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**TOWN OF WILTON
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PLANNING BOARD
July 17, 2019

PLANNING BOARD

Michael G. Dobis,
Chairman

Harold Van Earden,
Vice Chairman

William Rice

Erinn Kolligian

Ron Slone

David Gabay

Brett Hebner

Jeffrey Hurt &
David Catalfamo,
Alternates

A meeting of the Wilton Planning Board (“the Board”) occurred on July 17, 2019 at the Wilton Town Hall, 22 Traver Road, Wilton, New York.

**PLEDGE OF ALLEGIANCE
CALL TO ORDER:**

At 6:31 p.m., Chairman Dobis opens the Public Hearing.

I. PUBLIC HEARING:

- A. Warren Tire: Bob Kellogg** Application for a Special Use Permit by Bob Kellogg for Warren Tire to construct a building for Warren Tire Service Center. Property located on the west side of route 9 near Smith Bridge Road on 5.87 acres, Tax Map No. 153.-1-15.112; zoned CR-1.

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** Application for a Special Use Permit by Bob Kellogg for Warren Tire to construct a building for Warren Tire Service Center. Property located on the west side of route 9 near Smith Bridge Road on 5.87 acres, Tax Map No. 153.-1-15.112; zoned CR-1.

SAID HEARING will be held on Wednesday July 17, 2019 at 6:30 p.m. at the Wilton Town Hall, 22 Traver Road, Wilton, New York. At that time, all persons will be given a chance to be heard.

Bob Kellogg, the applicant, his sister Denise Potter, Senior Vice President/owner and his daughter are present.

General site statistics:

- Family owned and run business started in 1983. Currently there are 15 stores.
- Bring family values to their business.
- Attained national and regional recognition.
- The building will be a 6,300 sq. ft. tire center.
- Location is on Route 9 adjacent to Cole's Collision.
- Total of 30 cars a day.
- Eight employees and five deliveries daily.
- No vehicle storage outside.
- Four garage bays that are drive-thru.
- Small waiting room.
- There will be a fenced in outdoor storage area for storing used tires before they go out for disposal.

Public Comment:

- Concern of Route 9 turning into auto repair row.
- Building façade needs to be enhanced.
- Signage is too large and too tall.

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

William Rice made a motion to close the Public Hearing at 6:42 p.m. seconded by Erinn Kolligian. All Board members were in favor.

- B. Valvoline Instant Oil Change: Galena Associates, LLC** Application for a Special Use Permit by Galena Associates, LLC for Valvoline Instant Oil Change to construct a building for Valvoline Instant Oil Change. Property located on 573 Route 9 on 2.45 acres, Tax Map No. 153.-1-4.1; zoned CR-1.

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** by Galena Associates, LLC for Valvoline Instant Oil Change to construct a building for Valvoline Instant Oil Change. Property located on 573 Route 9 on 2.45 acres, Tax Map No. 153.-1-4.1; zoned CR-1.

SAID HEARING will be held on Wednesday July 17, 2019 at 6:31 p.m. at the Wilton Town Hall, 22 Traver Road, Wilton, New York. At that time, all persons will be given a chance to be heard.

Steve Wilson, Bohler Engineering is here on behalf of the applicant Galena Associates, LLC.

General site statistics:

- Applicant has been in the Valvoline business for twenty-five years. They have more than 100 stores around the east coast.
- The applicant is proposing to construct their standard three bay, 2,100 sq. ft. service building.
- The building and materials are brick and stucco.
- Three car stacking in each bay.
- Twenty-eight-foot easement required.
- Eleven parking spaces and a total of three employees.
- Dumpster in the back.
- The well is in the front, stormwater in the rear.
- Connector path to Cumberland Farms.
- Shared driveway with Cumberland Farms.
- Eighty percent of the site will be greenspace.

Public Comment:

- Concern of all the auto repair shops on Route 9.
- Resident welcomes new businesses coming into town, great addition to the Town.

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

William Rice made a motion to close the Public Hearing at 6:50 p.m. seconded by Erinn Kolligian. All Board members were in favor.

