

TOWN OF WILTON

22 TRAVER ROAD

WILTON, NEW YORK

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Susan Baldwin, Town Clerk

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PUBLIC HEARING –THE CONTINUATION TO PROHIBIT THE DUMPING OF DEBRIS ON COMMERCIAL

PROPERTIES

7:00 P.M.

Supervisor Lant opened the public hearing at 7:00 pm. Supervisor Lant asked if there were any questions. There were none.

Councilman O’Conor made a motion to close the public hearing at 7:01 P.M. Councilman Bogardus seconded the motion. All Board members in favor.

PUBLIC HEARING RE-OPENED FOR SARATOGA PRIME PROPERTIES

Supervisor Lant opened the public hearing at 7:02 pm. Supervisor Lant asked if there were any questions.

Stephanie Ferrandino on behalf of B&D Properties, which owns an adjacent property. She stated they were pleased that the applicant provided a concept plan and a long form EAF. It helps us evaluate what studies might be necessary. It shows a maximum build out, so they have to look at the largest size. We’re assuming the Town Board will make a determination of lead agency tonight and commence coordinated review and we just wanted to add our thoughts about studies we think would be helpful in evaluating a project of this magnitude. There seems to be some items missing on the long form of the SEQRA part. Page 2, there are a bunch of agencies missing. I think you want to look at that in conjunction with the county planning board letter that gives you a reminder about segmented review. The planning board should be aware of the sight plan. You have to have the army corps of engineers because there are wetlands on site. DOT, SHIPO, etc. Studies, we recommend, you consider traffic. We are also curious to residential traffic on Edie Road. Specifically, if you’re coming off Eddie and turn onto to Ballard. Ground water impacts need to be evaluated. My client has a 19-lot subdivision on forty-four acres. Last year he provided a ground water study. This year the town is saying hey, ground water has changed pretty significantly in that one-year period so your nineteen houses on forty-four lots need to be re-evaluated. With the town engineer and ours, the town is requiring us to put up money so a third party can evaluate the ground water. We are right across the street. So, I’m guessing if that scrutiny is happening for a very small subdivision in relation to a project of this magnitude ground water would be an issue in that area. Storm water needs to be evaluated; we haven’t seen the SWPPP from the concept plan. It looks like the water is being directed towards Edie Road. Part of it’s in the no cut buffer. While the no cut buffer seems like a great offer, it’s also part of the required green space. We believe this would constitute a comprehensive plan amendment. Noise, lighting, air, visual impact on Edie Road, the

comp plan talks about preserving the rural character and I think a visual impact study so we can see what two hundred feet really look like. We are also curious why the first part of Edie Road, right off of Ballard, doesn't have that same no cut buffer. Wetland delineation also makes sense. My client purchased this property just a year ago. Part of his contract required due diligence. He looked at the comp plan, zoning, before making an investment. Spending hundreds of thousands of dollars there is something in this project that is going to negatively impact what he had planned to do. We would ask the town to continue to evaluate it so we can figure out how we regroup.

The Board thanked Ms. Ferradino.

John Lapper on behalf of Frank Parillo. Dave Carr from the LA Group is here as well. This is a reasonable worst-case building, similar to Target and Ace where there are homes nearby, a subdivision could certainly go there with a 200-foot wooded buffer and no truck traffic. This isn't part of any sight plan, Mr. Parillo would just like it all one zone so he can sell it.

Supervisor Lant thanked Mr. Lapper

Tracey Moran of 196 Ballard Road. She wants to express a concern if a project like this does go forward. She's the closest resident to any project that would go in there. Her main concern is the entrance point for this building. I certainly wouldn't like traffic in and out facing my house day in and day out. It seems to be a little closer to the Northway end but again, I'm right there. I just want to make sure it's evaluated.

Supervisor Lant thanked Mrs. Moran.

Councilman O'Connor made a motion to close the public hearing at 7:10 P.M. Councilwoman Kolligian seconded the motion. All Board members in favor

REGULAR TOWN BOARD MEETING-AUGUST 4, 2022

Supervisor Lant called the Regular Town Board meeting to order at 7:11 p.m.

Pledge of Allegiance

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

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'Connor-Councilman

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

Public Comment

Alex Rusate 12 Sweet Briar Drive, He said he was here a few months ago about the Air BNB at 14 Sweet Briar. I know there was a cease and desist was sent and yet they continue every weekend to have ten plus people, parties, and a continued nuisance. Everyone's biggest party is happening right next door to us. Hopefully, we can take the next step forward now that they haven't been honoring that with fines or whatever need be. It's a safety concern for the whole neighborhood.

