



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

PLANNING BOARD

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Director of Planning &
Engineering

Mark Schachner
Planning Board Counsel

PLANNING BOARD

October 20, 2021

A meeting of the Wilton Planning Board (“the Board”) occurred on October 20, 2021, at 6:30 P.M., at the Wilton Town Hall, 22 Traver Road, Wilton New York 12831.

PLEDGE OF ALLEGIANCE

I. CALL TO ORDER:

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

II. PUBLIC HEARINGS:

A. 148 Edie Road Conservation Subdivision, New York Development Group:
Application for 148 Edie Road Conservation Subdivision by New York Development Group for a thirty-eight (38) lot conservation subdivision. Property located at/on 148 Edie Rd on 87.04 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 148 Edie Road Conservation Subdivision by New York Development Group for a thirty-eight (38) lot conservation subdivision. Property located on 148 Edie Rd on 87.04 acres, Tax Map No. 141.-2-80; zoned R-2.

SAID HEARING will be held on Wednesday, October 20, 2021, 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.

Site Statistics:

Scott Lansing, Lansing Engineering, is here representing New York Development Group of Saratoga for the Edie Road Subdivision.

- We are here tonight for Preliminary Subdivision review. We are hoping to obtain input from the Board and set a Public Hearing.
- The project is 86.89 acres, it is zoned R-2.
- We are proposing to maintain the homestead lot and that is on approximately 2.03 acres.
- There are thirty-eight lots on the project. That does include a 10% density increase and we are achieving that by dedication of open space lands to the Town.
- The lots are proposed to be 40,000 sq. ft. minimum, 125 ft. minimum for frontage, 25 ft. front yard setback, 20 ft. side yard setback, and 50 ft. foot rear yard setback.
- The roads will be approximately 3,682 linear feet and will be dedicated to the Town.
- There was a question about sight distance and elevation. We worked with the Town Engineer, Ryan Riper and the Highway Superintendent, Kirkland Woodcock to locate a point where they were happy with the access on the project.
- We are proposing public water and septic
- The open space being dedicated to the Town is along the Bog Meadow and there is a proposed trail system along that area.

Public comment:

- Concerns are raised about buffering and no cut zones.
- Mr. Lansing: There was a request to provide some buffering around existing homes within the existing subdivision. The project was reconfigured, and we have provided a 50-foot no cut buffer around the existing areas.
- Will there be curbs?
- Mr. Lansing: No, there will be roadside swales, which is something that the highway department prefers over the wing.
- What can be done to enforce the fifty foot no cut buffer?
- Mr. Lansing: They could be marked with fiberglass markers.
- Discussion about the extension of the waterline by Wilton Water and Sewer Authority.
- Town wide traffic is being discussed.
- Mr. Riper: We do a Town wide traffic study, which incorporates, for example, Route 50 and Jones Road. We did an extensive study there, looking at the future development of those areas. We are due to do another Town wide traffic study, looking at some of the areas that are of concern for needing traffic enhancements to improve the level service at the intersections.
- Concerns regarding the existing septic and wells being contaminated by the new construction.
- Mr. Lansing: New York State Department of Health has gone on to witness a test pit for the systems the soils are amazing for septic systems, they would meet all separation distances, so there will be no impact to existing wells.
- Mr. Riper: The State Department of Health have done numerous studies on septic systems and sandy soils. The anaerobic activity that happens with a septic system, your effluent that comes out of your septic tank, goes into the septic field and anaerobic

bacteria, bugs and bacteria break down materials clean it up, and within two feet of material basically it is cleaned afterwards. New York State DOH has produced these standards and they also have a standard for the well separation of one hundred foot. Your septic systems, I would assume, are one hundred feet away from your wells.

- Concerns voiced about trails, open space, and trespassing
- Mr. Lansing: There will be delineators along the trail for people to follow and if they wander off that, I guess that is an enforcement action.
- Trespassing due to trails, hunting, and posting of property are being discussed.
- The school system and the development of projects are being discussed.
- Start and end time of construction on Saturday?
- Mr. Lansing: I believe it is 7 AM to 5 or 6PM. Most construction crews start at 7AM and work eight hours. They work an eight-hour day, leaving around 3:30 or 4:00. They could work Saturdays; it depends on the schedule and what the deadline is.

Mr. Slone moves, seconded by Mr. Dobis to close the Public Hearing.

