



TOWN OF WILTON
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PLANNING BOARD

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

Joshua Carlsson
Land Use Administrator

Mark Schachner
Planning Board Counsel

PLANNING BOARD

July 20, 2022

A meeting of the Wilton Planning Board (“the Board”) occurred on July 20, 2022, at 6:30 P.M., at Wilton Town Hall, 22 Traver Road, Wilton NY 12831.

PLEDGE OF ALLEGIANCE

I. CALL TO ORDER:

At 6:31P.M., Chairman Rice opens the Public Hearing.

II. PUBLIC HEARINGS:

A. Grande Highlands, Phase II: New York Development Group/Saratoga, LLC:
Application for Grande Highlands, Phase II by New York Development Group/Saratoga, LLC for an 11-lot residential, conservation subdivision. Property located at/on 148 Edie Rd on 48.44 acre(s), Tax Map No(s). 141.-2-80; zoned R-2

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 Grande Highlands, Phase II by New York Development Group/Saratoga, LLC for an 11-lot residential, conservation subdivision. Property located at/on 148 Edie Rd on 48.44 acre(s), Tax Map No(s). 141.-2-80; zoned R-2

SAID HEARING will be held on Wednesday, July 20, 2022, 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.

Scott Lansing of Lansing Engineering is here representing Grande Highlands, Phase II:

Mr. Lansing:

- The parcel is approximately 20.66 acres and is located at the end of Cannon Royal Drive, which is a part of the Grand Highlands Residential Subdivision that was previously approved by this Board.
- The parcel is zoned R2 and will include a lot line adjustment.
- To the south of this parcel, there is approximately 27.7 acres that will be added on to the overall parcel for a total of 48.44 acres.
- We are proposing as a residential conservation subdivision per the zoning ordinance.
- We did work with the Town Board at the request of this Board to see if the Town Board wanted to do declare their intent to accept the open space. The Town Board did declare their intent to accept the open space.
- We are proposing an extension of Cannon Royal Drive, approximately 900 linear feet of town road.
- Water would be served by public water and for sanitary sewer there would be individual septic systems.

Public comment:

- None

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

III. REGULAR MEETING:

Chairman Rice opens the regular meeting.

PRESENT: Chairman William Rice, Dave Catalfamo, Dave Gabay, and Thomas Murphy, 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: Brett Hebner, Chris Price, Hal VanEarden, and Jeff Hurt

MINUTES APPROVAL: Mr. Gabay made a motion, seconded by Mr. Catalfamo for the approval of the meeting minutes of June 15, 2022, as written. Ayes: Chairman Rice, Dave Catalfamo, Dave Gabay, Brett Hebner, and Thomas Murphy, Alternate

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

IV. APPLICATIONS:

A. Grande Highlands, Phase II: New York Development Group/Saratoga, LLC: Application for Grande Highlands, Phase II by New York Development Group/Saratoga, LLC

for an 11-lot residential, conservation subdivision. Property located at/on 148 Edie Rd on 48.44 acre(s), Tax Map No(s). 141.-2-80; zoned R-2

Town Counsel Mark Schachner reads the Full Environmental Assessment Form Part II questions 1-18 to the Board.

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

- 14. Impact on Energy (Yes); subsequent questions answered “No” or “Small”
For heating or cooling more than 100,000 square feet of building area.
- 15. Impact on Noise, Odor, and Light (Yes); subsequent questions answered “No” or “Small”
Typical residential noise and lighting.

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 for a negative declaration on SEQRA for the Application for Grande Highlands, Phase II by New York Development Group/Saratoga, LLC for an 11-lot residential, conservation subdivision. Property located at/on 148 Edie Rd on 48.44 acre(s), Tax Map No(s). 141.-2-80; zoned R-2.

The motion is seconded by Mr. Catalfamo and duly put to vote, all in favor, on July 20, 2022.

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

Mr. Riper: I have very minimal comments, and the Applicant has addressed most of them. The trail is mentioned, and they will be taking care of it. They did send me a plan that showed a Loop Trail in the town lands. The rest of the items are administrative as they move forward.

There are no comments from the Board.

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 Grande Highlands, Phase II by New York Development Group/Saratoga, LLC for an 11-lot residential, conservation subdivision. Property located at/on 148 Edie Rd on 48.44 acre(s), Tax Map No(s). 141.-2-80; zoned R-2.

The motion is seconded by Mr. Gabay and duly put to vote, all in favor, on July 20, 2022.

On a motion introduced by Mr. Catalfamo 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 Grande Highlands, Phase II by New York Development Group/Saratoga, LLC for an 11-lot residential, conservation subdivision. Conditioned upon compliance with the Town Engineer, Ryan Riper’s review letter dated July 12, 2022. Property located at/on 148 Edie Rd on 48.44 acre(s), Tax Map No(s). 141.-2-80; zoned R-2.

