



TOWN OF WILTON
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PLANNING BOARD

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

Mark Schachner
Planning Board
Counsel

PLANNING BOARD
December 16, 2020

A meeting of the Wilton Planning Board (“the Board”) occurred on December 16, 2020 via Zoom due to public health and safety concerns related to COVID-19, in accordance with the Governor’s Executive Order 202.

PLEDGE OF ALLEGIANCE
CALL TO ORDER:

At 6:34 p.m., Chairman Dobis opens the Public Hearing.

I. PUBLIC HEARING:

A. Louis P. Faraone: Seasoned, Gourmet Firewood - Exit 15N: Application for Seasoned Gourmet Firewood - Exit 15N by Louis P. Faraone for Subdivision & Site Plan for a pre-existing, non-conforming commercial retail use. Property located at/on 4226 Route 50 on 13.33 acre(s), Tax Map No(s). 141.-2-66, 141.-1-6, 141.-2-54, 141.-1-33 and a portion of 141.-1-31.1; zoned RB-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 a proposed Subdivision and Site Plan approval for Louise P. Faraone for the retail business; Seasoned Gourmet Firewood-Exit 15N. Property located on 4226 Route 50, Tax Map No’s 141.-2-66, 141.-1-6, 141.-2-54, 141.-1-33, and a portion of 141.-1-31.1 on 13.33± acres: zoned RB-1.

SAID HEARING will be held on Wednesday, December 16, 2020 at 6:30PM via Zoom due to the public health and safety concerns related to COVID-19, in accordance with the Governor’s Executive Order 202. At that time, all persons will be given a chance to be heard. Please visit <https://townofwilton.com/> for more information and instructions on attending the meeting.

BY RESOLUTION of the Planning Board for the Town of Wilton, Saratoga County, State of New York.

Justin Grassi, Esq. of Jones Steves Attorneys at Law is here on behalf of Louis P. Faraone for Seasoned Gourmet Firewood.

General site statistics:

- Attorney Grassi begins a PowerPoint presentation.
- Aerial location of the property.
- Proposed subdivision acquisition of the property.
- Post 2007 property acquisitions.
- Timeline of Events:
- *2007 – Pre-Existing Nonconforming Site Plan Approved by Planning Board*
- *May 20, 2020 – Planning Board issued SEQRA Negative Declaration and approval of Special Use Permit for continued use as wood and agricultural storage and retail.*
- *August 19, 2020 - Planning Board granted conceptual Site Plan and Subdivision approval*
- *October 22, 2020 - ZBA granted Variances for storage of materials up to 3' from property lines; Granted approval to re-construct pole barn in existing location.*
- *December 16, 2020 – Seeking Planning Board approval of Preliminary and Final Site Plan and Subdivision approval*
- They have responded to the Town Engineer, Ryan Riper's review letter.
- Working with DOT for modifications to the entrance.
- The entrance way has been enhanced and is going to be paved and will include signage.
- The exit only driveway will also be paved.
- The access road, north of Jones Road will only be used for agricultural purpose.
- Wood products will be stored in designated storage areas.
- Product sales will remain the same.
- The parcels will remain separate and upon a sale the site plan would have to be amended.

Public Comment:

Chairman Dobis is asking for comments from the public, there are none.

Mr. Rice made a motion to close the Public Hearing at 6:47 p.m. seconded by Mr. Slone.

I. REGULAR MEETING:

PRESENT: Chairman Michael Dobis, Harold VanEarden, Dave Gabay, Bill Rice, Ron Slone, and Michael Coleman, Dave Catalfamo 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: Jeff Hurt

MINUTES APPROVAL: Mr. VanEarden moves, seconded by Mr. Gabay for the approval of the meeting minutes of November 18, 2020 as written. Ayes: Chairman Dobis, Mr. Slone, Mr. Gabay, and Mr. Coleman Alternate

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

II. APPLICATIONS:

A. Louis P. Faraone: Seasoned, Gourmet Firewood - Exit 15N: Application for Seasoned Gourmet Firewood - Exit 15N by Louis P. Faraone for Subdivision & Site Plan for a pre-existing, non-conforming commercial retail use. Property located at/on 4226 Route 50 on 13.33 acre(s), Tax Map No(s). 141.-2-66, 141.-1-6, 141.-2-54, 141.-1-33 and a portion of 141.-1-31.1; zoned RB-1

Justin Grassi, Esq. of Jones Steves Attorneys at Law is here on behalf of Louis P. Faraone for Gourmet Seasoned Firewood.

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

The County Referral process has not been completed; therefore, the Board cannot act on the application tonight.

B. Kodiak Construction: Mulberry Estates, Phase II- Application by Kodiak Construction for Conceptual Subdivision for Mulberry Estates, Phase II for a twenty-four (24) lot conservation subdivision. Property located at/on Cerulean Boulevard and Dandelion Drive, near entrance to Mulberry Estates on 17.65 acre(s), Tax Map No(s). 127.-3-28.12; zoned R-1

Doug Heller of the LA Group and Jessie Boucher of Kodiak Construction are here to represent Kodiak Construction for Mulberry Estates Phase II.

