



TOWN OF WILTON
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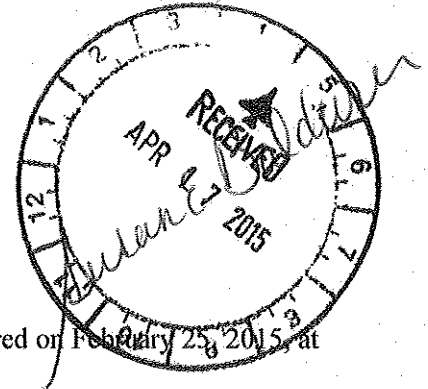
MICHAEL G. DOBIS
Planning Board Chairman

LUCY B. HARLOW
Executive Secretary

PLANNING BOARD MEETING
TOWN OF WILTON

Wednesday, March 18, 2015

A meeting of the Wilton Planning Board (the "Board") occurred on February 25, 2015, at the Wilton Town Hall, 22 Traver Road, Wilton, New York.



PLEDGE OF ALLEGIANCE

I. REGULAR MEETING: Chairman Dobis calls the regular meeting to order at 6:33 PM.

PRESENT: Chairman Michael Dobis, Ron Slone, Erinn Kolligian, David Gabay, William Rice, Sue Peterson Brett Hebner, Alternate; and Richard Fish, Alternate. Also present are Ryan Riper, P.E., Director of Planning and Engineering and Mark Schachner, Esq., Planning Board Attorney, Justin Grassi, Esq.

ABSENT: Vice-Chairman Harold VanEarden.

APPROVE PENDING MINUTES: Chairman Dobis wants to address the meeting minutes of February 25, 2015 and he asks for a motion and a second to approve the minutes. On a motion introduced by Ron Slone, the board adopted the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the minutes from the Planning Board meeting of February 25, 2015 are accepted. The resolution was seconded by David Gabay and duly put to vote, all in favor, on this day, March 18, 2015.

CORRESPONDENCE: Memorandum from Town Clerk dated 3/12/15; *Capital District Data*, Capital District Regional Planning Commission Vol. 38, No. 1. letter from C.T. Male re: Wilton Marketplace dated 3/6/15.

II. APPLICATIONS

A. WILTON SENIOR COMMUNITY: This application is for a proposed senior community with a 110 unit independent living apartment building and a 92-unit assisted living facility and application for 2-lot subdivision. Property located on eastern side of Perry Road, north of intersection with NYS 50. Tax Map No.153.-3-32.12 on 21+/- acres; zoned C-1.

VHB engineer, Mike Tucker, representing the applicant the Nigro Group, reviews the highlights of the last meeting and relates that the applicant has since received the necessary permit and access waiver from the Town Board. The applicant is looking for a concept approval and to set the public hearing. Both the special permit and the waiver will be documented on the plans. Any variances should be noted on the plans as well.

Mr. Riper relates that the Department of Transportation has agreed to initiate design procedure for a left turn lane onto Perry Road from Route 50 going north. If feasible, construction would be sometime in 2016, which should alleviate the safety concerns many had expressed. He reviews some of the comments from his review letter dated March 13, 2015. SEQRA review was completed during the February 25, 2015 Board meeting and a negative declaration was issued. He asks Mr. Tucker what the scope of work and timeline is for developing the 2 phases. Phase I which is the 110- unit independent living building will include the construction of both access drives and the associated utilities. No date in mind for Phase II – it is somewhat dependent on the markets and will probably be after the total completion of Phase I which is described in more detail.

Mr. Riper asks about renderings from the perspective of Perry Road out in front of the Phase I building. The garages are approximately 200 feet from Perry Road and at roughly the same elevation. Mr. Slone says that the placement of the garages is unusual being in front of the 3 story apartment building. Mr. Tucker states the intent is to keep the garages equally spaced around the 3 story building – the same number at both ends. He does say that the narrowness of the lot has impacted on where the parking garages can be located. Mr. Riper suggests some vegetation in front of the garages. Mr. Tucker states that the intent is to soften up the entrance. Mr. Hebner suggests there be a note to that affect. At this time there are not sufficient renderings to illustrate how the front of the building is going to look. They will be provided at the next meeting. A perimeter fence has not been proposed; a silt fence has been proposed. The fire lane should be marked with signage. Captain Bullard who is present concurs with that. The signage for the apartments should be located on the plans. There is not going to be a loading area. Lights on the property will be low level with some for pedestrian safety. The lights have shields reducing the impact on the neighbors. Screening for the adjacent neighbor on Perry Road will be provided. William Rice asks about water and sewer. There will be a 6 inch force main connection to the Saratoga County Sewer District and water will be coming from Old Gick Road down Perry Road.