The motion is seconded by Mr. Murphy and duly put to vote, all in favor, on July 20, 2022.

B. Palmertown Ridge Subdivision (Woodard Rd): Witt Construction, Inc.: Request for a 90-Day Extension for Palmertown Ridge Subdivision (Woodard Rd) by Witt Construction, Inc. for a three (3) lot residential subdivision. Property located at/on Woodard Rd on 537.5 acre(s), Tax Map No(s). 101.-1-102.1; zoned R-3.

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 approves the request for a 90-Day Extension for Palmertown Ridge Subdivision (Woodard Rd) by Witt Construction, Inc. for a three (3) lot residential subdivision. Property located at/on Woodard Rd on 537.5 acre(s), Tax Map No(s). 101.- 1-102.1; zoned R-3

The motion is seconded by Mr. Murphy and duly put to vote, all in favor, on July 20, 2021.

C. Shed Replacement: Kodiak Construction: Application for Shed Replacement by Kodiak Construction for removing an existing 8'x12' shed and replacing with a new 12'x26' shed. Property located at/on 740 Route 9 on 3.016 acre(s), Tax Map No(s). 127.-3-33; zoned RB-1.

Jesse Boucher of Kodiak Construction is present for Kodiak Construction.

Mr. Boucher:

- With the changing supply chain, we are ordering things like plumbing fixtures, light fixtures, and it is a different order from what we use to order.
- Right now, we are keeping those items inside of our office. It is unprofessional to keep them inside the waiting room of our office.
- We would like to get a bigger shed and keep them in the shed while we are building the houses.

Mr. Ripper, Town Engineer, and the Board had no comments on this application.

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

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wilton Planning Board approves the Application for Shed Replacement by Kodiak Construction for removing an existing 8'x12' shed and replacing with a new 12'x26' shed. Property located at/on 740 Route 9 on 3.016 acre(s), Tax Map No(s). 127.-3-33; zoned RB-1.

The motion is seconded by Mr. Murphy and duly put to vote, all in favor, on July 20, 2021.

D. Maple Ave Mini Golf - Cottage: Brian Brumley: Application for Maple Ave Mini Golf - Cottage by Brian Brumley for a 288 sq.ft. addition to an existing cottage for additional retail space. Property located at/on 556 Maple Ave (US Rte. 9) on 2.5 acre(s), Tax Map No(s). 153-5-2-5; zoned CR-1.

Fred Metzger of Fredrick J. Metzger Land Surveyor, P.C. is representing Mr. Brumley.

Mr. Metzger:

- I am a land surveyor, here to represent Mr. Brumley this evening.
- Mr. Brumley is looking to take the existing cottage located at 556 Maple Ave. and add a 288 ft. addition to it for a larger retail space. If granted the approval for the addition he would move the liquor store from its current location, the old restaurant, into the cottage and turn the liquor store back into a restaurant for pizza takeout.

Mr. Riper, Town Engineer addresses the fact that none of the uses that were just mentioned are on the site plan.

- All of the uses would have to be reviewed by the Zoning Officer, Mark Mykins.
- The parking issue would also have to be addressed because there have been complaints of the parking spilling out onto Route 9.
- The Town Board has asked the New York State DOT for no parking signs to be put up along that stretch of Route 9.

There will be no action taken on this application tonight. The applicant needs to set up a meeting with Mr. Mykins, the Zoning Officer to discuss the allowed uses on the property.

E. Verizon Wireless "Smith Bridge" Telecommunications Facility: Cellco Partnership d/b/a Verizon Wireless: Pre-Application and Recommendation to ZBA for Verizon Wireless "Smith Bridge" Telecommunications Facility by Cellco Partnership d/b/a Verizon Wireless for use and area variances for a proposed telecommunications facility to include a 120' tall (124' w/ lightning rod) monopole and related equipment within a fenced compound. Property located at/on 613 Route 9 on 3.21 acre(s), Tax Map No(s). 153.-1-18; zoned CR-1.

Dave Brennan, Law Firm of Young/Sommer, Sara Colman, Airosmith Development, and Rick Andras a Verizon Wireless Radio Frequency (RF) Engineer are present for Verizon Wireless.

Mr. Brennan:

- We are trying to fill an existing coverage gap along Route 9 by deploying 120-foot-tall monopole on the Greenfield Fire Department property behind the firehouse.
- The tower itself is a little bit offset on the north side of the property. A couple of things are implicated by this.
- We need to go to the Zoning Board for a Use Variance and a Setback Variance much like the last application.
- Assuming we go through the same process as we did for the first tower, we need to come back to the Planning Board for the Special Permit and Site Plan review.
- The Planning Board took lead agency and did SEQRA and then it went to the Zoning Board and then came back to the Planning Board
- During the lead up to submitting the application we have to fly the balloon and do a visual resource evaluation.
- Basically, it will cover largely about three miles up and down Route 9, as well as primarily to the east into the town. You know, the area of the town that is not served presently by Verizon Wireless.
- There is no warning light or aircraft obstruction lighting at the top of the tower, it is not painted orange and white, it is low enough that it does not need that sort of lighting.
- The use variance is driven by the fact that the town code only allows cell towers in the commercial and the industrial district.