B. Verizon Wireless "McGregor Golf" Telecommunications Facility: Cellco Partnership d/b/a Verizon Wireless: Application for Verizon Wireless "McGregor Golf" Telecommunications Facility by Cellco Partnership d/b/a Verizon Wireless for a proposed telecommunications facility to include a 120' tall (124' w/ lighting rod) monopole and related telecommunication equipment within a fenced compound. Property located at/on 240 Northern Pines Rd on 22.8 acre(s), Tax Map No(s). 127.-2-38.112; zoned R-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** for Verizon Wireless "McGregor Golf" Telecommunications Facility by Cellco Partnership d/b/a Verizon Wireless for a proposed telecommunications facility to include a 120' tall (124' w/lighting rod) monopole and related telecommunication equipment within a fenced compound. Property located on 240 Northern Pines Rd on 22.8 acres, Tax Map No.127.-2-38.112; zoned R-1.

SAID HEARING will be held on Wednesday, October 20, 2021, 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.

Dave Brennan of Young and Sommer, Sarah Coleman, Aerosmith Development, Dave Andres, Verizon Radio Frequency Engineer, are here to represent Cellco Partnership d/b/a Verizon Wireless for SEQRA Declaration for Verizon Wireless "McGregor Golf" Telecommunications Facility for a proposed telecommunications facility.

Site Statistics:

Attorney Brennan:

- We are here tonight for a public hearing on a proposed 120-foot monopole telecommunications tower to be located at 240 Northern Pines Road, the water sewer authority property.

- The water and sewer authority has a small maintenance storage facility right here in this open area, directly opposite Lonesome Pine Trail. In that flat area, which is elevated up out of the wetlands, we are proposing to lease a space for the 120-foot-tall monopole.
- This board in September issued a negative declaration under SEQRA.
- We then went to the Zoning Board and received both Area and Use Variances for this facility. So, it has been deemed to be an allowed use in this zone. And we were a little short on one setback to this property line, we had 160 feet of the required 186 feet so that in theory being at the tower, where the top of the tower would never leave the property anyway, but we needed a little variance for that.
- We are proposing to bring utilities overhead and then underground through the woods to the tower site. It will be a fence compound fifty-two foot by seventy foot in dimension, at the base of the tower.
- There are panel antennas at the base. Verizon no longer uses those big 12- foot by 30-foot shelters and sometimes you see that kind of panel on marbleized panelized shelters, our equipment is on concrete pads at the base.
- There is proposed to be a propane fire emergency backup generator. The generator exercises once every two weeks for about 20-to-30-minute exercise cycle basically, the facility switches over to generator power comes in, stays online and switches back. Otherwise, the generator will only run if there is an extended power outage. At the property line we are estimating that the at the closest property line 42 decibels which is significantly quieter than I am speaking right now in this room.
- The monopole, propane tank, Verizon equipment, and the generator are within a fenced compound. The fencing is six-foot-tall chain link with one foot of barbed wire on the top with a double swing gate.
- There is room on this facility, both by way of structural integrity and both height and room on the base, for additional carriers.
- The profile view of the tower is 120 -foot to the top of the steel, a four-foot lightning rod at the top, where the lightning rod is about the diameter of my pinky.
- (Attorney Brennan is explaining the areas of coverage and non-coverage.)
- I will probably be back in the next 12 months or less with a solution to fix these problem areas with improved coverage to everyone.
- We did put in a structural design letter saying that the tower would collapse with a breakpoint into less than its own height, which was more for the Zoning Board to show that for the Area Variance.
- We also previously supplied, after our initial submission, a radio frequency safety study.
- We floated a weather balloon at 120 feet and there is not a lot of visibility. This is a pretty heavily residential area, but we have a good site that will provide the necessary service and not be a distraction to the neighbors or, any impediment to that.

Public comment:

- Concern about the height of the fence.
- Mr. Brennan: We take the climbing pegs out of some of these towers, so there is no way to climb the tower.

Mr. Dobis moves, seconded by Mr. Slone to close the Public Hearing.

