



TOWN OF WILTON
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PLANNING BOARD

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David Gabay
Brett Hebner
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Alternate:
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Amy DiLeone
Executive Secretary

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

Joshua Carlson
Land Use Administrator

Mark Schachner
Planning Board Counsel

PLANNING BOARD

June 15, 2022

A meeting of the Wilton Planning Board (“the Board”) occurred on June 15, 2022, at 6:30 P.M., at Wilton Town Hall, 22 Traver Road, Wilton NY 12831.

PLEDGE OF ALLEGIANCE

I. CALL TO ORDER:

REGULAR MEETING:

Chairman Rice opens the regular meeting.

PRESENT: Chairman William Rice, Hal VanEarden, Dave Catalfamo, Dave Gabay, Brett Hebner, and Thomas Murphy, Alternate; Ryan K. Riper, P.E., Director of Planning and Engineering, Mark Schachner, Planning Board Counsel, Josh Carlsson, Land Use Administrator, and Amy DiLeone, Executive Secretary

ABSENT: Chris Price and Jeff Hurt

MINUTES APPROVAL: Mr. Gabay made a motion, seconded by Mr. Catalfamo for the approval of the meeting minutes of May 18, 2022, as written. Ayes: Chairman Rice, Hal VanEarden, Dave Catalfamo, Dave Gabay, Brett Hebner, and Thomas Murphy, Alternate

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

II. APPLICATIONS:

- A. Grande Highlands, Phase II: New York Development Group/Saratoga, LLC:** Application for Grande Highlands, Phase II by New York Development Group/Saratoga, LLC for an 11-lot residential, conservation subdivision. Property located at/on 148 Edie Rd on 48.44 acre(s), Tax Map No(s). 141.-2-80; zoned R-2

Scott Lansing of Lansing Engineering is here representing Grande Highlands, Phase II:

Mr. Lansing:

- The goal for this evening is to request the Board's consideration to set a public hearing for the next meeting.
- The overall parcels, approximately 20.66 acres, are zoned R-2.
- Phase II of the project proposed 11 additional lots to the recently approved 39 lot Grande Highlands Subdivision project.
- The proposed lots will meet the Town's zoning requirements and the existing, proposed roadway will be extended 900 linear feet.
- The project meets all of the open space requirements.
- Note that the applicants were before the Town Board, as there was a request for the applicants to consider dedicating open space land to the Town. The Town Board has to declare their intent to accept that open space land pursuant to approval by this Board.
- As far as threatened endangered species that has been cleared, and archaeology has been cleared.
- Wilton Water and Sewer Authority's extension of the existing public water system will provide service all of the lots in the proposed project area.
- Stormwater, the actual calculations were accounted for in the original development.
- Individual sanitary sewer systems will service each of the lots.

Mr. Riper, Town Engineer addresses his comments to the Board.

Mr. Riper:

- The Town Board did state that they intend to accept the open space land at the last Town Board meeting. This will be a nice addition to the lands that were already intended for acceptance. The plan is to extend the trail network throughout this area.

The Board set the Public Hearing for Wednesday July 20, 2022

- B. Artisanal Brew Works: Quinn-Borchardt Brewing, LLC:** Application for Artisanal Brew Works by Quinn-Borchardt Brewing, LLC for modifying the parking layout, re-locating fence and dumpster, and removing the access drive to the upper parking area. Property located at/on 617 Maple Ave (Rte. 9) on 17.35 acre(s), Tax Map No(s). 140.-3-26; zoned PUDD

Nick Zelgen from EDP is here representing Artisanal Brew Works

Mr. Zelgen:

- We are here tonight for site plan modification review, regarding some changes to the previously approved site plan. These changes were first brought for this Board in April of this year. The Board had some additional concerns they wanted to see addressed, in addition to the comments from Mr. Riper's review letter.
- The plans have been updated.

- The dumpster detail has been updated to be masonry block that matches the I of the existing building.
- The fence for the front of the dumpster, will match the privacy fence that surrounds that patio area separating it from the asphalt.
- We have also added a pedestrian access route from the upper parking down to the lower parking area, just north of that dumpster.
- We are also proposing to remove the existing chain link fence in that area and replace it with some large landscape boulders.
- I have inspected and certified the existing stormwater management area to be adequate for the proposed site improvements.
- Added notes to the plans regarding the tent and the phasing of the project.

Mr. Riper, Town Engineer addresses his review letter dated June 7, 2022, to the Board.

Mr. Riper:

- The Zoning Officer made a comment that the maximum occupancy for phase one is limited to a total of 99 occupants, this includes both indoor and outdoor areas. This should be noted on the site plan.
- It looks like they have addressed the items that we talked about last time, the access between the parking lot was a big issue.
- The use of large stones to deter people is a good idea instead of a fence. Some large stones should also be added in front of the tent area.

