

TOWN OF WILTON

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Susan Baldwin, Town Clerk

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PUBLIC HEARING- Proposed LL #6 of 2023. Mountain Ledge PUDD

7:00 P.M.

Supervisor Lant opened the public hearing at 7:00 p.m.

Supervisor Lant asked if there were any questions or comments. There were none.

On a motion introduced by Deputy Supervisor McEachron, seconded by Councilman Bogardus, the board closed the public hearing at 7:01 p.m.

PUBLIC HEARING- Proposed LL #7 of 2023. CR-2 to RB-1 Zone

7:01 P.M.

Supervisor Lant opened the public hearing at 7:01 p.m.

Supervisor Lant asked if there were any questions or comments. There were none.

On a motion introduced by Deputy Supervisor McEachron, seconded by Councilman O'Connor, the board closed the public hearing at 7:02 p.m.

REGULAR TOWN BOARD MEETING-April 6, 2023

Supervisor Lant called the Regular Town Board meeting to order at 7:02 p.m.

Pledge of Allegiance

Supervisor Lant led the board and the audience in reciting the Pledge of Allegiance to the Flag.

Supervisor Lant asked everyone to remain standing to honor two local heroes who passed away this week. William Morgan Sr. was a 67 year member of the Wilton Fire Department and spent 30 years as Chief. He retired from the Town Highway Department. He made our town a safer place to live.

New York State Police Senior Investigator Nicholas Georgeadis passed away from an illness caused by working at the 911 site for many weeks. He received awards for saving many lives and for bravery. Please give both of these gentlemen a moment of silence. Rest in peace men.

Roll Call

Roll Call by the Town Clerk showed all board members present.

John Lant-Supervisor
John McEachron-Deputy Supervisor
Duane Bogardus-Councilman
Erinn Kolligian- Councilwoman
Ray O’Conor-Councilman

Also present was Director of Planning and Engineering, Ryan Riper, P. E. and Comptroller, Maria Moran, CPA and Mark Schachner, Town Counsel.

Public Comment Session

There was none.

Approve Pending Minutes

On a motion introduced by Councilman Bogardus, the board adopted the following resolution:

RESOLUTION #137

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the April 6, 2023 and April 18, 2023 meetings, as typed.

The adoption of the resolution was seconded by Deputy Supervisor McEachron, duly put to a vote, all in favor. The motion passed 5-0.

Honoring of Lynette Robinson

Supervisor Lant asked Mrs. Lynette Robinson to come up to the dais and presented a plaque to her.

Presented to Lynette Robinson by the Wilton Town Board in recognition of your loyal service to the Wilton Town Board and the residents of the Town of Wilton extend their sincere appreciation for your thirty four years of serving on the Park and Recreation Commission as a member and a chair.

Supervisor Lant said he personally wanted to thank Mrs. Robinson for all of the things she has done for the residents but mainly, the children and helping them to be better people.

Mark Dailey, Park and Recreation Commission Vice Chairman said Ken Bishop couldn’t make it. He is the current Chairman and he sends his regards. Mr. Dailey said he did a little math and if you were to volunteer on a commission, such as this, for thirty four years and approximately twelve times per year, you would attend four hundred meetings. That is a lot of meetings. If that is not enough, Lynette was the keeper of the records. She could show you what was done in 1989. It always gave us context because she remembered when things were built. It helped us as we were trying to lead and trying to progress and make some good decisions. She was always there for that.

When Lynette was on the Park and Recreation Scholarship Committee for most of the years she was on the commission and chaired the committee several times. She made sure the children of Wilton, who

needed support to attend programs and camps at Gavin Park were able to afford to attend through the scholarship program. That is a big deal. Lynette, on behalf of our commission, current, past and future members, we present you with flowers. We are going to miss you.

Eagle Scout-Dana Schmid

Supervisor Lant said we have an honored guest, Eagle Scout Dana Schmid.