- There is a variance for the fall zone because the width of the lot is such that we cannot meet that 1.5 times for the fall zone requirement.

Chairman Rice: The problem is there is a restaurant in the fall zone.

Mr. Riper: I had Josh create an overlay of the fall zone to the adjacent property. It shows where the building is, and if they have an event the tent and the outdoor seating area are located in the fall zone area. I think this is a big concern.

Mr. Brennan: When we were looking at the aerial photos, it showed it was trees and not an event space. I can appreciate the concern and we will have to put our heads together and figure out a response or a solution on how to handle that.

Discussion by the applicant and the Board of other options for placement of the tower.

The Board gives a positive recommendation to the ZBA for the Use Variance only.

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 makes a favorable recommendation to the Zoning Board of Appeals for the Application for Verizon Wireless "Smith Bridge" Telecommunications Facility by Cellco Partnership d/b/a Verizon Wireless for a Use Variance for a proposed telecommunications facility to include a 120' tall (124' w/ lightning rod) monopole and related equipment within a fenced compound. Property located at/on 613 Route 9 on 3.21 acre(s), Tax Map No(s). 153.-1-18; zoned CR-1

The motion is seconded by Mr. Murphy and duly put to vote, all in favor, on July 20, 2021.

F. Dance Lab: Mary Beth Besler: Application for Dance Lab by Mary Beth Besler for a 4,550 sq.ft. dance studio. Property located at/on 604 Maple Ave (US Rte. 9) on 4.78 acre(s), Tax Map No(s). 140.17-1-7.1; zoned CR-1.

Dave Kimmer of ABD Engineering is here representing the Dance Lab.

Mr. Kimmer: I am here on behalf of Mary Beth Besler, who as you said is looking to build for 4,550 square foot Dance Studio.

- This is five-acre parcel.
- Not much has changed. We did get some engineering comments, and we have addressed them for the most part.
- We have added additional landscaping and reconfigured the parking layout to allow for a fire truck turnaround at the rear of the property.
- We have added some details for the stormwater area and the utilities.
- This project is going to require an extension of the water main and also an extension of the sewer force main on the other side of the road.

Mr. Riper, Town Engineer addresses his letter dated July 15, 2022, to the Board.

Mr. Riper: The billboards are allowed to stay on the site for a period of five years. This needs to be stated on the plans. There needs to be a compliance date on the plans for the billboard's removal, so it is enforceable later.

- It was discussed at the last meeting, the need for a student drop off area, since this is a Dance Lab for children.
- The traffic letter stated that 50% of students are going to be dropped off. That was one of the concerns by the Board, to have a drop off area and an easy, turnaround area for the parents dropping off and picking up. That was never addressed on this recent revision.
- The parking will have to be addressed.
- A commercial curb cut permit will be required.
- The traffic analysis was just a letter provided by Mr. Palleschi, this typically is done on letterhead and stamped by a traffic engineer.
- The Board should consider future planning and the cumulative effect of the traffic generated from the site.

The Board discusses the traffic flow and the parking and agrees it needs a better design.

Discussion of delaying the Public Hearing because of the poor design layout of the drop off and parking area.

If the Board is not satisfied with the revised layout in September, they may exercise the option of keeping the Public Hearing open until the plans are satisfactory.

The Public Hearing is set for Wednesday, September 21, 2022, at 6:30PM.

G. Lupine - Peterson Warehouse: Peterson Geotech: Application for Lupine - Peterson Warehouse by Peterson Geotech for a 6,750 sq.ft. warehouse. Property located at/on 7 Blue Lupine Ln on 3.63 acre(s), Tax Map No(s). 128.-1-95; zoned C-2.

Doug Heller of the LA Group is here to represent the Peterson Geotech Warehouse.

Mr. Heller:

- We were in front of the Board about two months ago for this project. Since then, the layout has remained unchanged. The only thing that has been advanced is the engineering for the full site plan submission.
- The main thing that was able to be determined was the exact size of the stormwater basin in the rear of the property. And how that kind of affects the site itself. It is a buffer to the rear property, which if the Board remembers the property to the south, is a residential zone.
- For this commercial subdivision, there are specific requirements for buffering. It has a 50-foot parking buffer and a 150-foot building setback. We are well within the building setback, and we are actually maintaining 175-foot buffer to that rear property line.
- There is a well and there will be an onsite septic system.
- First, I did mention that when this subdivision was originally created, there were specific setback requirements just for the subdivision itself.
- In the cover sheet, there does need to be an update on that rear setback to indicate that the building setback is 150 feet, but we are providing almost 600 feet of setback there.