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

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wilton Planning Board approves the Application for Amended Site Plan for Artisanal Brew Works by Quinn-Borchardt Brewing, LLC for modifying the parking layout, re-locating fence and dumpster, and removing the access drive to the upper parking area. Conditioned upon compliance with the Town Engineer, Ryan Riper's review letter dated June 7, 2022. Property located at/on 617 Maple Ave (Rte. 9) on 17.35 acre(s), Tax Map No(s). 140.-3-26; zoned PUDD. There are no new or different environmental impacts requiring further SEQRA review.

The motion is seconded by Mr. VanEarden and duly put to vote, all in favor, on June 15, 2021.

C. Burnham Hollow Residential Subdivision Proposed Modification: Bonacio Construction: Application for Burnham Hollow Residential Subdivision Proposed Modification by Bonacio Construction for lot line adjustment between lot 46 and lot 47. Property located at/on 2 Campbell Dr on 6.11 acre(s), Tax Map No(s). 114.11-1-36 & 114.11-1-6; zoned R-1.

Tim DiCocco from Bonacio Construction is here to represent the proposed lot line adjustment.

Mr. DiCocco:

- We are here seeking approval for a minor lot line adjustment.
- We ran into some bedrock on the site that was not allowing us to put the foundation in as deeply as we would like to, and it caused an issue with the pitch in the driveway.
- In order to maintain that pitch under 10%, which is Town Code, we want to be able to push the house back a little bit and we had constraints with the property line.

- North Manor owns both lots and they are willing to grant us this additional property so that we can position the house accordingly on the lot.

Mr. Riper, Town Engineer addresses his comments to the Board.

Mr. Riper: I see no issues, straight forward lot line adjustment.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby move to approve the Application for Amended Subdivision for Burnham Hollow Residential Subdivision Proposed Modification by Bonacio Construction for lot line adjustment between lot 46 and lot 47. Property located at/on 2 Campbell Dr on 6.11 acre(s), Tax Map No(s). 114.11-1-36 & 114.11-1-6; zoned R-1. There are no new or different environmental impacts requiring further SEQRA review.

The motion is seconded by Mr. Gabay and duly put to vote, all in favor, on June 15, 2022.

D. Route 50 Warehouse: Liuos Thinking, Inc: Pre-Application for Route 50 Warehouse by Liuos Thinking, Inc. for the construction of a 5,180 sq. ft. warehouse. Property located at/on 4310 Route 50 on 2.6 acre(s), Tax Map No(s). 141.-3-2.3; zoned C-2.

Renee Lipatas, P.E. of CHA Consulting, Inc. is here representing Liuos Thinking, Inc. Route 50 Warehouse.

Ms. Lipatas:

- At our previous meeting, the Board suggested some things as our previous application included several area variances. Since that time, we made considerable efforts in reducing the overall scope of the project, we have reduced the building size approximately 14%, from 6,000 to just about 5,200 square feet.
- We have eliminated the need for an area variance along the property line by reducing that, as well as, reducing the proposed parking and paving area for container storage.
- We have increased the green space that we are providing to 64%, from 56%.
- I have spoken to Guy Tedesco at New York DOT with regards to the location, and the applicability of the entrance on Route 50. He was agreeable to that; however, this was not a formal application to DOT for this curb cut.
- One of the other items that the Board had brought up previously was the need for us to provide fill. The center of the site is about three feet lower than the roadway elevation. Providing the fill there will provide drainage away from the building.
- We have provided the screening between the property owner with the trees in the background. My client has met with the property owner, and he has no objection to this plan.
- The warehouse will house temporary support facilities.
- Single storage stacking of the containers is proposed.

Mr. Riper, Town Engineer addresses his comments to the Board.

Mr. Riper:

- I think, you addressed a lot of the items.
- This is a pre application and I do not have a lot of comments at this point.

- There will be no action taken tonight.

The Board agrees there have been significant changes to make this application more amenable to the site.

There will be no action on this application tonight.

E. Wilton Reserve: NRP Holdings, LLC Pre-Application for Wilton Reserve by NRP Holdings, LLC for development of a mixed-use project and associated lot line adjustment to construct three (3) residential buildings, a clubhouse, and a commercial structure. Project includes a total of sixty (60) apartment units. Property located at/on 645 Route 9 on 5.24 acre(s), Tax Map No(s). 140.13-1-16 & 140.13-1-18; zoned H-1

Doug Heller of the LA Group and Christopher Durhamn of the NRP Holdings, LLC are here to represent the Wilton Reserve.