III. REGULAR MEETING:

PRESENT: Chairman William Rice, Michael Dobis, Ron Slone, Dave Catalfamo, and Chris Price Alternates; 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, Hal VanEarden, Dave Gabay, and Jeff Hurt

MINUTES APPROVAL: Mr. Dobis, seconded by Mr. Price for the approval of the meeting minutes of September 15, 2021, as written. Ayes: Chairman Rice, Mr. Dobis, Mr. Slone, Mr. Hurt, and Mr. Catalfamo, and Chris Price, Alternates

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

IV. APPLICATIONS:

A. 148 Edie Road Conservation Subdivision: New York Development Group

Application by New York Development Group for SEQRA Declaration for 148 Edie Road Conservation Subdivision for a thirty-eight (38) lot conservation subdivision. Property located at/on 148 Edie Rd on 87.04 acre(s), Tax Map No(s). 141.-2-80; zoned R2.

Application by New York Development Group for Preliminary Subdivision for 148 Edie Road Conservation Subdivision for a thirty-eight (38) lot conservation subdivision. Property located at/on 148 Edie Rd on 87.04 acre(s), Tax Map No(s). 141.-2-80; zoned R2

Scott Lansing, Lansing Engineering, is here representing New York Development Group of Saratoga for the Edie Road Subdivision.

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:

1. Impact on Land (Yes); subsequent questions answered “No” or “Small”
4. Impact on Ground Water (Yes); subsequent questions answered “No” or “Small”
7. Impact on Plants and Animals (Yes); subsequent questions answered “No” or “Small”
9. Impact on Aesthetic Resources (Yes); subsequent questions answered “No” or “Small”
13. Impact on Transportation (Yes); subsequent questions answered “No” or “Small”
14. Impact on Energy (Yes); subsequent questions answered “No” or “Small”
15. Impact on Noise, Odor, and Light (Yes); subsequent questions answered “No” or “Small”

On a motion introduced by Mr. Dobis 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 by New York Development Group for 148 Edie Road Conservation Subdivision for a thirty-eight (38) lot conservation subdivision. Property located at/on 148 Edie Rd on 87.04 acre(s), Tax Map No(s). 141.-2-80; zoned R-2.

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

There are no comments from the Town Engineer, Ryan Riper.

There are no comments from the Board.

Application by New York Development Group for Preliminary Subdivision for 148 Edie Road Conservation Subdivision for a thirty-eight (38) lot conservation subdivision. Property located at/on 148 Edie Rd on 87.04 acre(s), Tax Map No(s). 141.-2-80; zoned R2

Scott Lansing, Lansing Engineering, is here representing New York Development Group of Saratoga for the Edie Road Subdivision.

There are no questions or comments from the Board.

Mr. Riper, Town Engineer addresses the items in his review letter dated October 14, 2021, to the Board.

There are no comments from the Board.

The subdivision will be named “The Summit at Grande Highlands.”

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby grant the Application by New York Development Group for Preliminary Subdivision for 148 Edie Road Conservation Subdivision for a thirty-eight (38) lot conservation subdivision. Property located at/on 148 Edie Rd on 87.04 acre(s), Tax Map No(s). 141.-2-80; zoned R-2.

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

B. Verizon Wireless "McGregor Golf" Telecommunications Facility: Cellco Partnership d/b/a Verizon Wireless: Application by Cellco Partnership d/b/a Verizon Wireless for Minor Amended Site Plan for Verizon Wireless "McGregor Golf" Telecommunications Facility for a proposed telecommunications facility to include a 120' tall (124' w/ lighting rod) monopole and related telecommunication equipment within a fenced compound. Property located at/on 240 Northern Pines Rd on 22.8 acre(s), Tax Map No(s). 127.-2-38.112; zoned R-1.

Dave Brennan of Young and Sommer, Sarah Coleman, Aerosmith Development, Dave Andres, Verizon Radio Frequency Engineer, are here to represent Cellco Partnership d/b/a Verizon Wireless for SEQRA Declaration for Verizon Wireless "McGregor Golf" Telecommunications Facility for a proposed telecommunications facility.

Mr. Brennan: Project probably will not be completed until Spring.

Discussion on the cell phone coverage and the number of dropped calls in the Town.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby grant the approval of the Application by Cellco Partnership d/b/a Verizon Wireless for Minor Amended Site Plan for Verizon Wireless "McGregor Golf" Telecommunications Facility for a proposed telecommunications facility to include a 120' tall (124' w/ lighting rod) monopole and related

telecommunication equipment within a fenced compound. Property located at/on 240 Northern Pines Rd on 22.8 acres, Tax Map No. 127.-2-38.112; zoned R-1.

