



TOWN OF WILTON
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PLANNING BOARD

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

Joshua Carlsson
Land Use Administrator

Mark Schachner
Planning Board Counsel

PLANNING BOARD

January 18, 2023

A meeting of the Wilton Planning Board (“the Board”) occurred on January 18, 2023, at 6:30 P.M., at Wilton Town Hall, 22 Traver Road, Wilton NY 12831.

PLEDGE OF ALLEGIANCE

I. CALL TO ORDER:

Chairman Rice opens the regular meeting at 6:30P.M.

II. REGULAR MEETING:

PRESENT: Chairman William Rice, Dave Gabay, Chris Price, Tom Murphy, and Chad Jerome; Ryan K. Riper, P.E., Director of Planning and Engineering, Mark Schachner, Planning Board Counsel, Josh Carlsson, Land Use Administrator (via Zoom), and Amy DiLeone, Executive Secretary

ABSENT: Hal VanEarden and Dave Catalfamo

MINUTES APPROVAL: Mr. Gabay made a motion, seconded by Mr. Jerome for the approval of the meeting minutes of December 21, 2022, as written.

Ayes: Chairman Rice, Dave Gabay, Chris Price, Tom Murphy, and Chad Jerome

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

III. APPLICATIONS:

A. Quaker Springs Solar: Quaker Springs PV I, LLC: Recommendation to ZBA for Quaker Springs Solar by Quaker Springs PV I, LLC for area variance(s) for a 5 MW solar facility. Property located at/on Jones Rd on 39.3 acre(s), Tax Map No(s). 140.-2-6.12 & 55; zoned R-2.

Jutta Middel and John Spinella of Renua Energy Inc. are here tonight to represent Galehead Development, LLC.

Ms. Middel:

There has been a minor shift in the project area since the last meeting, just want to make you aware of our survey data. Our last submission was based on LiDAR, which is publicly available data, and we've since done a full survey. That gave us a little bit more wiggle room for some things. So, we shifted the project over about eight feet to try to accommodate a little bit more on this route. We were able to get the panels 15 feet away from the property line for the most part, with the caveat being that we have this area up here near Jones Road where the interconnect is. We still need to get approval from National Grid, in order to shift the poles over a little bit. Otherwise, we will need a little bit of a variance.

Mr. Riper: The Zoning Officer has recommended; the access road be placed 15 feet from the property line. As you mentioned, also, the fencing is within the 100-foot buffer area of the Northway corridor, and that is a Planning Board waiver of any disturbance made within the buffer.

Buffering of the Knollwood subdivision is discussed.

Mr. Riper: The trees on the O'Brien parcel will be cut from the rear property line to the Northway buffer.

Ms. Middel asked what the concerns of the Town Board were as far as the possibility of a moratorium.

Mr. Riper: The Board has become aware that a number of these solar projects have come before us in a short period of time. The concern is loss of the habitat, forest lands, and this one is taking some farmland. There has been significant interest in the town all the sudden. So, they do not want every vacant parcel that is out there to become a solar array. They want a good balance; they are taking a look at that particular public benefit and mitigation fee as well.

Discussion on the limited amount of availability in the stations and the lines through National Grid.

Ms. Middel: You can actually go on National Grid, and you can look and see, how many megawatts are already on there, and what the capacity is for different locations.

Mr. Riper: There are two items being referred to the ZBA tonight. The proposed roadway relief of 7 ft. is requested and the proposed height of the solar panel relief of 7 ft. is requested.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby move to approve the Application for a recommendation to the Zoning Board of Appeals for Quaker Springs Solar by Quaker Springs PV I, LLC for area variance(s) for a 5 MW solar facility. Property located at/on Jones Rd on 39.3 acre(s), Tax Map No(s). 140.-2-6.12 & 55; zoned R-2.

The motion is seconded by Mr. Price and duly put to vote, on January 18, 2023.

B. Biss Parcel Subdivision: The Saratoga Group/Wilton, LLC Pre-Application for Biss Parcel Subdivision by The Saratoga Group/Wilton, LLC for a thirty (30) lot residential subdivision. Property located at/on 4243 NYS Route 50 on 70.43 acre(s), Tax Map No(s). 141.-2-74.1; zoned R-2.

Scott Lansing of Lansing Engineering is here to represent The Saratoga Group/Wilton, LLC for the Biss Parcel Subdivision.