Jack Fogarty 29 Cobble Hill Drive I've been a resident since 1975. The issue Alex stated is a life issue you should be dealing with. My question is what happens next? It took forty letters from concerned property owners to get the town to engage with the cease-and-desist letter. I counted twelve cars one time with one in the garage thirteen. Nothing seems to be happening. Apparently, the owners, have approached residents in the immediate area to talk them into what a great idea it is what they're doing. I don't believe any residents agree with that position. I didn't buy a home in Wilton to have an active hotel five houses away. Nobody did, but we have a live issue. Supervisor Lant said we have been studying this for quite some time now. I will get together with the building inspector to get something done. Deputy Supervisor McEachron stated that we have done this in the past with other issues in town. They go in front of the judge and it's out of our hands. We have done everything we could possibly do as a board. Supervisor Lant stated it seems like people that do the wrong things, have more rights than the people that do the right things. It's aggravating for us too. Mr. Fogarty also addressed the roundabout on Jones Road, saying it was too small. There are no lights either. Supervisor Lant said he was talking with the town engineer today. This decision was made before any of us were here and he doesn't like it either. We are trying to deal with it.

Paul Kelly 27 Cobble Hill Drive wanted to give an update on 14 Sweet Briar. He had gone to the Sheriff's department for several hours out of my day. It's not solely a law enforcement issue. I'll come back and bring an additional case law. He discussed the fines and procedures.

Approve Pending Minutes

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

RESOLUTION # 178

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the August 4, 2022, meeting, as typed.

The adoption of the resolution was seconded by Councilwoman Erinn

Kolligian, duly put to a vote, all in favor.
The motion passed 5-0.

Proclamation – Logan Ward Bruno

Supervisor Lant said he was glad to see all of the Scouts here tonight, and I know you'll all make this country a better place. We have a proclamation for Logan Ward Bruno and Deputy Supervisor McEachron would like the honor of presenting this.

P r o c l a m a t i o n

**COMMENDING LOGAN WARD BRUNO
UPON ATTAINING EAGLE SCOUT RANK**

WHEREAS, **Logan Ward Bruno** is a member of the Boy Scout Troop 4024 of Wilton and recently achieved the rare distinction of the rank of Eagle Scout; and

WHEREAS, an Eagle Scout award honors the scout, his family, his troop and his 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, **Logan Ward Bruno** planned and led a project to establish the Arnold Bruno Memorial save a life program; and

WHEREAS, **Logan Ward Bruno** set his goal and completed his plan to provide Advanced first aid, CPR and AED certifications to untrained members of the community; and

WHEREAS, **Logan Ward Bruno** worked closely with community members, business leaders and the Wilton Emergency Squad to accomplish his goal at no cost to the participating members of the community being trained; and

WHEREAS, **Logan Ward Bruno** raised money for the project through fundraising with local business owners and other charitable organizations in our community to be sure the program will be sustained for years to come; and

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

PROCLAIMED, that the Wilton Town Board commends **Logan Ward Bruno** for his 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 **Logan Ward Bruno**.

IN WITNESS WHEREOF, We have hereunto set our hands and affixed the Seal of the Town of Wilton this 4th of August 2022.

Attest:

Susan Baldwin

Town Clerk

John J. Lant
Town Supervisor

Supervisor Lant told Logan that he knew his Grandfather and Grandmother very well, for many years. They were responsible for saving many lives in the Town of Wilton and I see your following in their footsteps, I'm proud of you. I'd also like to thank the scout leaders for molding our young folks.

Dumping on Commercial Properties

Council Schachner proposed the deletion of one phrase. The phrase "storing or placing of any kind of solid or liquid waste materials"

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

RESOLUTION # 179

NOW, THEREFORE, BE IT RESOLVED, to remove the statement from 57-3 as suggested by Town Council. Sub paragraph A. Unlawful Acts, "storing or placing of any kind of solid or liquid waste materials within," from Chapter 57 – Unlawful Acts.

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

SARATOGA PRIME PROPERTIES

Supervisor Lant asked if anyone would like to speak and that the Town Board would be lead Agency. Town Council Schachner explained that we had asked for information and the applicant has provided it. Councilman O'Connor asked what the next step after the Town being lead agency. Council Schachner said we do SEQRA review. Then answer the questions in part 2 of the environmental review. Councilman O'Connor said at the public hearing Ms. Ferradino raised some issues with other agencies involvement, can anybody comment on her or her clients' concerns? Dave Carr from the LA Group-The applicants attorney asked us to put together the plan, the conceptual and SEQRA form. We did contact SHIPO, they signed off on the project. NYS DEC, they signed off on significant habitat. We have a letter stating there are no wetlands on the site. There is a bit of a blue area, which could conceivably be in wetlands. On GIS information it comes up as much smaller than that. It's our opinion that we don't need to check with the corp. If for some reason a site application came up, and they got in that area which makes little sense to me, they would have to contact the Army Corp of Engineers to see if there were any impacts. We believe we've done our due diligence. We did not contact DOT, because it's hard to do that without an actual project. We looked at the zoning, the land, and the green space. And that's pretty much the plan

we came up with. Town Council read the 18 questions of part 2 of the FEAF for the board members to respond. There were twelve no, or small impact that may occur.