Mr. Heller:

- The project site is located on Route 9 at the intersection of Northern Pines Road.
- Right now, the project is on two separate parcels.
- One parcel is now vacant, and the other parcel is Dunkin Donuts and Trustco Bank.
- We would be looking to make a lot line adjustment.
- Proposed 60 apartments in three, three-story buildings in the back, with a shared clubhouse, and playground.
- Proposed 7,200 sq. ft. commercial building in the front.
- In compliance with the hamlet zone are proposed sidewalks, street trees, and streetlights.
- Access to the site would be from the existing drive that comes by Dunkin Donuts and Trustco Bank that would be extended along with a secondary access on to Route 9.
- As the plan progresses there would need to be a traffic study and conversations with DOT for the secondary access.
- Proposing 185 parking spaces, which is the requirement.
- Proposing to connect into public water and public sewer. Public water is just to the northern part of the Northern Pines intersection, and we would bring the service down to the site. The sewer is up at Park Place and that would be extended down to service the site.

Mr. Durhamn:

- We are proposing a beautiful and affordable housing development. It would have financing through New York State Homes and Community Renewal. I wanted to describe a little bit to you what that means. It would be funded as an affordable housing and workforce housing development and 60 units is kind of the target number for us.
- In the greater Albany area of Saratoga County, the area median income is over \$100,000. So, people in this development would make a percentage of the area median income. That would range from around \$30,000 to about \$64,000.
- So, what that means is, people that would work that would be able to afford to live here would be people with types of jobs like: home health care aides on the lower end, housekeeping on the lower end, kind of middle range would be post-secondary teachers, licensed practical nurses, EMTs, and paramedics, maintenance, and repair workers. Then on the upper range, construction workers, chefs, graphic designers would all be qualified to live in the development.

- This is not a subsidized development, what we do is we receive an allocation of tax credits from the funding entity from homes and career renewal, we then sell those credits to investors, investors put cash into the development and in exchange, we agree that we are going to keep rents tapped out as being affordable for the residents.
- That is how we would utilize tax credits.
- It would not be a subsidized development.
- This is very preliminary in the process, and it is a lengthy process.

Discussion on the steep slope of the property that the proposed apartments will back up to.

Mr. Riper, Town Engineer addresses his comments to the Board

Mr. Riper:

- There is a unique geological phenomenon in the back of the property, it is what they call a boulder field. The runoff from the mountain comes down through and it will hit this boulder field and disappear into the ground. This runs along the base of that ridge.
- The runoff from the slope will need to be addressed if there is any.
- There is one property owner to the rear, which extends up to Hilltop Dr. This might be an option to run the sewer on the backside and maybe even connecting at the back of the Park Place. That way, you are off of Route 9 and, staying out of the DOT right away.
- Buffering, especially adjacent to the playground area and the clubhouse.
- Stormwater management areas should be as shallow as possible.
- Since you are working with Tom Burke, extend the sidewalk up towards CVS, redesigning the existing sidewalk, and make that connection on the Dunkin Donuts property.
- A traffic study will be required, and a left turn lane for the northbound lane at the light is probable.

Discussion of traffic, parking, emergency access, programs for housing, type of units, and rental costs.

There will be no action on this application tonight.

F. D-BATS Facility: Upstate Sports Development Group, LLC Pre-Application for D-BATS Facility by Upstate Sports Development Group, LLC for development of a mixed-use project and a two (2) lot subdivision to construct a multi-use three (3) story structure with ground floor commercial and upper floor residential. Project includes a total of twenty-four (24) apartment units. Property located at/on 696 Route 9 on 15.47 acre(s), Tax Map No(s). 140.1-68.131; zoned PUDD.

Doug Heller of the LA Group is here to present the Wilton Reserve.

Mr. Heller:

- This was in front of the Board back in January for the PUDD and that was just to provide an advisory opinion to the Town Board but since then, this whole entire parcel has been turned into a PUDD.
- If you remember back, as part of the PUDD, we did have one building here with parking and then there was a second building around a 50,000 square foot building with associated parking in the rear there, so we are in front of the board for this site.

- We are proposing to subdivide the lot to create a separate lot for this facility with cross easements between the two parcels.
- Proposed, starting on the south end on the first floor would be about 30,000 square feet of retail. Then on the second and third floors there would be apartments for a total of 24 apartments between the second and third floor.
- The north side is going to be the premier indoor recreation facility. D-BATS.
- We are maintaining the potential for a drive thru. Right now, it is not known if that is going to be needed, but we would like to maintain it on the plan.
- As the plans progress, there may be two alternatives shown one with the drive thru and one without.
- As for traffic, we have just completed a traffic study earlier this week.
- Along Route 9, we are proposing a right turn out and a right turn in only. We are looking to share access with the SUNY Adirondack and Mountain Ledge Drive. Anyone that is trying to turn southbound will be using the intersection of Mountain Ledge Drive and Route 9. The proposed traffic patterns were included in the traffic study, which will be provided to the Board at the next submission.
- Along the frontage, SUNY Adirondack has these nice sidewalks streetlights and street trees. We are proposing to continue that up along the entire frontage with the sidewalk close to Route 9, along with the lights and street trees, and a proposed utility easement to the Town for the site.
- We are proposing 217 parking spaces with an additional 45 spaces that would be banked for future. The intent would be that they would not be built at this time. But if in the future, it deemed that they are necessary than they could be built. Now as we progress, maybe there is more desire to bank even more parking. But for now, we are looking at these rear parking spaces.
- The applicant has been going back and forth on potential for garages or covered parking, specifically for the apartment units.
- Water and Sewer are available at the site.