Mr. Lansing:

- The parcel is located at 4243 Route 50.
- Overall parcel is 111.41 acres.
- What we are proposing is a development on the southern portions of the land, approximately 70.43 acres, the 40 plus acres and the northern portion will be retained by the owner.
- This application is just for the bottom 70 acres, the parcel is zoned R-2.
- As far as wetlands survey we did perform a wetland survey there are DEC wetlands on the property.
- We have performed a topographic survey which is included on the site plan.
- The parcel is open, it is former agricultural land, and we are focusing on the existing cleared area.
- We are proposing a residential cluster subdivision. The first step in the process is to determine the density of the project.
- There are 30 proposed single-family homes.
- We are required to have 21.22 acres of open space; we have 31.86 acres. We do exceed that requirement.
- As far as the open space, what is proposed for the open space is an area along the northern section of the property and then the lands down towards the south. First off, the lands up towards this area are along the Bog Meadow Brook. That is the opportunity to extend the trail system which we have worked with this Board on to identify for other projects. We see that as a benefit.

- There is also lands to the south which are adjacent to lands that the Town has declared or intend to accept for open space. So the additional lands that could be added to that. So, with that, we think it is something that does have a benefit to the community.
- We are going to be requesting that 10% density increase from the Town Board. We made an application to the Town Board for their consideration. That includes 30 lots that are proposed for the conservation subdivision regulations.
- We are proposing a town roadway to serve in projects, we will be extending the roadway system from Grande Highlands coming into two cud-de-sacs.
- To serve the lots we have approximately 3,470 linear feet of roadway that we are proposing for the project.
- It will be public water servicing all of the lots. Individual septics for each lot.
- We have done test pits out on the site. This entire area has excellent soils for wastewater treatment systems.
- We are not proposing any wetland impacts as a part of the project. We are out of the ravine areas of North and South and out of the DEC wetlands.
- That is essentially what we are here for tonight, for questions and comments from the Board.

Discussion of the trail connections between subdivisions, the archaeological site, and stormwater.

C. Commercial Subdivision: Michael Messinger Pre-Application for Commercial Subdivision by Michael Messinger for a two (2) lot commercial subdivision. Property located at/on 4029 NYS Route 50 on 36.96 acre(s), Tax Map No(s). 154.-1-1; zoned C-1.

Scott Lansing of Lansing Engineering is here to represent Michael Messinger for a commercial subdivision.

Mr. Lansing:

- The subdivision is the Messinger parcel which is just south of Ingersoll Road.
- The overall parcel is developed 37 acres. It is split by Route 50. There are 30 acres on the eastern side and about 7 acres on the western side.
- The parcel on the eastern side is the subject of the next application.
- What we did was take a look at the parcel there was concern that we were creating a parcel that could not be built on.
- To provide the Town some assurance that something can happen with this parcel we put together a very quick rough layout plan of what could happen, and something could be built on the parcel. We are not proposing a site plan. We're actively asking the Board to look at and consider this evening. We are just trying to demonstrate that you can build, at a minimum, a 4,000 square foot structure. I think it could be larger, there could be more parking.

Mr. Ripper: The Zoning Officer wanted to make sure we are not creating an illegal lot to prove that something feasibly can be done there.

Discussion on SEQRA and doing it once for both subdivision application and site plan application even though there are two separate applicants. There was a request to do them separately.

Attorney Schachner: No, you do not need to do them separately, I understand the request. But no, you do not need to do it separately. It is very appropriate to consider it for the purposes of State Environmental Quality Review Act review is one action. It is property that is proposed for subdivision. We went through an exercise with the Town Board rezoning where we have to ask applicants to prepare hypothetical build out scenarios on a rezoning. But there is nothing hypothetical about what the applicant, and the second applicant might want to do here. We know exactly what the second applicant wants to do here. Appropriate information can be provided; however, the two applicants work it out and it is not our business.

Process and procedure for these two applications is discussed.

Chairman Rice: Tonight, we will make a motion on conceptual, seek lead agency for subdivision and site plan, and set the public hearing for subdivision.

The public hearing for the subdivision will be subject to the lead agency responses from the involved agencies.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby move for conceptual approval for the Application for Commercial Subdivision by Michael Messinger for a two (2) lot commercial subdivision. Property located at/on 4029 NYS Route 50 on 36.96 acre(s), Tax Map No(s). 154.-1-1; zoned C-1.