II. REGULAR MEETING: (6:51 p.m.)

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

ABSENT: David Catalfamo, Alternate, Ron Slone, and Harold VanEarden

MINUTES APPROVAL: Dave Gabay moves, seconded by Erinn Kolligian, for the approval of the meeting minutes of June 19, 2019 as written. Ayes: Ron Slone, William Rice, Chairman Dobis, David Gabay, Brett Hebner,

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

III. APPLICATIONS:

A. Warren Tire: Bob Kellogg Application for a Special Use Permit and Conceptual Site Plan approval by Bob Kellogg for Warren Tire to construct a 6,300± sq. ft. building for a Warren Tire Service Center. Property located on the west side of route 9 near Smith Bridge Road on 5.87 acres, Tax Map No. 153.-1-15.112; zoned CR-1.

Mr. Riper's review letter:

- The special use permit must be granted before conceptual approval.
- Building needs to be 100 ft. from the right of way.
- Notes to be placed on the plans.
- They need to provide a traffic study.
- Plans need to be sent to the emergency services.
- The Board has been asking for a masonry dumpster enclosure with a similar façade to the building.
- Board should consider if sidewalks, street tree and lights are warranted for this project.

Public Comments addressed:

- Mr. Gabay agrees with the public comment, need less signage, and would like to see the building blend in with the surroundings.
- Ms. Kolligian would like to see lower height on signage.
- Mr. Hebner agrees the signage should be smaller.
- Mr. Kellogg said the sign in Halfmoon is 12ft.
- Chief Bullard is concerned about stormwater run off onto the firehouse lot.

Chairman Dobis suggests we move to SEQRA part two assessment. Attorney Schachner says Mr. Riper has comments about part one that we should probably clarify. Mr. Riper sent an email to Mr. Steinberg regarding several of the questions.

- Question 2, DOT permit required, should be answered "yes".
- Question 8, Public transportation should be answered "no".
- Question 8c, pedestrian and bike routes available should be "yes".
- Minor changes that should be addressed.
- Attorney Schachner it is the Boards responsibility to make sure that part one is accurate.
- Question 13a, wetlands adjacent automatic answer "yes" from DEC.
- Question 17b, stormwater the answer should be "yes".
- Question 20, automatic answers from DEC hazardous waste was answered "yes". Mr. Riper is not sure what the hazardous waste would be. The answer needs to be reported back to the Board.
- Short discussion on what the hazardous waste could be.
- Both applicants Warren Tire and Valvoline will have to get the information from DEC and explain.
- Attorney Schachner said it would be appropriate for both applicants to get that information.

SEQRA could not be addressed at this point, no special permit can be granted.

Bob Kellogg invited the Board to take a look at the establishment in Halfmoon to look at the 12 ft. sign. Attorney Schachner said the Board could go as a group but could not discuss the application.

B. Valvoline Instant Oil Change: Galena Associates, LLC Application for a Special Use Permit and Conceptual Site Plan approval by Galena Associates, LLC for Valvoline Instant Oil Change to construct a 3,776 ±sq. ft. building for a Valvoline Instant Oil Change. Property located on 573 Route 9 on 2.45 acres, Tax Map No. 153.-1-4.1; zoned CR-1.

Mr. Riper's review letter:

- Special use permit required.
- Planning Board can waive the parking requirements.
- Place notes on the plans.
- DOT traffic information needed.
- Emergency squad and fire departments, site layout and turning radius need to be reviewed.
- Review letter from the fire department.
- Landscaping must be shown on the plans.
- Provide more visual concepts.
- Dumpster enclosure matching masonry to the building.
- Board should consider if sidewalks, street tree and lights are warranted for this project.

Chairman Dobis asked for Mr. Riper's thoughts on SEQRA:

- Question 8B transportation should be checked "no". and bicycle routes should be checked "yes".
- Question 20 hazardous waste was checked "yes" "nothing specific on why it was checked yes.
- Discussion on what the hazardous waste could be.
- Attorney Schachner says the applicant has the ability to find out why it was checked "yes".
- Question number has a direct impact on question number 11.

SEQRA could not be addressed at this point, no special permit can be granted.

Discussion on signage and height of the signage on Route 9. Comments were all similar to the Warren Tire discussion.

Public Comments addressed:

- Hours of operation Monday-Saturday 8:00am-7:00pm and Sunday 9:00am-4:00pm.
- Cross connection with Cumberland Farms, DOT curb cut.
- Applicant will need a parking waiver by the Board, 33 spaces required and only 11 provided, based on use.
- Provide rendering options.
- Connector path to Cumberland Farms.