General site statistics:

- Mr. Heller is presenting his PowerPoint presentation with the Board.
- Mulberry Estates Phase II is located off of route 9, Cerulean Boulevard and Dandelion Drive.
- It is one tax lot that is 17.65 acres.
- The Wishing Well is to the West and Mulberry Estates subdivision is to the East.
- The Mulberry Estates subdivision was originally approved by the Town in 1993.
- The subject property was included in the subdivision and was deemed for future development.
- In 1997 the subject property was cleared.
- To the west of the property is a National Grid gas line property that runs north and south.
- There is also a Saratoga County water line 30 ft. easement on the property that runs north and south.
- To the east there is a 70 ft. wide easement for National Grid Powerlines.
- The Mulberry Estates Subdivision is a Conservation Subdivision.
- Mr. Heller explains the photos in the presentation.
- There are 27 lots, and they are proposing to develop 24 lots.
- The subdivision includes construction of a new road, creation of new parcels, and providing 5.25 acres of open space land.

- They are proposing 24 lots; four single-family residential lots will be along Dandelion Drive, two single-family residential lots north of Cerulean Boulevard, and eighteen single-family lots south of Cerulean Boulevard.
- The proposed setbacks are 25 ft. front 25 ft. rear that are allowed, and for the side we are requesting a 12 ft. setback which would match the original Mulberry Estates setbacks.
- Mr. Heller explains the easements, deed restrictions and proposed open space.
- The proposed subdivision will be on municipal water and sewer.
- Discussion of commercial development on Route 9.
- The buffering is discussed.

- Subdivision is going to be geared toward empty nesters. Homes will be around 1,800 – 2,100 sq. ft. It is very similar to the Mill at Smith Bridge.
- The Board is accepting of the 12 ft. side yard setbacks. Mr. Rice asked if that should be part of the motion and Town Counsel Schachner said that it is part of the Conceptual Application.
- The Board would like to see some conceptual ideas of the housing designs for the Public Hearing on January 20, 2021.

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

Motion introduced by Mr. Gabay; the Board adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board approves the Application by Kodiak Construction for Conceptual Subdivision for Mulberry Estates, Phase II for a twenty-four (24) lot conservation subdivision. Property located at/on Cerulean Boulevard and Dandelion Drive, near entrance to Mulberry Estates on 17.65 acre(s), Tax Map No(s). 127.-3-28.12; zoned R-1

The motion is seconded by Mr. VanEarden and duly put to vote, all in favor, on December 16, 2020.

C. Katherine E. King: Ernie's Grocery, Inc Pre-Application and recommendation to the ZBA by Katherine E. King for Ernie's Grocery, Inc for area variances for the proposed commercial development of two (2) lots on the former Ernie's Grocery site. Construction of a commercial structure is proposed on each lot. Property located at/on Traver Road on 1.93 acre(s), Tax Map No(s). 115.14-1-5, 16, 17 & 21; zoned C-3.

Dave Carr of the LA Group is here to represent Katherine King, Ernie's Grocery Inc.

General site statistics:

- Mr. Carr is presenting and explains the site is on both sides of Traver Road, close to Ballard Road.
- The proposed lot # 1 is on the east side of Traver Road and is part of an application that was approved in 2000 as a commercial site.
- The proposed lot #2 is on the west side of Traver Road and this parcel is owned by Ernie's grocery but was not included in the proposal of 2000.
- The subject parcel is four parcels and one of them crosses over Traver Road.
- The project will need area variances and subdivision.
- The parcel that is on both sides of Traver Road would be subdivided out.
- They are proposing two commercial buildings on both sides of Traver Road.
- Lot one is the east side of Traver Road with an 8,500 sq ft mixed use commercial building with 51 parking spaces.
- The west side is where the area variances are needed. The area variances would be for lot size, frontage, rear yard setback, and side yard paving setback.
- The west side would have a 3,375 sq. ft. office building with parking in the rear.

Chairman Dobis asks if there are any questions or comments from the Board.

- Discussion of the site and the intended uses, and what the access would be from Traver Road and Ballard Road.
- The Board would like to see the driveways aligned.
- Discussion of referral to the ZBA and process of this application.

No action taken on this application. Referral to the ZBA will be before the Board in January.

D. Wilton Mall, LLC: Wilton Mall

Discussion regarding a commitment extension from December 16, 2020 to June 1, 2021 for the construction and maintenance of a loop connection road at the Wilton Mall, that was originally a condition of the minor amended site plan for Saratoga Hospital approved November 2019.

The Board agrees to grant the extension from December 16, 2020 to June 1, 2021 for the construction and maintenance of a loop connection road at the Wilton Mall.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby grant the extension from December 16, 2020 to June 1, 2021 for the construction and maintenance of a loop connection road at the Wilton Mall, that was originally a condition of the minor amended site plan for Saratoga Hospital approved November 2019.

The motion is seconded by Mr. Rice and duly put to vote, all in favor, on December 16, 2020.

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

NOW, THEREFORE, BE IT RESOLVED that the meeting of the Planning Board be adjourned at 8:24p.m. The motion is seconded by Mr. VanEarden and duly put to vote, all in favor on this day December 16, 2020.

Date Approved January 20, 2021
Amy DiLeone
Executive Secretary