Proclamation

COMMENDING DANA SCHMID

WHEREAS, **Dana Schmid** is a member of the Boy Scout Troop 4024 of Wilton and recently achieved the rare distinction of the rank of Eagle Scout. She is the second female in her Troop and the entire district to reach this rank; and

WHEREAS, an Eagle Scout award honors the Scout, her family, her troop and her troop leaders; and

WHEREAS, a Boy Scout is required to complete an Eagle Leadership Service project as part of qualifying for the rank of Eagle Scout; and

WHEREAS, **Dana Schmid** led the design and build of an ADA compliant overlook/fishing pier in the Back Pond of Moreau Lake State Park; and

WHEREAS, **Dana Schmid** set her goal and completed her plan to build the structure out of pressure treated wood set on helical piles; and

WHEREAS, **Dana Schmid's** design will serve Park Visitors of all abilities and making nature accessible to all; and

WHEREAS, it is fitting to recognize the unusual dedication and diligence exhibited by **Dana Schmid** in attaining the rank of Eagle Scout; therefore, be it

PROCLAIMED, that the Wilton Town Board commends **Dana Schmid** for her attainment of the rank of Eagle Scout in the Boy Scouts of America; and be it further

PROCLAIMED, that the Town Clerk forward a duly inscrolled copy of this Proclamation of Commendation to **Dana Schmid**.

Proposed Local Law #6 of 2023- Mountain Ledge PUDD

Supervisor Lant asked if there were any questions. There were none.

On a motion introduced by Councilman Bogardus, the board adopted the following resolution:

RESOLUTION #138

NOW, THEREFORE, BE IT RESOLVED, to approve Local Law #6 of 2023, Mountain Ledge PUDD.

The adoption of the resolution was seconded by Councilman O’Conor, duly put to a vote, all in favor except Councilwoman Kolligian who recused herself. The motion passed 4-0.

Proposed Extension of Term for Town Supervisor

On a motion introduced by Deputy Supervisor McEachron, the board adopted the following resolution:

RESOLUTION #139

NOW, THEREFORE, BE IT RESOLVED, to set a public hearing for proposed Extension of Term for Supervisor from 2 years to 4 years on June 1, 2023 at 7:00 p.m.

The adoption of the resolution was seconded by Councilman O’Conor, duly put to a vote, all in favor. The motion passed 5-0.

Special Permit for Senior Housing-Route 50

Supervisor Lant said Ryan Riper, Director of Planning and Engineering has some concerns with the project and he does as well.

Scott Lansing of Lansing Engineering appeared on behalf of the applicant. Mr. Lansing said the board is familiar with the project. They were before the board before they appeared before the Zoning Board of Appeals for the request of an area variance, which was granted. The project is located at 4029 Route 50, south of Ingersoll Road, approximately 29.98 acres. The parcel is zoned C-1. We are proposing a senior living community devised of three buildings of 130 units in a four story building for a total of 390 units. They are proposing a single access primary access on Route 50. It is a boulevard style access and there is a secondary emergency services access to the north of the property. There is a 25% green space requirement and we have approximately 73% green space. There was a request from the planning board to set the project back from Route 50. The front yard setback requirement is 50” and we have 150”. We meet and exceed the setbacks. The Zoning Board did ask if we could shift the facility to the center of the property so that we have equal buffers to two adjacent residential subdivisions. Now we are centered between the properties. We wanted to take a look at the existing vegetation on the parcel. When the board last saw the plan, there were scattered trees along the front. We completed a grading plan to see what we could save as far as vegetation along the front. It would be a shame to cut down trees. We were able to maintain about 80’ of trees along the front of the parcel. It will be nestled back and not so visible from Route 50. Lastly, the architects put together a rendition of what the buildings might look like. The sketch is conceptual but this is what the applicant and the architect designed. We blended the roof structure into the fourth story to make it

look more like a three story structure with hips and gables. The viewshed along Route 50 is shown on the sketch. There is a good stand of trees along Route 50. The approved variance is for occupied space in the building, not the height. We are maintaining the 55' building height. Instead of having 35' of occupied space, we receive a variance of 7' for 42' of occupied space.

Mr. Riper said the project is a Special Permitted Use which the Town Board oversees. It is a big project. The major concern is traffic on Route 50. There hasn't been anything built along this section of Route 50. This is an acceleration zone once you get past the mall area. It is the traffic pattern people are used to. The concern is adding this entrance with a lot of cars and senior citizens. We would like to see a traffic study and it is in the works. A right hand, northbound turn lane has been discussed. As the seniors are slowing down they would have a lane to decelerate in. Mr. Riper said the speed limit in the zone is 45 mph. Discussion was held about the addition of a left hand turn lane for the senior housing on Perry Road. NYSDOT was asked to take a look at the pattern of accidents at Route 50 and Perry Road and the left turn lane resulted. Connectivity with trails to the mall has also been brought up. Councilwoman Kolligian asked if the traffic study will have to go to NYSDOT. Mr. Riper said it will. The proposed curb cut would be reviewed by NYSDOT. He said he doesn't foresee them having issue with it. Councilman Bogardus said he expressed the deceleration lane into the property. The volume of traffic in the area at 5:00 p.m. is very high. Some older people tend to drive a little slower and a deceleration lane would allow the traffic flow to go by them. Mr. Riper said he would like to see if there are any solutions to mitigate that potential issue. A left hand turn out of the facility will be difficult and that is something to be looked at. A gap analysis should be included in the traffic study.

