



TOWN OF WILTON
22 TRAVER ROAD
GANSEVOORT, NY 12831-9127

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FAX (518) 587-2837

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E-Mail: buildingdept@townofwilton.com

John Herlihy
Senior Building Inspector
Code Enforcement Officer
Zoning Officer

Marcus Hart
Building Inspector
Code Enforcement Officer

DETERMINATION OF ZONING ENFORCMENT OFFICER

DATE May 1, 2026 **ZONING DISTRICT:** CR-1

APPLICANT: KNC Holdings, Inc.

ADDRESS: 21 Walker Way
Albany, New York 12205

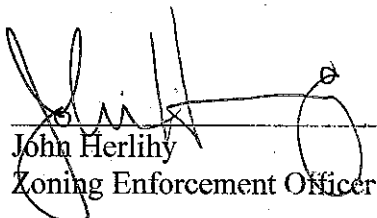
OWNER: Thomas Cunniff

PROPERTY LOCATION: 542 Maple Ave.
Saratoga Springs, New York 12866

TAX MAP NO.: 153.9-1-5.1

PROPOSED USE: Two Bay Automatic Touch Free Car Wash

DETERMINATION: The applicant proposes to construct a 44-foot by 56-foot, two-bay automatic touch-free car wash with up to four vacuum stations at 542 Maple Avenue. **Pursuant to §129 Attachment 20, Schedule N, Special Permitted Uses**, gas stations/service stations and automobile repair facilities are permitted in the CR-1 District by special use permit. The subject property is located at the northeast corner of Maple Avenue and Loughberry Lake Road and contains frontage on Maple Avenue, Loughberry Lake Road and 2 side lot lines. **Pursuant to §129-176**, a car wash containing service bays must be located a minimum of 100 feet from any street line or right-of-way. The proposed building does not meet the required front setbacks and therefore requires area variances of 40. feet from the Maple Avenue/Route 9 frontage setback and 20. feet from the Loughberry Lake Road frontage setback. **Pursuant to §129-156** Lots abutting more than one street shall provide a minimum of frontage on all streets on which the lot abuts, therefore 21.33 ft. is requested for frontage on Route 9.


John Herlihy
Zoning Enforcement Officer

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NOTE TO APPLICANT: This is to inform you that you may appeal this determination to the Town of Wilton Zoning Board of Appeals by filing a Notice of Appeal with the Zoning Enforcement Officer and the Zoning Board of Appeals within sixty (60) days of the date this determination was filed in the Code Enforcement Office. Effective May 30, 2007

Applicable Zoning Code:

§ 129-174 Design standards for RB-1, CR-1, CR-2, C-2, and C-3 Zoning Districts.

[Added 8-4-2005; amended 3-1-2007; 2-7-2013]

C. Parking and vehicle access.

(2) Paved area side and rear yard setbacks shall be a minimum of 15 feet, and front setback shall be a minimum of 30 feet. When uses abut any residential district (R-1, R-2, or R-3) or exclusively residential PUD district, the setback for the paved area in the side yard and/or rear yard that abuts said district shall be a minimum of 50 feet to 100 feet. The Planning Board shall determine the exact amount of setback based on the need, quality, and/or effectiveness of the proposed buffer.

[Amended 8-1-2019]

(3) The Planning Board may deviate from the parking standards set forth in § **129-161**, Off-street parking, based upon the following considerations: type of business; shared parking arrangements; adjacent uses; aesthetics; and pedestrian accessibility.

§ 129-175 Special use permit review.

[Amended 8-1-2019]

Each specific use for which a special use permit is sought shall be considered as an individual case and shall conform to the detailed application of the following standards in a manner appropriate to the particular circumstances of such use.

C. Appropriate conditions and safeguards shall be established by the Zoning Board of Appeals, Town or Planning Board, as the case may be, as considered necessary or desirable in each case to avoid special uses that might be injurious to the neighborhood or otherwise detrimental to the public welfare.

D. For each special use permit, the Zoning Board of Appeals, Town or Planning Board shall determine, in its judgment, that:

(4) The neighborhood character and surrounding property values are reasonably safeguarded.

(5) Undue traffic congestion or creation of a traffic hazard will not result.

E. When issued, special use permits may be granted for specified time limit but may be extended at the Zoning Board of Appeals, Town, or Planning Boards' discretion.

§ 129-176 Standard requirements for specific uses.