C. RG Lakeside Retail Motorcycle Shop: JAG 1, LLC, Application for Preliminary Site Plan approval by JAG 1, LLC for RG Lakeside for a proposed 6,000± sq. ft. retail motorcycle shop. Property located on Route 50 on 4.48 acres, Tax Map No. 141.-2-12.2; zoned RB-1.

Edward Esposito, Monarch Design, Tim Barber, JAG Construction and Roger Goldsmith, owner of RG Lakeside are present.

- Brief overview of the project.

- The Public Hearing was set for August 21, 2019 @ 6:30 p.m.

D. Cole's Collision: John Cole: Application for Preliminary Site Plan approval by John Cole for Cole's Collision for a proposed 14,000 ± sq. ft. body shop. Property located on Route 9 on 8.13 acres, Tax Map No. 153.-1-15.111; zoned CR-1.

Dave Kimmer of ABD Engineering is here on behalf of the applicant. John Cole.

- Brief overview of the project.
- The Public Hearing was set for August 21, 2019 @ 6:31p.m.

E. Forest Grove Conservation Subdivision: Forest Grove, LLC: Application for Preliminary Subdivision approval for the addition of 30.27 acres into the Forest Grove Subdivision, for a total of 321-lots; by Forest Grove, LLC for Forest Grove Conservation Subdivision. Located north of Jones Road and near Putnam Lane, Tax Map No's 141.-1-25, 28, 29 and 128.-1-69, 71.22, 87 and 141.-2-2, 3 and 141.-2-4.2, and 140.-2-48.41; zoned R-2

Joe Dannible, EDP is here on behalf of Forest Grove, LLC.

- Brief overview of the project.
- The Public Hearing was set for August 21, 2019 @ 6:32p.m.

F. Ridgeview Townhomes/Mixed-Use PUDD, Zone 1: Ridgeview Commons

Townhomes, LLC: Application for Preliminary Site Plan approval by Ridgeview Commons Townhomes, LLC for Ridgeview Townhomes PUDD Zone 1, for a mixed-use building with 30 residential units with 7,509 sq. ft. of commercial space and a detached 2,100 sq. ft. commercial building. Property located on Ballard Road on 3.87 acres. Tax Map No. 114-2-73; zoned PUDD.

Jamie Easton with MJ Engineering is here on behalf of the applicants Matt Gabryshak and Dave Massaroni.

- Brief overview of the project.
- The Public Hearing was set for August 21, 2019 @ 6:33p.m.

G. Ridgeview Commons 22-Residential Lot Subdivision, PUDD, Zone 2:

Ridgeview Commons Townhomes, LLC: Application for Preliminary Subdivision approval by Ridgeview Commons Townhomes, LLC for Ridgeview Commons 22-Residential Lot Subdivision, PUDD, Zone 2. Property located on Wilton Gansevoort Road on 6.03 acres, Tax Map No. 114.-2-15.2; zoned PUDD.

Jamie Easton with MJ Engineering is here on behalf of the applicants Matt Gabryshak and Dave Massaroni.

- Brief overview of the project.
- Project was approved but never filed at the county.
- The Public Hearing was set for August 21, 2019 @ 6:34p.m.

H. Hillcrest Foods: Chris Barkyoumb: Application for an Amended Site Plan for Hillcrest Foods by Chris Barkyoumb for a proposed parking lot expansion with a total of 18 semi spaces and 46 car spaces. Property located on 217 Edie Road on 12.5 acres, Tax Map No. 128.-1-52.22; zoned C-2.

Joe Dannible of EDP is here on behalf of Hillcrest Foods. This is a parking lot expansion; the company is doing very well and is looking for additional parking for tractor trailers and employees. They are proposing to expand the existing parking with 7 new spaces for semi parking spaces for a total of 18 spaces and 46 vehicle spaces.

Mr. Riper's Review Letter:

- The existing stormwater areas must be inspected and reported to the Town.
- Remove the blockages in the pond.
- It is a flat site, fill will be required.

Resident raised a concern of additional tractor trailer traffic and if the Town roads being able to handle the extra commercial traffic. Mr. Dannible stated that the trips are already present this was just for parking.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board for the Town of Wilton approves the Application for an Amended Site Plan by Chris Barkyoumb for Hillcrest Foods for a proposed parking lot expansion with a total of 18 semi spaces and 46 car spaces. Property located on 217 Edie Road on 12.5 acres, Tax Map No. 128.-1-52.22; zoned C-2.