Mr. Riper said traffic, connectivity, walkability and time constraints, as in the project receiving approvals and it's not built within a certain amount of time. Councilman O'Connor said in other zones in town there is a maximum number of units per acre. There is no provision for that in senior housing. The densest allowed is in the Hamlet Zone which is twelve units per acre. That is one of the items he said he would like some consistency in. He said he thinks it is important to set some sort of guideline so we are not getting an overly dense site. Mr. Riper said the project is 12.6 units per acre. Councilman O'Connor asked about the Saratoga County Planning Board's comments on the two lot subdivision. Mr. Riper said originally, the lot was two parcels of land. The parcel includes the proposed senior housing and another parcel on the opposite side of the road. The parcel on the north side is a very narrow sliver of land and it was shown as a buildable parcel since we did not want to create a non-conforming parcel. That was part of the original parcel with the planning board and the applicant went through the subdivision process. SEQRA was performed by the Wilton Planning Board and they are the lead agency for the entire project. Mr. Lansing said the density of the project is about twelve units per acre. We did try to maximize the setback to Route 50 and maintain buffers as much as possible. We are at the upper end of the density but the footprint is smaller in size. We have almost 75% green space. We are in the process of preparing a traffic study and should be complete in the near future. Senior housing is more of an off peak traffic generator. The curb cut is positioned for maximum site distance. We do show trail systems going throughout the project and have been coordinating with the planning board with a connection with adjacent trails. We talked about a pedestrian pathway along Route 50. Deputy Supervisor McEachron asked if the traffic study comes back and warrants the turn lane, it will be done? Mr. Lansing said it would be required. Deputy Supervisor McEachron asked if it is not warranted, can the town require it. Mr. Riper said in the requirements *"for a special use permit, the Zoning Board of Appeals, the Town or Planning Board shall determine, in its judgment, that: (5) Undue traffic congestion or creation of a traffic hazard will not result."* That is what the traffic engineers will look at and make that determination and provide mitigation methods to alleviate any issues. Supervisor Lant noted he spoke to Mr. Riper and decided they would like to wait for the traffic study. Mark Schachner, Town Counsel, agreed and said it is hard to make that finding without a traffic study.

Kirlin Woodcock said he is concerned about the Christmas Shop. It used to be an old Sinclair Station. Has there been a provision to preserve the building as it is now or are they going to tear it down? He said he wouldn't want to see another historical piece in the town destroyed for development. The town should have some provisions to preserve the building. He said we lost the State Farm on Ballard Road and he spent numerous hours trying to

preserve the silos. We took great pains to save it and then it was torn down. There are other historical sites on Route 50. He said the owners of the Christmas Shop are friends of the family and would like the town board to consider saving the structure. Mr. Lansing said it is proposed to be demolished. Councilman O’Conor said it may be a question for the Town Historian. Deputy Supervisor McEachron said the person who owns the Christmas Shop is the person who is selling the property. Linda Baker said her mother grew up in that neighborhood and lived there until last year when she passed away at almost 102 years old. She remembered, in the 1930’s, when Route 50 was established. The whole Road used to be Gick Road and didn’t go where Route 50 goes now. At that time, the Cole family owned the land which eventually became the Christmas Store at the back of their property. They lived on Gick Road, which is now Old Gick Road, where they established the gas station. Michael Messinger’s grandmother is the person who operated the gas station and candy shop. She would visit sickly residents and spend much of her time doing that. That was the first gas station in the area. Deputy Supervisor McEachron said his shop, the old ice cream stand, is also coming down. Toni Sturm asked what the price range of the apartments is going to be. Mr. Lansing said he does not know. Ms. Sturm said at the last meeting she was told \$2,000 to \$3,000. Mr. Riper said the representative was Jason Dell at the last meeting. Mr. Woodcock asked if the project could be moved south on the property in order to save the structure. Mr. Lansing said it could be looked at and discussed with the applicant. Mr. Woodcock said it would be sad to see it torn down and a building we will never get back again. Maybe the town board could discuss it and preserve that particular section. Ms. Sturm said she thinks it would be important for the project to identify what the price range of the apartments is because this town board blocked the Wilton Mall apartments. Councilman Bogardus said the board did not block anything. Ms. Sturm said it was blocked from proceeding to a public hearing. Councilwoman Kolligian said the mall postponed because they were not prepared. Ms. Sturm said she was at the meeting and no one seconded the motion to move to a public hearing. Councilman Bogardus said that was not a block, that was no action taken. The board did not disapprove the project, we didn’t take any action. They came back with more information, like what we are doing now. Don’t say we blocked it because we did not. Ms. Sturm said that was not clear and apologized. She said she thinks it would be helpful for the public to understand what the price range of the apartments are.