[Amended 6-6-1996; 7-2-1997; 1-8-1998 by L.L. No. 1-1998; 8-6-1998; 11-15-1999; 5-3-2001; 7-2-2002; 11-7-2002; 4-3-2003; 12-1-2005; 2-1-2007; 9-6-2012; 8-1-2019; 11-2-2023]

I. Service station.

(1) A building containing at least one service bay shall be at least 100 feet from the street line or right-of-way.

ZONING BOARD OF APPEALS
TOWN OF WILTON

APPLICATION FOR AN AREA VARIANCE

Appeal No 2026-19
Date: 05/08/2026 (revised 05/19/2026)

APPEAL FROM THE DECISION OF THE BUILDING INSPECTION AND APPLICATION FOR RELIEF UNDER THE ZONING ORDINANCE.

KNC Touchfree Car Wash, Inc. 21 Walker Way
(Name of Applicant(s)) (Mailing Address)
Albany NY 12205
(City/Town) (State) (Zip Code)

Telephone No [REDACTED] ell, home (work) (circle one)

I (we) hereby appeal to the Zoning Board of Appeals from the Decision of the Building Inspector, denying me (us) permission to _____.

- I. Property Information:
- A. Location of Property (Number and Street): 542 Maple Avenue, Wilton, NY
 - B. Tax Map No.: 153.9-1-5.1 C. Zoning District: CR-1
 - C. Name and address of owner, if other than applicant:
Thomas Cunniff, 214 Beaver Street, Schuylerville, NY 12871
 - E. Present use of property: Residential
 - F. Has a previous appeal been filed with the board for this property? None known
If yes, when and what number: _____
 - G. Is premises located within 500 feet from a state park, municipality boundary, state or county highway? Yes If yes, identify: Maple Avenue (NYS Route 9)
 - H. Is premises located in an Agricultural District: No
- II. Facts upon which this appeal is based:
- A. Provision of the Ordinance appealed: Per §129-176, min. 100' front yard setback for service stations; Per §129-156, min. 200' frontage on each road
 - B. Brief description of proposed action: _____
the proposed action consists of a ±2,700 SF 2-bay car wash with associated site, utility, stormwater, and landscape improvements
 - C. Type of area variance requested: One Front Yard Setbacks from Maple Ave; One from Loughberry Lake Road; Min Frontage on Maple Avenue
 - D. Requirement in applicable zone: min. 100' Front Yard Setback (For Service Stations); min. 200' frontage
 - E. Applicant has (in feet, percent, sf, etc.): 65.1' from Maple Avenue, 82.7' from Loughberry Lake Road; 178.67' frontage on Maple Avenue
 - F. Exact amount of relief requested: a 34.9' relief is required, but we are requesting a 40' relief from Maple Avenue; a 17.3' relief is required, but we are requesting 20' relief from Loughberry Lake Road a 21.33' relief is required for frontage along Maple Avenue
(Subtract line E from line D)
 - G. Has work, use or occupancy to which this appeal relates already begun?
No If yes, when? _____
 - H. Are other approvals needed from any state, county or town agencies:
Yes If so, which ones? Wilton PB, NYSDOT, SCSD #1, NYSDOH, NYSDEC, Saratoga County DOH
Has application for approval been filed for above? Yes
 - I. Is project worth more than \$300,000: Yes X No _____

- III. Reason for appeal. Use additional sheets of paper, if necessary.
- A. A variance to the Zoning Ordinance is requested for these reasons:
1. An undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties will not be created by the granted of the area variance because See attached document for responses.

 2. The benefit sought cannot be achieved by some method feasible to pursue, other than an area variance because See attached document for responses.

 3. The requested area variance is not substantial because See attached document for responses.

 4. The requested area variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood district because See attached document for responses.

 5. The alleged difficulty was/ was not self-created because See attached document for responses.

(Note: Consideration of Number 5 shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude granting of the area variance.)

- IV. Evidence to be submitted with this application. It is the applicant's responsibility to see that submission is complete. The following items **must** be submitted with two copies of this form with **ORIGINAL SIGNATURES** in order for the application to be considered complete:
- A. Proof of contract to purchase, if property not owned by applicant, or
 - B. Statement from owner that applicant has the right to represent him/her.
 - C. Two copies of a site plan of the property, drawn to scale.
 - D. Environmental Assessment Form, if applicable.
 - E. Filing Fee: Make all checks payable to the Town of Wilton.
- Other information, such as statements from the adjacent landowners, photographs, or any other information that the applicant wishes reviewed may be submitted with this application.
- V. Evidence to be submitted after the application is filed: Adjacent landowners must be notified by certified mail, return receipt requested. The **original white certified receipts** stamped by the post office must be submitted to the board for each adjacent landowner notified. A copy of the notice is to be submitted to the ZBA office for review before mailing. Notification should be made at least two weeks prior to the hearing date, but **NOT UNTIL AFTER**

Variance to the Zoning Ordinance is requested for these reasons:

- 1. An undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties will not be created by the granting of the area variance because:**

The proposed development will not create an undesirable change to the character of the neighborhood or detriment to nearby properties because we believe that the site is consistent with the existing commercial corridor along Maple Avenue and within the CR-1 zoning district. The proposed building is placed closer to the primary roadway, Maple Avenue, to provide separation and buffering from the adjacent residential uses.