The Board may want to consider and request that future sidewalks or path connection note be added to the plans. Also the 2/25/15 letter from the Saratoga County Planning Board states with regard to the rear of the parcel to the east, a possible connection between Old Gick and Rt. 50. Mr. Riper has been talking to the County Planning Board with regard to the issues that are occurring at 5-spoke intersection of Jones, Old Gick, Ingersol and Rt. 50. The idea is to cut off the intersection at Old Gick and Rt. 50 and bring that intersection further south. Two adjacent landowners would have to give permission for the road cut through their land. The discussion is very preliminary but the access on Route 50 would be just north of the Christmas Tree Shop. It is suggested that a note be made on the plans for the concept of a roadway connector. Mr. Schachner states a note for the concept of a road is the best that can be done at this point.

With regard to the Traffic Evaluation prepared by CME, Mr. Hebner has a question about sight distance on Perry Road from the proposed driveway access. It appears to be 10 feet shy of the recommended requirement of 500 feet. Ms. Alanna Moran from Creighton Manning explains that it is not critically limited and points out that the stopping sight distance requirement of 360 feet is met so no mitigation is warranted.

Chairman Dobis asks for additional comments from the Board, there aren't any. Any notes for the plans will be part of the next submission.

On a motion introduced by Brett Hebner, the Board adopted the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Board grants conceptual site plan approval for the Wilton Senior Community consisting of a 110 unit independent living apartment building and a 92-unit assisted living facility. The property is located on eastern side of Perry Road, north of intersection with NYS 50; Tax Map No.153.-3-32.12 on 21+/- acres, zoned C-1. The resolution was seconded by Erinn Kolligian and duly put to vote, all in favor, on this day, March 18, 2015.

On a motion introduced by Brett Hebner, the Board adopted the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Board grants conceptual approval for the subdivision of Tax Map No. 153.-3-32.12 into 2 lots. The parcel is located on eastern side of Perry Road, north of intersection with NYS 50; on 21+/- acres, zoned C-1. The resolution was seconded by Ron Slone and duly put to vote, all in favor, on this day, March 18, 2015.

Mr. Riper states the project is ready for preliminary and a public hearing can be scheduled. Chairman Dobis announces that the public hearing is scheduled for April 15th, 2015 at 6:30 pm.

Chairman Dobis wants to recognize Mr. Richard Fish who has been appointed as a second alternate member of the Planning Board and to thank him for coming on board.

B. WILTON MARKETPLACE: LOWE’S DRIVE DEVELOPMENT: This is a pre-application discussion of site plan for Lowe’s Drive Development including the Aldi’s store property located off of Lowe’s Drive, on 32 acres, zoned C-1. Frank Palumbo of C.T. Male Associates represents Maly Development and Aldi’s on this project.

The retail-style development will have several stores attached to the anchor store, Aldi’s, in a similar manner to what is currently in the area. The land outside of that owned by Aldi’s is one parcel under the ownership of KMDA LLC. Between the parties and the Town, a proposal is being worked out for a road to be dedicated to the Town. It would go alongside the Lowe’s store from Lowe’s Drive and ultimately connect to Old Gick Road for future access. The exact location of the where the road will connect is unknown. Maly Realty is seeking conceptual approval for the overall plan to attract future tenants; then Aldi’s can move forward with the road connector and the construction of the building. The next step is to go before the ZBA to discuss the numerous variances that are needed: reduction in green space and side and rear setbacks. Then the applicants will return to the Planning Board in a month with updated plans in the hope of getting a favorable recommendation to the ZBA. After the April ZBA meeting if all goes well, they would be coming before the Planning Board in May for concept approval.