Proposed Local Law #9 of 2023 Peddling and Soliciting License and Do Not Knock Registry

On a motion introduced by Deputy Supervisor McEachron, the board adopted the following resolution:

RESOLUTION #140

NOW, THEREFORE, BE IT RESOLVED, to set a public hearing for proposed Local Law #9 of 2023, Peddling and Soliciting License and Do Not Knock Registry on June 1, 2023 at 7:01 p.m.

The adoption of the resolution was seconded by Councilwoman Kolligian, duly put to a vote, all in favor. The motion passed 5-0.

Councilman O’Conor said he is in favor of having a public hearing but he doesn’t understand the whole peddling permit issue. He said there was a time when the economy was reliant upon door to door sales and that was a very long time ago. Now, among the many ways that enterprises can solicit are email, texting, phone calls, traditional mail, flyers, radio, television, newspapers, Facebook, LinkedIn, Twitter,

Instagram, TikTok, billboards, posters, lawn signs, website, press releases, streaming services, prospector's list, customer referrals, coworkers, public bulletin boards, Chamber of Commerce directory and contact list people have of friends and family. If you can't sell your product that way he said he doesn't think you have any business going onto people's private property and banging on their door or ringing their doorbell trying to sell your stuff. He said it doesn't make sense to him. How many people enjoy having unsolicited salespeople come to their front door, please raise your hand. He said he would be inclined to not allow door to door sales. Deputy Supervisor McEachron said that is what he thought the board did. Susan Baldwin, Town Clerk said the board abolished the Local Law for Peddling and Soliciting. That means we don't have a law and people can go out and do whatever they want. Supervisor Lant said the Clerk's Office get a lot of phone calls from residents complaining about solicitors. Ms. Baldwin said a Do Not Knock Registry would be included in the proposed local law. She said people can sign up to opt out, by address only. She said she was unsure if we could include everyone on the Do Not Knock Registry and you would have to sign up to opt out. Councilwoman Kolligian said maybe we could register the entire town and if they want to allow solicitors, they can opt in.

Committee Reports

Deputy Supervisor McEachron said he wanted to personally thank Lynette Robinson for a great job and he appreciates everything she has done and wished she could stay longer.

Supervisor Lant said we had a vendor give us a proposal for a new sound system which was almost \$14,000. We called another vendor and it was the same amount. He did look at everything, made some adjustments and said we may have a faulty wire. He suggested we wait until after tonight's meeting to see if the problem is corrected. Supervisor Lant said he would rather spend \$300-\$400 than \$14,000.

Councilman O'Connor said there was a very nice gathering at the Wilton Wildlife Preserve last Friday. The Dake Family Foundation donated \$100,000 as an initial funding mechanism for the Larry Gordon Visitor's Center. Work will commence soon and it was very generous of the Dake Family. Certainly, we all liked and admired Larry Gordon for all of the things he did for this town and this county.

Mr. Riper said we are doing a townwide traffic study. A committee including himself, Councilman O'Connor, Highway Supervisor and Josh Carlsson, Land Use Administrator looked at four professional traffic operational engineer submittals for the townwide study. Through review, we chose one, the consultant firm VHB. He said he spoke with them and they can start the project right away. We want to make sure the traffic counts are done before school is out. We've worked with the Highway Superintendent on this over the past year, looking at what intersections need to be analyzed and areas of town which are problematic. Over the next nine months, they will be out looking at roads and communicating with us. They will present to the boards as well. The funds for the townwide traffic study will be paid with traffic mitigation fees, which are paid by developers. Councilwoman Kolligian asked if this will help us make connections and possible sidewalks near the new roundabouts. Mr. Riper said yes, multimodal connectivity will be looked at. We've wanted to do this study for a couple of years but had to wait until we had the grants in place for the roundabouts on Carr Road.