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

C. 570 Maple Avenue - Business Office Conversion, Cecil Provost: Application by Cecil Provost for Conceptual Site Plan for 570 Maple Avenue - Business Office Conversion for converting an existing residential home to business offices. Property located at/on 570 Maple Ave (Rte. 9) on 1.873 acre(s), Tax Map No(s). 153.5-1- 16; zoned CR-1.

Cecil Provost, the applicant and Jeff Anthony, Studio A, are here to present the Conceptual Application.

Site Statistics:

- Property location is 570 Maple Avenue on 1.9 acres
- Residential home to be converted into business offices.
- The Area Variances needed for this project were approved
- Removal of a garage and a shed.
- Eighteen parking spaces required, and we are proposing nine.
- Buffer required along the driveway; the adjacent landowner would like a fence. We are proposing an 8 ft. fence.
- Stormwater is addressed.
- No changes are proposed to the entrance on Route 9.

The adjacent landowners are in favor of the project and the placement of the 8 ft. fence.

The Board was pleased with the overall site plan and the removal of the fence in the front of the property.

Mr. Riper, Town Engineer addresses the items in his review letter dated October 15, 2021, to the Board.

- The Board can waive 33% of the parking in the front.
- Sight distance of the 8 ft. fence.
- Sign permit is a separate permit.
- Make sure that there's adequate ingress and egress from the existing entrance for two cars pulling in and out.
- Lighting and sidewalks can be waived.
- Placement of Maple trees on the frontage of the 28 ft. easement.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby grant the approval of the Application by Cecil Provost for Conceptual Site Plan for 570 Maple Avenue - Business Office Conversion for converting an existing residential home to business offices. Property located at/on 570 Maple Ave (Rte. 9) on 1.873 acre(s), Tax Map No(s). 153.5-1- 16; zoned CR-1.

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

Set the Public Hearing for November 17, 2021, at 6:30pm.

D. Palmertown Ridge Subdivision: Witt Construction, Inc.: the Application by John Witt for Witt Construction, Inc. for a Recommendation to the Zoning Board of Appeals for Palmertown Ridge Subdivision, for a three (3) lot Residential Subdivision. Property located on Woodard Road on 537.5 acres, Tax Map No. 101.-1-102.1; zoned R-3.

John Witt is here representing Witt Construction, Inc.

Mr. Witt: This is part of a settlement agreement between the town and me to include a three-lot subdivision, an easement, and a trail head. There is a permanent easement at the end of the Woodard Road and I propose a temporary easement on lot-three that most likely is going to end up being part of OSI land and that being the state land it is a little bit of a flatter parking area, so that is why I proposed putting that there now, and if for some reason the deal falls apart you still have a permanent easement there.

Mr. Ripper: I want to make sure that there's public access from Woodard Road to the trail.

Mr. Witt:

- Lot-one is going to be sold to Open Space Institute.
- Lot-two has zero frontage, and we are looking for 400 ft. of relief from the Zoning Board. Lot-two is 156.8 acres, and I am going to retain this lot.
- Lot-three is 19 acres, and I am going to donate that to Open Space after they purchase the land (Lot 1). It will be a flatter spot for their trailhead.

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

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wilton Planning Board gives a Favorable Recommendation to the Zoning Board of Appeals for Witt Construction, Inc., for Palmertown Ridge Subdivision for a three (3) lot Residential Subdivision. Property located on Woodard Road on 537.5 acres, Tax Map No. 101.-1-102.1; zoned R-3.

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

E. Wilton Wendy's: CKA Management Pre-Application by CKA Management to set a Public Hearing for Wilton Wendy's for a Minor Amended Site Plan for façade improvements and the addition of a drive-thru lane and window. Property located at/on 3075 Route 50 on 93.59 acre(s), Tax Map No(s). 153.-3-86.111; zoned C-1.

Doug Heller with the LA Group is here representing CKA Management for Wendy's.

Site Statistics:

Mr. Heller:

- The applicant, CKA Management, owns and operates about 80 Wendy's, Taco Bell's, and Jersey Mike's in four states with New York being one of them.
- The project is to convert the Friendly's into the Wendy's.
- I am assuming everyone knows where the Friendly's is right off the mall, right next to the 99 Restaurant.
- Currently, the Friendly's site has about ninety-nine parking spaces on it right now. The project is to renovate half of the Friendly's restaurant, the northern half would turn into

a Wendy's. The reason for that is Wendy's just does not need that much floor area, especially with COVID the majority of their business is drive through.