There is a detailed discussion of the proximity of the narrow lot [Development Area I] to the Pyramid Pines mobile home park. The applicant will be seeking relief from the rear setback requirement. The mobile home park predates the C-1 zone and although it is residential in nature, the owner of the park is a business entity. It will be up to the Zoning Board to interpret which district the park will fall under, residential or commercial. The variances being sought are listed on the Page 2 of the Project Narrative for Wilton Marketplace Lowe’s Drive Conceptual Development Plan. In this instance, the applicant is seeking the 50 foot setback not specific to any of the representations of buildings on the concept layout. A lot will be dependent upon what the future retail tenants want.

The total development will be potentially 182,000 SF of commercial space both on the north and south side of Lowe's Drive. The four development areas shown are generic concepts and the applicant wants conceptual approval on all the development areas. The square footage estimate helps in determining traffic impact, critical driveway points, visual impacts and building character. Mr. Hebner notes that the challenge for the Board is to know what it is voting on while still providing as much flexibility as possible to make the business model work but at the same time without giving a carte blanche to the applicant. Mr. Riper remarks that the Board will still have preliminary and final approvals of the site. Mr. Hebner wants to know whether the site plan will be amended each time a tenant comes in. Mr. Palumbo states that if applicant brought in a plan that the Board felt was not consistent with the overall concept, the process would likely have to start over, at least at the site plan review stage. Mr. Schachner believes Mr. Hebner's statement is appropriate: the more nebulous the proposal the more a concept approval could be deemed to be a carte blanche. The point is that subsequent development will be subject to this Board's site plan review/approval and if anything comes in that is so different from the approved concept plan that the Board is uncomfortable, it can be ratcheted back. There is recourse.

Chairman Dobis reasons that given the square footage that has been estimated, the Board can look at the site plan in terms of the "worst case scenario" with regard to density and parking requirements. The Board is not locking the applicant into any particular number of tenants in those buildings. What was discussed in the pre-application meetings was the aesthetics; that the character of the buildings would fit in with the existing developments particularly to the north. This concept allows applicant to proceed to the ZBA to seek the relief needed to move forward. Mr. Schachner clarified that the Board is not giving conceptual approval yet; this is about reaching a comfort level with the site plan.

Ms. Kolligian recuses herself and leaves the dais.

C. AMENDMENT OF THE SUBDIVISION OF LANDS OF MOUNTAIN LEDGE LIMITED PARTNERHIP: This is an application to amend a previously approved subdivision. Mr. Dean Kolligian, the applicant, the partner of Mountain Ledge Limited Partnership and the owner of the McGregor Village Office Park on Rt. 9 and Waller Road, is here to present the application for an amended subdivision. The parcel in question is the site of the former SUNY Adirondack building. There is no intention of selling any of the land or the buildings on this property. This subdivision request is for finance purposes only. The space is being renovated for Community Care Physicians that will occupy 92% of the building. In order to fund the mortgage, the banking regulations require that the property be subdivided. Mr. Riper has been working with the applicant to make sure that he meets all the zoning requirements for an individual parcel. The zoning officer has given his approval. There are no physical changes.

On a motion introduced by Ron Slone, the Board adopted the following resolution:

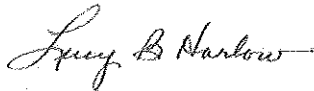
NOW, THEREFORE, BE IT RESOLVED, that the Board grants approval to the application to divide Lot 2 of the existing Subdivision of Lands of Mountain Ledge Limited Partnership into two lots. There are no new or different environmental impacts requiring further SEQRA review. The property is located Mountain Ledge Drive, zoned CR-2; Tax Map No. 140.-1-68.111. The resolution was seconded by William Rice, by and duly put to vote, all in favor.

Chairman Dobis asks if anyone will be absent from the April 15, 2015 meeting. Mark Schachner, the Planning Board Attorney will be absent but his associate, Justin Grassi, will be present.

D. ADJOURNMENT

On a motion introduced by David Gabay that the meeting be adjourned; it is seconded by Sue Peterson. All board members are in favor. The meeting is adjourned at 7:38 PM.

Approved: April 15, 2015

A handwritten signature in cursive script, appearing to read "Lucy B. Harlow".

Executive Secretary