There were 6 moderates to large impacts that may occur.

One with notes:

1. Impact on land- Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site.

e. The proposed action may involve construction that continues for more than one year or in multiple phases.

h. Other impacts: Typical commercial execution on-site impacts.

4. Impact on Ground Water-The proposed action may result in new or additional use of groundwater, or may have the potential to introduce contaminants to ground water or an aquifer.

13. Impact on Transportation-The proposed action may result in a change to existing transportation systems.

a. projected traffic increase may exceed capacity of existing road network.

b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.

e. The proposed action may alter the present pattern of movement of people or goods.

14. Impact on Energy-The proposed action may cause an increase in the use of any form of energy.

d. the proposed action may involve heating and or cooling of more than 100,000 square feet of building area when completed.

15. Impact on noise, Odor, and Light

17. Consistency with Community Plans-The proposed action is not consistent with adopted land use plans.

c. the proposed action is inconsistent with local land use plans or zoning regulations.

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

RESOLUTION # 180

NOW, THEREFORE, BE IT RESOLVED, to approve the zoning change to C-3, and to designate the Town Board as Lead Agency.

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

Council Schachner went through all of the questions for Part 2 of the Environmental Review, which there are eighteen questions.

Bulk Waste Day September 10th 9am-1st 00pm

Residents can drop off their items behind the highway garage or at Gavin Park. Everything's on the web site, what we'll take and what they will not.

Committee Reports

Councilman O'Connor has had some conversations with the NYS Office of Cannabis Management. There are ten different licenses for which people can apply. When we opted out last year, it only applies to two of the ten licenses. Very interesting reading.

Councilman Bogardus said that our gas pumps have been replaced, with the computers and the fabs.

Supervisor Lant reminded everyone about the early voting this year.

Comptrollers Report

Budget Transfers

Comptroller Moran – Some Departments with vehicles are experiencing budget shortfalls for gasoline, due to the unexpected increase in gas prices that occurred after the current year's budget was adopted. There were questions about item 6, vehicle repair. The Town Board decided not to pay for repairs to the vehicle, line item 6.

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

RESOLUTION # 181

NOW, THEREFORE, BE IT RESOLVED, to approve the Budget Transfers, (Included in the Comptrollers Report), and to also exclude item 6, for vehicle repair (as attached).

The adoption of the resolution was seconded by Councilman Bogardus, duly

put to a vote, all in favor. The motion passed 5-0.

Budget Amendments

The first two are for the EV Charging Stations. The Town pays for the entirety of the project, and then the grants we receive, are reimbursed to the Town.

On a motion introduced by Councilman O’Conor, the Board adopted the following resolution:

RESOLUTION # 182

NOW, THEREFORE, BE IT RESOLVED, to approve the budget amendments (as attached Comptrollers report states.).

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

Personnel

Saratoga County has approved the title classification for Building Maintenance Helper for the Town. This is a Town Wide position for the Town Hall or Gavin Park.

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

RESOLUTION # 183

NOW, THEREFORE, BE IT RESOLVED, to Use the approved classification for the Building Maintenance Helper for the Town.

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

Internal Review-Departmental

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

RESOLUTION # 184

NOW, THEREFORE, BE IT RESOLVED, to
to approve the internal audit review for
2021, with no exceptions, performed by
Comptroller Maria Moran, CPA, CGFM.

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

Executive Session

On a motion introduced by Councilman O’Conor, Councilman Bogardus seconded, with all board
members in favor, the board adjourned to executive session at 7:55

On a motion introduced by Deputy Supervisor McEachron, the board reconvened the monthly meeting
at 8:20 seconded by Councilwoman Kolligian, all in favor, motion carried.

No action taken.

Adjournment

On a motion introduced by Councilwoman Kolligian and seconded by Councilman O’Conor, all board
members in favor, the meeting was adjourned at 8:20 p.m.

Respectfully Submitted,

Susan Baldwin, Town Clerk

_____ Supervisor John Lant

_____ Councilman, Raymond O’Conor

_____ Deputy Supervisor, John McEachron

_____ Councilwoman Erinn Kolligian

_____ Councilman Duane Bogardus