- Just the northern half will be Wendy's, the southern half will just remain vacant.
- There would be an addition of a drive thru, we have the menu board on the east side for traffic entering the site. We have also improved and provided one way traffic with some striping. As you are entering the site, there would be some signage if you want to go to the drive thru, that will send you towards Route 50. You would come in and loop around the site. If you wanted to just park instead of through the drive thru, you could then enter in the first entrance, and that would bring you around to the front entrance that is facing Route 50.
- Other upgrades, there is an existing dumpster, it is a concrete block on three sides, we would be painting that a tan color, which would be matching the new exterior color of the Wendy's restaurant itself.
- Reusing the existing lights, there are five existing lights that are all throughout the property. The existing lights are basically the same as the 99 restaurant, and the rest of the mall.
- With the Friendly's taking up the entire building and the Wendy's taking up portion of it, there is a minor increase in traffic because you are going from a high turnover sit down restaurant to a drive thru restaurant.
- In the peak PM, which will be the bigger peak versus AM, you are talking about twenty-nine trips during a peak hour
- We would be looking at reconfiguring the parking lot with angled parking. With the addition of the drive thru, we do lose some parking spaces. We go down from the ninety-nine parking spaces down to seventy parking spaces, which is still way above and beyond what is required, which is only 22 spaces.
- Proposing the reuse of the existing utilities, the existing water, the existing sanitary, and there will be some very minor stormwater upgrades, kind of redoing this front facade a little bit so there will be some new roof drains out connecting to the existing storm drainage system that discharges into the infiltration basin.
- In discussions with Ryan, we are looking to make a couple of minor changes to the plans. One of the things that we are looking to do is at this corner, previously, we are proposing just to have that be a striped triangle, we would actually make that a raised area. That would help prevent people that come in at this point, from just cutting right across.
- We will be looking to provide a three- to four-foot-wide painted Island. That would help people parking along the store side, if they are crossing, it provides a little refuge area before they then have to cross the drive thru area to come into the front entrance.
- The front of the building is going to have like a knotted wood along this side and then it will be a larger effaced red color, along the side is going to be a tan color, and there will be a little entrance by the drive thru.
- The northern half is what they are remodeling, and the southern half will basically stay as it is.

The mall and the Planning Board are not happy with the plan to renovate half the building and leave the other portion as is. The building would be half Friendly's and half Wendy's.

The Planning Board and the Mall are asking for a new site plan with a renovation of the entire exterior building.

No action will be taken tonight.

F. Wilton Plaza: R/H Route 50, LLC Application by R/H Route 50, LLC for Recommendation to ZBA for Wilton Plaza for an area variance to install additional dumpsters. Property located at/on 3057 Route 50 on 4.07 acre(s), Tax Map No(s). 153.-3-117; zoned C-1.

Gregg Ursprung, with Bergmann is here to represent the applicant.

Mr. Ursprung:

- We are back for a recommendation to the ZBA for dumpsters at the Board's request, we went back and looked at placing the dumpsters behind the building and I was proven wrong. I proved myself wrong, and you right, that is a good thing.
- We were able to provide a location for the dumpsters and angle them so that they can be accessed by the trucks.
- We are adding about fourteen feet of concrete for the dumpster pads.
- We did take a look at the truck turning movements coming into the dumpsters so they basically come down the drive pull in behind the building and then they can easily access those dumpsters within an angle that we have provided.
- We are not changing the existing pavement, that access remains.
- We are losing zero parking spaces and we are actually adding two where the dumpsters were.
- The Area Variance is for a 3.5 ft. rear setback.

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

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wilton Planning Board has moved for a favorable recommendation to the Zoning Board of Appeals for the Application by R/H Route 50, LLC for Wilton Plaza for an area variance to install additional dumpsters. Property located at/on 3057 Route 50 on 4.07 acre(s), Tax Map No(s). 153.-3-117; zoned C-1.

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

Set the Public Hearing for November 17, 2021, at 6:31pm.

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

NOW, THEREFORE, BE IT RESOLVED that the meeting of the Planning Board be adjourned at 8:53P.M.

The motion is seconded by Mr. Price and duly put to vote, all in favor on this day October 20, 2021.

Date Approved November 17, 2021

Amy DiLeone
Executive Secretary