- This subdivision itself is like an industrial zone. There is a metal shop, and Bonded Concrete.
- One of Ryan's comments pertained to there being any proposed landscaping.
- I mentioned that we have that 175-foot rear buffer, but we are not proposing any other landscape buffering to the metal shop and their storage yard or any other sort of, abutting uses in this park.
- We are basically just trying to maintain that buffer to the residential zone to the south, but interior, we were not proposing any buffering. The other thing too, is being in the C-2 zone there is that potential 28-foot easement for sidewalks lighting, and we are not proposing any of that, again, keeping in play with what is around the subdivision itself.

Discussion of the photo of the current site of the warehouse and its condition on Excelsior Ave. in Saratoga Springs.

Mr. Heller: I would assume the site would look somewhat similar to the one on Excelsior. I know, this site has a little bit more room for them. So maybe they could spread out a little bit more.

Mr. Riper: There was no proposed landscaping along the frontage?

Mr. Heller: No, but if that is something you need, we could pop in a couple of trees if the board desires, I do not think that is an issue. All of the equipment will be stored in the back of the site.

The Board agreed to set the Public Hearing for September 21, 2022, at 6:31PM.

H. Ingersoll Road Conservation Subdivision: Bordeau Builders, Inc.:
Application for Ingersoll Road Conservation Subdivision by Bordeau Builders, Inc. for creating forty-one (41) single family lots. Property located at/on Ingersoll Rd at Route 50 on 76.47 acre(s), Tax Map No(s). 154.-1-3.1; zoned R-2, RB-1.

Scott Lansing of Lansing Engineering is here to represent the Ingersoll Road Conservation Subdivision.

Mr. Lansing:

- We have been before the Board a few times before I will just go through the application quickly but ultimately, we are working toward setting a Public Hearing.
- The subdivision located on Ingersoll Road and Route 50 is approximately 76.47 acres.
- We have gone before the Town Board for open space dedication. They have declared their intent to accept the open space pending this Board's approval.
- We are proposing approximately 3,550 linear feet of roadway.
- It would be served by public water and public sewer and stormwater is managed on site.
- We do not have any direct wetland impacts we do have some unavoidable buffer impacts which we are obtaining permits for.
- Since the last meeting we have submitted final engineering for stormwater, sewer, grading, and drainage.
- We are asking you to consider setting the Public Hearing.

Mr. Riper, Town Engineer addresses his letter dated July 15, 2022, to the Board.

- The Planning Board and Highway Superintendent need to discuss the curb cuts along Ingersoll Road as they have expressed concerns in the past.
- The seven curb cuts were of concern.

The Highway Superintendent expressed his concern regarding traffic, speed limit, and the amount of curb cuts on Ingersoll Road.

Mr. Lansing: I am not a traffic engineer, but we did have VHB Engineering look at this for us, so they did provide a report, which we did submit to the Town.

- One of the items the trail in the northern section was removed on this set of plans.
- Water and Sewer Authority application needs to be submitted to Wilton Water and Sewer.

Chairman Rice asked to have the seven driveways on Ingersoll flagged before the next meeting.

Extensive conversation between the Board, Highway Superintendent, and applicant regarding the seven curb cuts on Ingersoll Road.

Set the Public Hearing for 6:32PM on September 21, 2022.

I. Forest Grove Conservation Subdivision - Discussion Item #1: Forest Grove, LLC: Discussion regarding the expansion of the Forest Grove Community with the purchase of adjacent lands.

J. Forest Grove Conservation Subdivision - Discussion Item #2: Forest Grove, LLC: Discussion regarding the expansion of the Forest Grove Community with the transfer of development rights from an off-site property located on Ruggles Rd.

Joe Dannible of EDP and Peter Belmonte, Forest Grove, LLC are here to discuss both projects simultaneously.

Forest Grove 321 lot subdivision is looking to add 80 additional lots to the subdivision through two separate applications.

The first application would be the addition of 102 acres with the purchase of the St. Dennis parcel.

The second application will require Town Board action. The transfer of development rights for an 80-acre parcel located on Ruggles Road, owned by Mr. Pickett.

The Board was in favor of both applications.

NOW, THEREFORE, BE IT RESOLVED On a motion made by Mr. Gabay that the meeting of the Planning Board be adjourned at 8:50 P.M.

The motion is seconded by Mr. Murphy and duly put to vote, all in favor on this day July 20, 2022.

Date Approved September 21, 2022.

Amy DiLeone,
Executive Secretary