- 2. The benefit sought cannot be achieved by some method feasible to pursue, other than an area variance because:**

The requested area variance cannot be achieved by other methods feasible because adherence to the 100-foot front yard setback for service stations would shift the building further into the interior of the site, which would lessen the buffer/separation to the adjacent residential uses to the north and east. Meeting the front yard setback requirement is also a challenge on this site as it has two (2) front yards.

- 3. The requested area variance is not substantial because:**

The requested area variance is not considered substantial because the proposed building placement is generally in character with the surrounding neighborhood and other commercial properties within the Maple Avenue corridor. In addition, we are providing adequate separation from Maple Avenue and Loughberry Lake Road.

- 4. The requested area variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood district because:**

The project has been designed in accordance with applicable engineering and environmental standards, including stormwater management, grading, and drainage design. Locating the building closer to the roadways does not introduce any adverse environmental impacts and, in fact, allows for improved buffering and site transitions toward adjacent properties. The development will not negatively affect drainage patterns, traffic conditions, or environmental resources in the area.

- 5. The alleged difficulty was not self-created because:**

While the alleged difficulty could be seen as self-created, we feel it is a reasonable request as the Town's 100' front yard setback requirement for service stations encompasses other uses such as gas stations and automobile repairs in the CR-1 district that typically have increased traffic, lights, etc. than the proposed car wash use.

THE APPLICATION IS FILED. All signed return receipt cards must be submitted. See instruction sheet for more information on notification requirements.

This form must be signed before a notary. Notaries are available at the town hall if needed. Do not sign form until you appear before the notary.

I hereby affirm that the foregoing statements of fact are true, under penalty of perjury, this 7th day of May, 2026

Signature of Applicant(s)

STATE OF NEW YORK Albany (P)
COUNTY OF ~~SARATOGA~~

Sworn to this 7th day of May, 2026.

Notary Public

ALEXIS B ZEN
Notary Public, State of New York
Qualified in Schenectady County
Reg. No. 01ZE6443993
Commission Expires November 14, 2026