Board discussion on renderings, uses in the facility, parking, garages, traffic patterns, and the drive thru.

Town Engineer, Ryan Riper discussed internal traffic patterns and safety for children being dropped off.

There will be no action on this application tonight.

G. Pine Bluff Subdivision: B&D Properties At the May Planning Board Meeting, the Board reviewed an email received from Michael Dobis, Planning Board Member, along with photos taken by the Town Engineer, Ryan Riper, concerning groundwater issues related to the proposed Pine Bluff (Edie/Scout Rd) Subdivision. The applicant was invited to attend the June meeting to address the groundwater concerns.

Peter Yetto, Ingalls and Associates is representing the applicant, B&D Properties.

Mr. Yetto:

- At the recommendation of the Board, groundwater conditions were re-examined in May due to the extremely wet season that was observed this year.
- Groundwater was found 18” to 24” higher than observed in July of the previous year.
- Design was modified in an attempt to address the high groundwater concerns.

Mr. Yetto discusses the modifications that include removing a proposed infiltration basin along with the grade changes that were made to alleviate standing water concerns. The houses will have well enough separation to the basement. They will have to raise the houses.

Mr. Rice: You will have to raise the road and bring in fill and that will be a lot of work.

Mr. Yetto: The water is trapped and not getting to the lower elevations. The water we saw had no place to go, causing the water to pond. The water drains to the north at elevation 318 going to the lowest points.

Mr. Hebner: How far down is the water.

Mr. Yetto: 3ft. below the basement, per code.

Mr. Riper: We made site visits in April and May. Lot 10, test pit#1, applicant indicates groundwater is below surface at 48" in July of 2021. This year the water was near the surface. Additional test pits were done by the applicant in May of 2022. The applicant revealed test pit #1 went from 48" to 28". I noted water to be near the surface in the spring. On test pit #8, last year the applicant found water at 60" and this year water was at the surface. I went through every test pit with the information the applicant provided. The rise in groundwater varies quite a bit; 42", 54", 60", 24"... There is a lot of groundwater at the entrance.

Mr. Yetto: We are accountable for everything throughout.

The Board is confused on how the applicant is capturing the groundwater and trying to divert it and if that would even work.

Mr. Gabay: This will require a significant amount of fill.

Mr. Rice: It will be homes built on islands of dirt.

The Board discusses the proposed changes and the impact the changes will have to surface runoff but questions the impact the changes will have regarding the groundwater concerns.

The Board asked the Town Engineer, Ryan Riper what can be done to resolve this concern.

Mr. Riper states the Town has been through similar groundwater issues and suggests that because the owner is also the engineer/designer, and developer it would be in the interest of the applicant and the Town to have a third-party review the project because of high ground water concerns. The third-party review would be conducted at the applicant's cost and with the applicant's permission to verify the information and that the drainage plan is accurate.

Mr. Gabay: You want a plan that is going to work. However, if we had said yes before and you went ahead and built homes, we would have had a real problem. Now we have an improved plan that is marginal. It is imperative that a third-party engineer come in and say that this plan is okay.

Town Counsel, Mark Schachner discusses SEQRA review and the potential impacts to groundwater and surface water.

A discussion regarding the benefits of having a third-party review took place between the applicant and the Board. Discussion on the other subdivisions in Town and groundwater drainage districts. Springtime is the best time to test for groundwater.

Town Counsel Mark Schachner states that the Board seems inclined to require third party review in order to have the full and complete information necessary to make it's decision and if the applicant is reluctant or unwilling to go along with this plan of action, there is nothing stating the application has to be further processed.

Mr. Rice states that the applicant would have to make that decision, but to move the project forward the Board would like to see a third-party review completed.

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

NOW, THEREFORE, BE IT RESOLVED that the meeting of the Planning Board be adjourned at 9.00 P.M.

The motion is seconded by Mr. VanEarden and duly put to vote, all in favor on this day June 15, 2022.

Date Approved July 20, 2022.

Amy DiLeone,
Executive Secretary