The motion is seconded by William Rice and duly put to vote, all in favor, on July 17, 2019.

I. Mandy Spring: Todd & Leoni Smith: Pre-Application for Mandy Spring by Todd and Leoni Smith for a proposed business office for landscape design, a small retail area for landscape and garden items, and a garden café. There is an existing Special Use Permit for food service, the applicant is seeking an area variance for the number of parking spaces. Property located on 697 Route 9 on 2.378 acres, Tax Map No. 140.-3-6; zoned CR-2.

Todd Smith and Tom Hutchens of Hutchens Engineering is present to represent Mandy Springs.

- Mandy Spring is a landscaping business.
- A proposed new retail building about 9,100 sq. ft., for the sale of landscape and garden items, a garden café, and a professional landscape design office.
- It will be a showcase building that will have a mini flowers shop.
- Described as a boutique style, not a large garden center.
- Fifty percent or more of the retail will be garden accessories.
- There will be no bulk bins of landscaping materials.
- The café will be small, European style, and serving things like biscuits and coffee.
- An area variance for parking will be needed; required is 52, the applicant has 30, relief requested is 22 spaces.
- The Board would like to see banked parking.
- The Board thought this was a wonderful project for the Town of Wilton.

Mandy Spring received a positive recommendation from the Planning Board to the Zoning Board of Appeals.

On a motion introduced by Erinn Kolligian, the Board adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board for the Town of Wilton makes a positive recommendation to the ZBA for Mandy Spring for the number of parking spaces; total required is 52, the applicant has 30, relief requested is a Maximum 22 spaces. Property located on 697 Route 9 on 2.378 acres, Tax Map No. 140.-3-6; zoned CR-2.

The motion is seconded by Dave Gabay and duly put to vote, all in favor, on July 17, 2019.

J. Solar Facility (24 Sherman Rd.): Lumens Holdings, LLC: Pre-Application for a Solar Facility by Lumens Holdings, LLC. Applicant will need a Special Use Permit. Property located on 24 Sherman Road on 56.59 acres, Tax Map No. 128.-1-36.2; zoned R-2.

K. Solar Facility (5 King Road): Lumens Holdings, LLC: Pre-Application for a Solar Facility by Lumens Holdings, LLC. Applicant will need a Special Use Permit. Property located on 5 King Road on 90.68 acres, Tax Map No. 141.-3-10.11; zoned R-2.

Peter McAuliffe is representing Omni Navitas who is the developer of this project and we are representing the landowner Mike Frawley. We are going to look at both projects they are directly across the road from one another.

- Solar is a special permitted use.
- The northern site (24 Sherman Road) will take up roughly 25 acres and will be fenced in.
- The south site (5 King Road) is roughly 15 acres.
- The panels are orientated north and south.
- Construction period will be 4-6 months with minimal traffic disturbance.
- Once the facility is up and running someone will come out maybe 3 or 4 times a year to inspect panels and mow down any vegetation that has grown in between the rows.
- These are both wooded sites with no use on the property now.
- The property owner pursued this as the best use for the property with a steady revenue stream for 25 years.
- The lease on the property will be for 25 years.
- They are well aware of the decommissioning aspect to these projects and that will be taken care of before they break ground.
- They will be feeding National Grid.
- National Grid has to approve their plan.
- There will a buffer to the road and adjacent properties.
- The closest residential dwelling is 350 ft. on Sherman Road.
- Both electrical lines will be coming off of King Road.
- Discussion of ground cover and it will be cared for.
- DEC concern of Blue Karner habitat area.
- Concern of cleared area being perfect habitat area for the Blue Lupine to grow and there for becomes a federally protected area and should be looked into and discussed with DEC.
- This was the required pre-application meeting and it was fulfilled.

IV. ADJOURNMENT:

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

NOW, THEREFORE, BE IT RESOLVED that the meeting of the Planning Board be adjourned at 10:10p.m. The motion is seconded by Harold VanEarden, and duly put to vote, all in favor on this day July 17, 2019.

Date Approved August 21, 2019

Amy DiLeone
Executive Secretary