Councilman O'Connor said the first two meetings for the Solar Array Committee and the Pedestrian/Bike Pathway Committee with the focus on Jones Road will be on Monday, May 8, 2023. The Solar Committee will meet at 1:30 p.m. and the Pedestrian/Bike Pathway meeting will be at 3:30 p.m.

Deputy Supervisor McEachron said the first Zoning Revision meeting will be on May 11, 2023 at 5:00 p.m. to 7:00 p.m. and every second Thursday of the month.

Comptroller's Report

Maria Moran, Comptroller said she wanted to follow up with the defibrillator purchase. The Wilton EMS has been kind enough to lend us two defibrillators for Gavin Park. One is in the park located between the two gyms and tomorrow we will have one stationed at the Splash Pad. It takes approximately nine months to receive new defibrillators so these were loaned to hold us over.

1.) 2023 Budget Transfers

On a motion introduced by Deputy Supervisor McEachron, the board adopted the following resolution:

RESOLUTION #141

NOW, THEREFORE, BE IT RESOLVED, to approve the 2023 budget transfers requested for and listed in the Comptroller's 5/4/2023 Report to the Town Board.

The adoption of the resolution was seconded by Councilman O'Connor, duly put to a vote, all in favor. The motion passed 5-0.

2.) 2023 Budget Amendments

1.

On a motion introduced by Deputy Supervisor McEachron, the board adopted the following resolution:

RESOLUTION #142

NOW, THEREFORE, BE IT RESOLVED, to approve the 2023 budget amendment requested for the replacement of the access control server and listed in the Comptroller's 5/4/2023 Report to the Town Board.

The adoption of the resolution was seconded by Councilman O'Connor, duly put to a vote, all in favor. The motion passed 5-0.

2.

On a motion introduced by Deputy Supervisor McEachron, the board adopted the following resolution:

RESOLUTION #143

NOW, THEREFORE, BE IT RESOLVED, to approve the 2023 budget amendment requested for the replacement of concrete and coating of the Splash Pad and listed in the Comptroller's 5/4/2023 Report to the Town Board.

The adoption of the resolution was seconded by Councilman O'Connor, duly put to a vote, all in favor. The motion passed 5-0.

3.

On a motion introduced by Deputy Supervisor McEachron, the board adopted the following resolution:

RESOLUTION #144

NOW, THEREFORE, BE IT RESOLVED, to approve the 2023 budget amendment requested for the purchase of a highway pickup truck and listed in the Comptroller's 5/4/2023 Report to the Town Board.

The adoption of the resolution was seconded by Councilman O'Connor, duly put to a vote, all in favor. The motion passed 5-0.

3.) Personnel

On a motion introduced by Councilman O'Connor, the board adopted the following resolution:

RESOLUTION #145

NOW, THEREFORE, BE IT RESOLVED, to accept the resignation of Charles Wolff, Recreation Maintenance Worker, effective May 5, 2023.

The adoption of the resolution was seconded by Councilwoman Kolligian, duly put to a vote, all in favor. The motion passed 5-0.

4.) Internal Review-Justice Court

On a motion introduced by Councilwoman Kolligian, the board adopted the following resolution:

RESOLUTION #146

NOW, THEREFORE, BE IT RESOLVED, to approve the 2022 annual internal review of the court records with no exceptions noted.

The adoption of the resolution was seconded by Councilman O’Conor duly put to vote, all in favor. The motion passed 5-0.

5.) Fee Waiver

On a motion introduced by Deputy Supervisor McEachron, the board adopted the following resolution:

RESOLUTION #147

NOW, THEREFORE, BE IT RESOLVED, to approve the waiver of the burial fee at Gurn Springs Cemetery for William Morgan Sr.

The adoption of the resolution was seconded by Councilman Bogardus duly put to vote, all in favor. The motion passed 5-0.

Adjournment

On a motion introduced by Councilwoman Kolligian and seconded by Councilman O’Conor, with all board members in favor, the meeting was adjourned at 7:52p.m.

Respectfully Submitted,

Susan Baldwin, Town Clerk

_____ Supervisor, John J. Lant

_____ Councilman, Raymond O’Conor

_____ Deputy Supervisor, John McEachron

_____ Councilwoman Erinn Kolligian

_____ Councilman Duane Bogardus

