Group, LLC for the construction of a 48,000 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.

The motion is seconded by Mr. Murphy and duly put to vote, all in favor, on June 21, 2023.

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 Final Site Plan for the Mountain Ledge Drive Multi-Use Recreational Facility by Upstate Sports Development Group, LLC for the construction of a 48,000 sq.ft. indoor recreation facility. Conditioned upon the Town Engineer, Ryan Riper's letter dated June 14, 2023. Property located at/on 696 Route 9 on 15.47 acre(s), Tax Map No(s). 140.-1-68.131; zoned PUDD.

The motion is seconded by Mr. Murphy and duly put to vote, all in favor, on June 21, 2023.

**B. Northway Corridor Waiver: Brondon & Jennifer Adams:** Application for a Northway Corridor Waiver from Brondon & Jennifer Adams for a waiver of 3-ft to install a swimming pool. Property located at/on 30 Glenburnie Dr on 0.5 acre(s), Tax Map No(s). 128.17-1-5; zoned R-1.

No Board discussion.

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 a Northway Corridor Waiver from Brondon & Jennifer Adams for a waiver of 3-ft to install a swimming pool. Property located at/on

30 Glenburnie Dr on 0.5 acre(s), Tax Map No(s). 128.17-1-5; zoned R-1. There are no new or different environmental impacts requiring further SEQRA review.

The motion is seconded by Mr. DeLoria and duly put to vote, all in favor, on June 21, 2023.

**C. Wilton YMCA Temporary Tent: Saratoga Regional YMCA:** Application for the Wilton YMCA Temporary Tent by Saratoga Regional YMCA for the addition of 800 sq.ft. seasonal tent locations. Property located at/on 20 Old Gick Rd on 7.14 acre(s), Tax Map No(s). 153.-3-118; zoned C-1.

Doug Heller of the LA Group is here representing the Saratoga Regional YMCA.

Mr. Heller:

- They are looking to do this during the summer, having an exterior tent for their summer camp programs.
- Shown on the plan are actually three potential locations for the tent.
- One location is between the two buildings.
- The second and third are actually in the same location, it is just the option of either having two smaller tents, or one larger.

The Board accepted the plan for the temporary tents and of the possible locations of the tents.

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 Amended Site Plan for the Wilton YMCA Temporary Tent by Saratoga Regional YMCA for the addition of 800 sq.ft. seasonal tent locations. Property located at 20 Old Gick Rd on 7.14 acres, Tax Map No. 153.-3-118; zoned C-1. 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 June 21, 2023.

**C. 36-38 Cannon Royal Lot Consolidation: Trojanski Custom Builders, LLC:** Application for the 36-38 Cannon Royal Lot Consolidation by Trojanski Custom Builders, LLC for the consolidation of lots 15 & 16 of the Grande Highlands Subdivision into 1 lot. Property located at/on 36 & 38 Cannon Royal Dr on 1.86 acre(s), Tax Map No(s). 141.14-1-18; zoned R-2.

The Board had no issues with the merging of the two lots.

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board does hereby move to approve the Application for Amended Subdivision for the 36-38 Cannon Royal Lot Consolidation by Trojanski Custom Builders, LLC for the consolidation of lots 15 & 16 of the Grande Highlands Subdivision into 1 lot. Property located at 36 & 38 Cannon Royal Dr on 1.86 acres, Tax Map No. 141.14-1-18; 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 June 21, 2023.

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

Paul Lubera of Lansing Engineering is here representing the Saratoga Group/Wilton, LLC.

Mr. Lubera:

- The Board is very familiar with this project.
- This is a 30-lot residential conservation subdivision located at 4243.
- The average lot size is 1.4 acres and includes roughly 31.6 acres of open space and 3,470 feet of Town roadway.
- We were asked to modify this turnaround into a hammerhead turnaround.
- We are here tonight to respectfully ask for final approval.

Mr. Riper, Town Engineer addressed his letter dated June 15, 2023.

- The T turnaround has been addressed.
- Mailbox kiosk discussed.
- Trail layout field verified, was constructed this standard.
- The Biss easement over Town Property discussed.
- The Town Board will have to grant the Biss easement. This easement is to access their property to the north.
- Deed restrictions on the dedicated open space property.
- Change the Dead-End signage to No Outlet on the Grande Highland section of the road.
- Gravel parking lot for trail access, maybe 5 spaces.

There are no further comments from the Board.

On a motion introduced by Mr. Kolligian 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 the Biss Parcel Subdivision by The Saratoga Group/Wilton, LLC for a thirty (30) lot residential subdivision. Conditioned upon compliance with the Town Engineer, Ryan Riper's review letter dated June 15, 2023, and a positive recommendation to the Town Board for the granting of the easement. Property located at/on 4243 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 June 21, 2023.

**F. Route 50 Senior Housing: The Markstone Group:** Application for the Route 50 Senior Housing by The Markstone Group for a senior housing (55+) community consisting of 390 units. Property located at/on 4029 NYS Route 50 on 29.97 acre(s), Tax Map No(s). 154.-1-1; zoned C-1.

Paul Lubera of Lansing Engineering is here representing the Markstone Group.

Mr. Lubera:

- Located on 4029 Route 50 south of Ingersoll Road and is situated on 29.9 acres.
- It is currently zoned C-1 commercial.
- We are proposing 390 total units within three buildings.
- With additional amenities including sidewalks, trails, streetlights, street trees, bocce ball, putting green, transportation, open space, courtyard areas, dog park, community gardens, pickleball, tennis, and other inside amenities.
- From the last time you saw this, we were asked to shift the whole development to the south and away from Route 50. The previous iteration has shown we created more buffers through that.
- We are here tonight to look at some renderings and ask for conceptual approval.