Received by the Wilton Zoning Board of Appeals on 5/12/2026 by Lisa Crosson/SK

Reviewed by the Building Department on _____ by _____

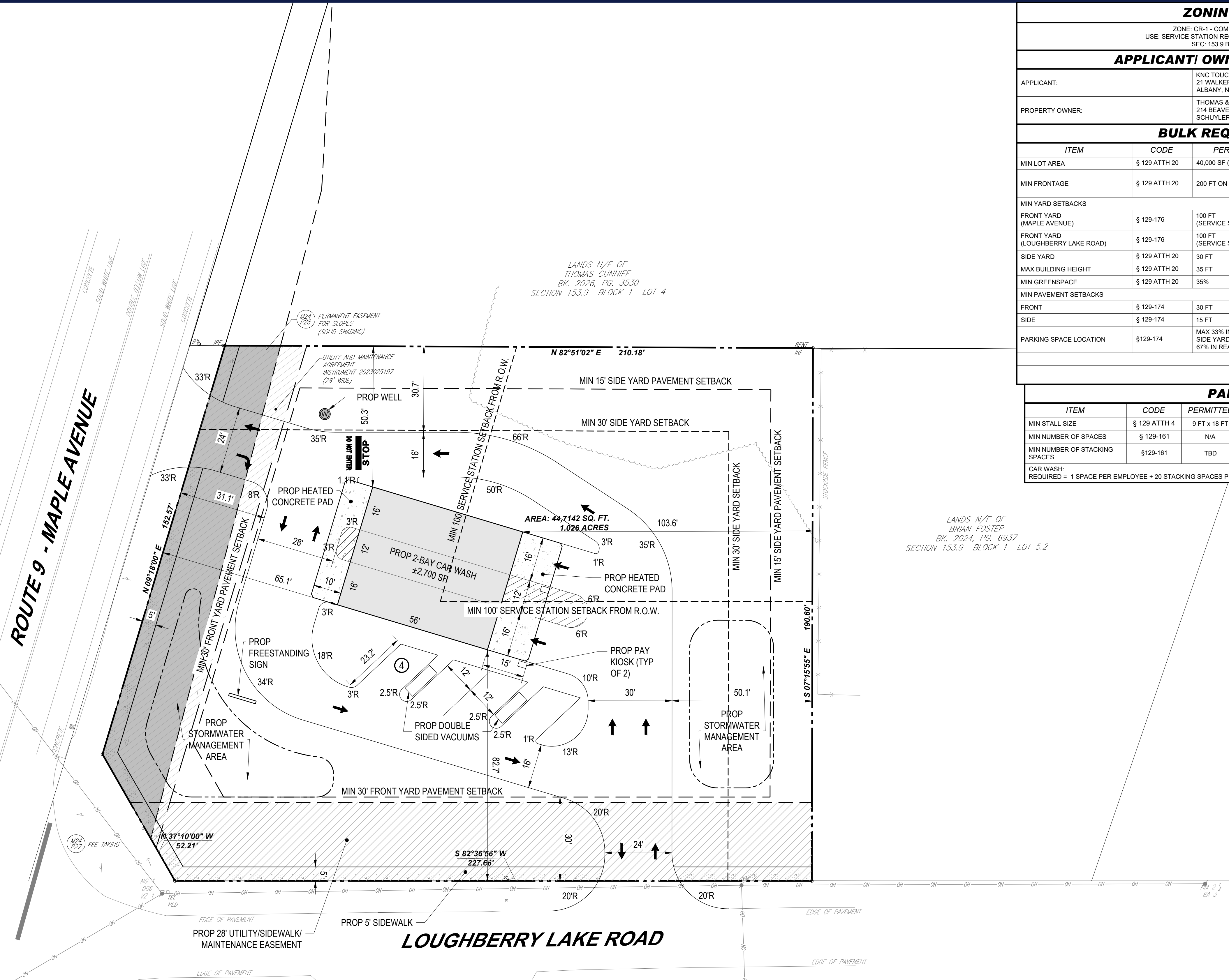
PLEASE MAKE SURE TO READ ALL INSTRUCTIONS PRIOR TO FILING APPLICATION. ALL APPLICATIONS MUST HAVE BEEN REFERRED BY THE BUILDING DEPARTMENT.

Fees:

Area Variance – Residential-Single & Two Family Homes	\$50.00
Area Variance – Commercial & Multi-Family Units:	
Est. < \$300,000 value	\$300.00
Est. > \$300,000 value	\$500.00
Use Variance – Residential-Single & Two Family Homes	\$100.00 (Non-Refundable)
Use Variance – Commercial & Multi-Family Units:	
Est. < \$300,000 value	\$750.00 (Non-Refundable)
Est. > \$300,000 value	\$1250.00 (Non-Refundable)
Signs	\$100.00
Special Permit – Residential-Single & Two Family Homes	\$50.00
Special Permit – Commercial & Multi-Family Units:	
Est. < \$300,000 value	\$300.00
Est. > \$300,000 value	\$500.00
Interpretations	\$50.00



May 19, 2026
 P:\MAY2026\NY15390301\00\CADD\DRAWINGS\PLAN SET\CIVIL SITE PLANS\PROP-CVL-PROP-NY15390301.dwg - LAYOUT, C-301 SITE