The motion is seconded by Mr. Price and duly put to vote, on January 18, 2023.

D. Route 50 Senior Housing: The Markstone Group Pre-Application for Route 50 Senior Housing by The Markstone Group for a senior housing (55+) community consisting of 390 units. Property located at/on 4029 NYS Route 50 on 29.97 acre(s), Tax Map No(s). 154.-1-1; zoned C-1.

Scott Lansing of Lansing Engineering is here to represent the Markstone Group for Route 50 Senior Housing.

Mr. Lansing:

- Good evening, Scott Lansing again regarding the 4029 Route 50 senior housing community representing the Markstone group. Again, on this particular project, we are just here to present the project obtain feedback from the Planning Board and incorporating that into future submissions.
- We also have to go to the Town Board as Mr. Riper had referenced in zoning; this is a permitted use but there is an asterisk that says that it does require Town Board

approval. We need to go before the Town Board for their consideration. We have submitted an application to the Town today. So, we should be on for the next meeting with the Town Board.

- As far as existing conditions, it is what we just discussed earlier 4029 just south of Ingersoll Road. This portion of the parcel is 29.9 acres. It is currently zoned C-1.
- There is an existing structure, which is the gift shop.
- There are two areas of DEC wetlands that require a 100 ft. buffer.
- We do have some steep slopes on the parcel.
- We are proposing a senior living community and that does include three buildings two L shaped buildings and, one longer building.
- Each one of the buildings would house 130 units for a total of 390 units overall.
- The two front buildings are approximately 39,000 square feet footprint and then the back building is approximately 42,000 square feet.
- The back building is slightly larger, it is proposed to have indoor amenities within that structure.
- There will be a portico on the front where residents could be dropped-off or picked up by a shuttle bus.
- Amenities are anticipated to include exercise room, meeting rooms, game rooms kitchenette, just general resort amenities associated with a project like this.
- As far as the access, we are proposing a boulevard access off of Route 50, center courtyard area for both circulation, and parking in the center area.
- Main access to those buildings would be off that center courtyard area.
- We also show our roadways going around the parcel primarily the parking is either on the side or the back of the structures.
- We do have one row of parking immediately in front just for convenience to those residents that have units close by those particular areas.
- As far as parking, the Town does require one space per unit plus one space for employees. So, we calculated about 435 spaces total that might be required. As shown we are showing 492 and we can we can fine tune that number perhaps bank some of that parking, bring it back down to the total requirements.
- As far as the structures themselves, we would be seeking a height variance for the structures. They are proposed as four stories the zone does allow 55 ft; we could get four stories easily within the 55 feet. But it does mention 20 ft of it is to be unoccupied. So that being said essentially gives 35 ft for the height of the occupied space.
- That is something that we will be pursuing a height variance with the Zoning Board of Appeals.
- We did have the opportunity to meet with a couple of Town Board members and emergency services on this project. One of the Town Board members is also a member of emergency services. They did not seem to have any issues with the height.
- In general, the project was received well by the people in that particular meeting.
- As far as green space, we are proposing 73% of the overall parcel as green space 25% is required.

- We have pushed the buildings back. We did have a previous concept meeting with several town officials, and it was suggested that we move that building back so we have done that.
- Right now, we are showing the buildings set back and some plantings along the front.
- We think we could probably save that existing vegetation in that area versus planting, cutting down vegetation and putting up plantings.
- We do have conceptual locations for stormwater management areas, and we have the opportunity to go underneath the parking lots as well.
- Water would be public water, water sewer authority as well as the sanitary sewer we do have connection points on various ends of the parcel.
- As far as amenities, I do want to touch on that we do have a fair number of amenities that are proposed first off, are sidewalks and trails. So, we do have a sidewalk system connecting all of the buildings, all of the parking areas connecting everything to the residential structures as well as connecting to different courtyard areas that are around the parcel.
- There are numerous gazebo areas with plantings, other green space areas that could be used for active/passive recreation trails.
- We are also proposing, a nature trail that traverses through the wooded areas that is proposed or conceptually proposed as a bark mulch type trail more of a nature type trail.
- We do show connection points off towards the Ingersoll Road Subdivision there was a trail that was incorporated into that project for showing a connection in that area.
- Points north and south we did have a discussion about potential connection off towards the Morris property.
- There will be streetlights throughout the project to light up the parking areas, street trees as well.
- As far as active amenities, there is a dog park, proposed community gardens, basketball, pickleball, putting green, and tennis courts.
- I mentioned, we are on the agenda for February 1, 2023, for the Town Board to review the project. We are here to take questions and comments from this Board.