Mr. Riper, Town Engineer addresses his letter dated June 16, 2023.

Mr. Riper: As the chairman says, this is a big project, 390 units, three buildings. It is not shown, but they are going to be in phases, which was the intent. One building at a time as this project moves forward. The Board needs to think about how this is going to look.

- The senior housing is 55 and up.
- There is a smaller, similar facility on Perry Road.
- As it moves forward, a large overall aerial view showing the neighboring parcels also shows the neighboring Ingersoll Road Subdivision that was recently approved, which will be adjacent to this on the upper left.
- This will be a 4-story building 55 ft. in height.
- There is a variance for the occupied space.
- The fire department was involved, and EMS was involved in those conversations of four stories.
- It is a mix of one bedroom, one bedroom and den and two bedroom. The price point for the one-bedroom ranges around \$2,500 a month and the two bedrooms are \$3,500.
- We also have the traffic engineer study for Route 50. I think that was one of the biggest discussions. This was approved by the Town Board for the Special Permitted use, traffic was discussed. The Route 50 corridor is heavily traveled. Still move forward with the traffic study, minimal impact.
- One of the things you are going to need for the traffic is the New York State DOT curb cut. DOT will be looking at this. I do not see them having any issues but that is their call.
- With senior housing, the owners need to provide transportation for the residents that needs to be noted on the plans.
- The addition of garages should be considered.

- A multimodal pathway connection along Route 50 from the mall to Jones Road was sought after by the Town Board.

Chairman Rice: This would be a tremendous addition to the community. It is going to be a nice building, with a nice layout, zero impact on the school's, and minimal impact on traffic. I just want the Board to really look at this. Think of any ways to improve this. Like the one point we made was the connection of this to the mall, people want to be able to walk, especially people of that age. I think it has been a tremendous addition to the town.

Discussion by the Board pertaining to the Developer/applicant and what their intent is; are they going to develop the project themselves or seek the approvals and sell the property. The Board would like the developer/applicant to come to the next meeting.

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 the Route 50 Senior Housing by The Markstone Group for a senior housing (55+) community consisting of 390 units. Property located at 4029 NYS Route 50 on 29.97 acres, Tax Map No. 154.-1-1; zoned C-1.

The motion is seconded by Mr. DeLoria and duly put to vote, all in favor, on June 21, 2023.

**G. Rustic Pizza (f/k/a Maple Ave Pizza Shop): Brian Brumley:** Application for the Rustic Pizza by Brian Brumley 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.

Paul Male is here representing Brian Brumley for Rustic Pizza.

Mr. Male:

- Removed the banked parking from the site plan.
- National Grid is no longer an issue.
- Emergency services are no longer an issue.
- The grease trap was relocated.
- They will be connecting to water and sewer.
- There is an existing onsite sewer system for the golf course and the little cottages there that was installed relatively recently. We would like to leave that in place, if possible, because it is relatively new. There will be a provision that if the onsite sewer needs to be replaced that we would tie into the sanitary sewer.
- The restaurant will be 75% take out.
- Double stack parking for employees.
- Request to set a Public Hearing.

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

- The utility easements were discussed.
- Mark Mykins, Code Enforcement Officer's letter states "when a sewer is reasonably accessible it shall be tied into." Discussion by the Board on what is "reasonable." The



Board agrees that the 4-year-old septic system may be used to service a few of the uses and when the system fails, they shall tie into sewer.

Parking is discussed 44 spaces required and 47 shown. The double stacking will not be necessary if they use actual calculations of employees. The fire department was satisfied that the parking was removed in the back.

The Public Hearing was set for July 19<sup>th</sup> at 6:30PM.

**H. BJ's Gas: BJ's Gas c/o Bohler Engineering:** Pre-Application for BJ's Gas by BJ's Gas c/o Bohler Engineering for construction of new fuel dispensers, canopy with signage and kiosk. Property located at/on 3067 Route 50 on 93.59 acre(s), Tax Map No(s). 153.-3-86.111; zoned C-1.

Steve Wilson of Bohler Engineering is here to represent BJ's Gas.

Mr. Wilson:

- The site location is the existing parking lot on the backside of the BJs.
- Six dispensers with a kiosk and a canopy.
- Kiosk would have a small bathroom ready for the attendant.
- We are trying to organize traffic with the store, and make sure that it all flows nicely.
- More than 60% of people that get gas also shop in the store.
- So, our intent is to have one way traffic in. If you either leave and head out or head into the parking lot for BJs and do shopping,
- Three tanks, a slight reduction in green space with the project. But overall, the site stays the way it is.
- This is a conceptual submission just here to get thoughts and comments and move the process along.

Discussion of an entrance off of Louden Road, one way traffic, the gas pumps being accessible for both sides of the vehicles and stacking of the vehicles.

The Board will need a letter from the mall.

**NOW, THEREFORE, BE IT RESOLVED** On a motion made by Mr. Kolligian that the meeting of the Planning Board be adjourned at 8:15PM.

The motion is seconded by Mr. Murphy and duly put to vote, all in favor, on this day June 21, 2023.

Date Approved July 19, 2023.

Amy DiLeone,  
Executive Secretary