ZONE: CR-1 - COMMERCIAL RESIDENTIAL
 USE: SERVICE STATION REQUIRES A SPECIAL USE PERMIT
 SEC. 153.9 BLOCK: 1 LOT: 5.1

APPLICANT/ OWNER INFORMATION

APPLICANT: KNC TOUCHFREE CAR WASH, INC.
 21 WALKER WAY
 ALBANY, NEW YORK 12205

PROPERTY OWNER: THOMAS & VICTORIA CUNNIFF
 214 BEAVER STREET
 SCHUYLERVILLE, NEW YORK 12871

BULK REQUIREMENTS

ITEM	CODE	PERMITTED	EXISTING	PROPOSED
MIN LOT AREA	§ 129 ATTH 20	40,000 SF (0.92 AC)	44,712 SF (1.03 AC)	NO CHANGE
MIN FRONTAGE	§ 129 ATTH 20	200 FT ON EACH ROAD	178.67 FT (MAPLE AVE/E) 227.66 FT (LOUGHBERRY LAKE RD)	NO CHANGE
MIN YARD SETBACKS				
FRONT YARD (MAPLE AVENUE)	§ 129-176	100 FT (SERVICE STATION)	56.9 FT	65.1 FT
FRONT YARD (LOUGHBERRY LAKE ROAD)	§ 129-176	100 FT (SERVICE STATION)	0.9 FT OVER (E)	62.7 FT
SIDE YARD	§ 129 ATTH 20	30 FT	133.5 FT	50.3 FT
MAX BUILDING HEIGHT	§ 129 ATTH 20	35 FT	<35 FT	<35 FT
MIN GREENSPACE	§ 129 ATTH 20	35%	95.1% (42,501 SF)	60.8% (27,173 SF)
MIN PAVEMENT SETBACKS				
FRONT	§ 129-174	30 FT	N/A	30 FT
SIDE	§ 129-174	15 FT	N/A	30.7 FT
PARKING SPACE LOCATION				
	§ 129-174	MAX 33% IN FRONT OR SIDE YARD, REMAINING 67% IN REAR YARD	N/A	100% IN FRONT YARD (VACUUM SPACES ONLY)
KEY = VARIANCE REQUIRED (E) = EXISTING NONCONFORMANCE				

PARKING

ITEM	CODE	PERMITTED	EXISTING	PROPOSED
MIN STALL SIZE	§ 129 ATTH 4	9 FT x 18 FT	N/A	12 FT x 23.2 FT
MIN NUMBER OF SPACES	§ 129-161	N/A	N/A	4 SPACES
MIN NUMBER OF STACKING SPACES	§ 129-161	TBD	N/A	12 STACKING SPACES
CAR WASH: REQUIRED = 1 SPACE PER EMPLOYEE + 20 STACKING SPACES PER AUTOMATIC BAY OR 5 STACKING SPACES PER SELF-WASH BAY				

BOHLER
 SITE CIVIL AND CONSULTING ENGINEERING
 PROGRAM MANAGEMENT
 LANDSCAPE ARCHITECTURE
 SUSTAINABLE DESIGN
 PERMITTING SERVICES
 TRANSPORTATION SERVICES

REVISIONS

REV	DATE	COMMENT	DRAWN BY
1	4/6/2026	PER TOWN COMMENT	SJR
2	5/8/2026	PER ZBA SUBMITTAL	CVM
3	5/14/2026	PER TOWN COMMENT	SJR
4	5/19/2026	PER TOWN COMMENT	CVM

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PRELIMINARY

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.: NYB260030.00
 DRAWN BY: SJR
 CHECKED BY: CVM
 DATE: 3/20/2026
 CAD ID: P-CIVL-PROP

PROPOSED SITE PLAN DOCUMENTS
 FOR

KNC TOUCHFREE CAR WASH, INC.

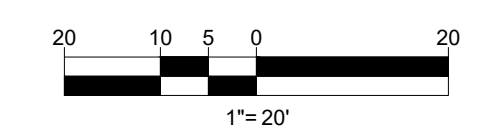
PROPOSED DEVELOPMENT
 542 MAPLE AVENUE
 TOWN OF WILTON
 SARATOGA COUNTY
 SEC. 153.9 BLOCK: 1 LOT: 5.1

BOHLER
 BOHLER PLANNING, LANDSCAPE ARCHITECTURE, ENGINEERING AND SURVEYING NY, LLC
 17 COMPUTER DRIVE WEST
 ALBANY, NY 12205
 Phone: (518) 438-9900
 Fax: (518) 438-0900
 www.BohlerEngineering.com

SURVEY REFERENCE

BOUNDARY & TOPOGRAPHIC SURVEY OF THE LANDS OF THOMAS A. & VICTORIA B. CUNNIFF, PREPARED BY AUSFELD & WALDRUFF LAND SURVEYORS LLP, DATED MARCH 13, 2026

THIS PLAN TO BE UTILIZED FOR SITE LAYOUT PURPOSES ONLY



SHEET TITLE:
SITE PLAN

SHEET NUMBER:
C-301

REVISION 4 - 5/19/2026

Thomas Cunniff
 542 Maple Ave (Route 9)
 Saratoga Springs, NY 12866
 153.9-1-5.1

Zoning Ordinance Section	Required	Proposed	Relief requested
Schedule N, CR-1	100 ft. front yard setback	60 ft. Maple Ave front yard setback	40 ft. Maple Ave front yard setback
		80 ft. Loughberry Lake Road front yard setback	20 ft. Loughberry Lake Road front yard setback
§129-156 Schedule N, CR-1	200 ft. frontage	178.67 ft. Route 9 frontage	21.33 ft. Route 9 frontage