Board discussion and statements:

- These will all be rentals.
- No assisted living.
- Rental fees not known.
- No subsidized rentals.
- Proposed 45 employees, probably less.
- Are turning lanes being considered.
- A traffic engineer has been hired.
- Concern of the traffic and the speed of traffic in that area.
- Idea of a walking path. Traffic engineers will evaluate.
- Maybe a connection to The Summit, senior living on Perry Road.

- Ability to make the connection to the proposed retail and daycare project to the north.
- Connections to the South, there are DOT crossings, Wendy's, Panera, Lowes Drive, and the mall.
- No concerns of the building being 4 stories from EMS and the Fire Chief.
- Subdivision is proposed to be finalized first.
- They will be responsible for providing transportation for residents.
- The project will be done in phases.

This is a pre-application presentation and there will be no action tonight.

E. Route 50 Self-Storage: JAG I, LLC Pre-Application for Route 50 Self-Storage by JAG I, LLC for 37,534± sq.ft. of self-storage units. Property located at/on 4248 NYS Route 50 on 2.77± acre(s), Tax Map No(s). 141.-2-47.2; zoned RB-1.

Luigi Palleschi of ABD Engineering and Tim Barber of JAG Construction are here to represent JAG I, LLC for Rout 50 Self-Storage.

Mr. Palleschi:

- The property location is 4248 Route 50, it is 2.77 acres, zoned RB-1 residential business district.
- It is currently owned by John Biss. John Biss also owns the single-family residential home on the south side as well. Mr. Biss just did a subdivision.
- So, this is the remainder, 2.77-piece parcel that the applicant is looking to move forward to construct a self-storage facility.
- There is an existing building, that is 2,100 square feet.
- Building proposal is to extend and put an addition on the existing building. Then configure five more buildings perpendicular to Route 50.
- Total square footage of the proposed buildings is 37,005. The site is lower in elevation and the road itself at the front of the property. So, drainage will stay on site.
- We are proposing dry wells, and stormwater management, for the front of the site as well.
- It is all sandy soils on site, dry wells that are a good technique to get the stormwater runoff under frozen ground conditions.
- We have buffers around now, the entire site. From the previous submission that we submitted; we had the buildings in the parking lot pavement closer to the road. After we received Mark Mykins, comment letter, we had a chance to kind of go through those comments, update this plan.
- I hope the Board likes the fact that, you know, we were able to shift the buildings in the parking back to achieve the 30-foot buffer along Route 50.
- But not only pushing it back, we are adding street trees and we are adding landscaping right along the frontage.

- The whole facility along the front will have the decorative fencing, as well, for security and a gate for entering and exit at the entrance over on the north side.
- We shared this plan with John Biss, we met with him, and we are doing a heavily buffered area along the north side. The zoning requires 50-foot setback when you are next to a residential district on the sides in the rear. But after showing this to him, we actually received a letter from him. He was in favor of the Self-Storage Facility, even though we are 25.2 feet from his property line. His big concern was the uses that could be allowed on the site.
- It was noted that John Biss is the current owner, so obviously in favor.

Chairman Rice voiced his concern that there were so many aspects of the proposed site plan that did not meet code in accordance with the Zoning Officer, Mark Mykins Determination. The applicant had revised the plans the day of the meeting. The Planning Department and the Planning Board have not had an opportunity to review the revised site plan.

Chairman Rice did not think it was fair to expect the Planning Board and Department to hear this application without time to review the new plan. They would have to submit the new plan for the February meeting.

There was no action on this application tonight.

Planning Board had a discussion on solar and training opportunities for the Board.

NOW, THEREFORE, BE IT RESOLVED On a motion made by Mr. Gabay that the meeting of the Planning Board be adjourned at 8:43P.M.

The motion is seconded by Mr. Jerome and duly put to vote, all in favor on this day January 18, 2023.

Date Approved February 15, 2023.

Amy DiLeone,
Executive Secretary