



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

Mark Schachner
Planning Board Counsel

Amy Dileone
Executive Secretary

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

(515) 587-1939
FAX (515) 587-2837
Website:

PLANNING BOARD
June 17, 2020

PLANNING BOARD

Michael G. Dobis,
Chairman

Harold VanEarden,
Vice Chairman

William Rice

Ron Slone

David Gabay

Brett Hebner

Jeffrey Hurt

David Catalfamo &
Michael Coleman
Alternates

A meeting of the Wilton Planning Board (“the Board”) occurred on June 17, 2020 via Zoom due to public health and safety concerns related to COVID-19, in accordance with the Governor’s Executive Order 202.1.

**PLEDGE OF ALLEGIANCE
CALL TO ORDER:**

Chairman Dobis lost internet connection.

At 6:33 p.m., Bill Rice opens the Public Hearing.

I. PUBLIC HEARING:

A. William Mevec: Commercial Application for a Site Plan approval by William Mevec for a 6,000 SF commercial building. The one-story commercial building will be leased as multiple retail spaces which is a special permitted use in the RB-1 zone. Property located on 39 Northern Pines Road on 3.39 acres, Tax Map Number 114.8-1-16: zoned RB-1. Site Plan approval process to commence after Special Use Permit is granted.

The following Notice of Public Hearing was advertised in the Saratogian Newspaper:

PLEASE TAKE NOTE that the Planning Board for the Town of Wilton will hold a **PUBLIC HEARING** for a Site Plan Application by William Mevec for a commercial retail building. Property located on 39 Northern Pines Road, SBL 114.8-1-16 on 3.39 acres: zoned RB-1.

SAID HEARING will be held on Wednesday, June 17, 2020 at 6:30PM via Zoom due to the public health and safety concerns related to COVID-19, in accordance with the Governor's Executive Order 202.1. At that time, all persons will be given a chance to be heard. Please visit <https://townofwilton.com/> for more information and instructions on attending the meeting.

BY RESOLUTION of the Planning Board for the Town of Wilton, Saratoga County, State of New York.

Gavin Vuillaume of Environmental Design Partnership is here on behalf of William Mevec.

General site statistics:

- Property located on 39 Northern Pines Road with frontage also on Ballard Road.
- They are going to renovate the existing one-story 6,000 SF commercial building and it will be leased as multiple retail spaces.
- Minor changes to the building and the parking.
- They have added additional plantings.
- Connecting to the existing force main.
- The building façade will be enhanced with neutral colors, improvements to the doors and windows, addition of flower boxes, and signage.
- Seeking Preliminary Site Plan approval.

Public Comment:

- There are none.

Bill Rice asked if there were any other questions or comments. There are none.

Ron Slone made a motion to close the Public Hearing at 6:40 p.m. seconded by Dave Catalfamo.

At 6:41 p.m., Bill Rice opens the Public Hearing.

B. Mike Decker: Spectrum at Wilton Marketplace Application for Preliminary Site Plan by Michael Decker and CT Male for Spectrum at Wilton Marketplace for a proposed project plan to construct a 4,050 sq. ft. commercial building. Property located on Lowes Drive on .89± acres Tax Map No.153.-3-124; zoned C-1.

The following Notice of Public Hearing was advertised in the Saratogian Newspaper:

PLEASE TAKE NOTE that the Planning Board for the Town of Wilton will hold a **PUBLIC HEARING** for a Site Plan Application by Michael Decker for Spectrum at Wilton Marketplace for proposed project plans to construct a 4,050 sq. ft. commercial building. Property located on Lowes Drive on .89± acres Tax Map No.153.-3-124; zoned C-1.

SAID HEARING will be held on Wednesday, June 17, 2020 at 6:31PM via Zoom due to the public health and safety concerns related to COVID-19, in accordance with the Governor's Executive Order 202.1. At that time, all persons will be given a chance to be heard. Please visit <https://townofwilton.com/> for more information and instructions on attending the meeting.

BY RESOLUTION of the Planning Board for the Town of Wilton, Saratoga County, State of New York.

Frank Palumbo, CT Male Associates is present to represent Michael Decker for Spectrum at Wilton Market Place.

- Location of the project that is being proposed by KMDA, Michael Decker (applicant) is on the corner of Lowes Drive and Marketplace Road.
- Continuation of a long-range master plan for the properties that KMDA owns.
- Explanation of subdivision and variances.
- Parking will wrap around the building.
- There will be access off of Marketplace Road and Lowes Drive.
- Building plans are explained along with color and materials legend.
- It is the exact Aldi's style of block and color.
- East elevation of the plan was revised with new elements and sign to break up the wall. Per the Planning Boards request. Elevation view provided during the meeting.
- Site Plan is explained as overall master plan.

Public Comment:

- Scott Perkins of Perkins and Perkins Attorneys is representing Pyramid Pines.
- Mr. Perkins voices his concern about Palm Drive that is adjacent to lot 2 of the master plan.
- He says there is not an immediate concern for the residents of Palm Drive with this application.

Bill Rice lost internet connection.

Ron Slone asked if there were any other questions or comments. There were none.

Bill Rice returns to the meeting.

Bill Rice made a motion to close the Public Hearing at 7:00 p.m. seconded by Dave Catalfamo.

I. REGULAR MEETING:

PRESENT: Chairman Michael Dobis, Jeffrey Hurt, Brett Hebner, Ron Slone, Bill Rice, and Michael Coleman Dave, and Catalfamo, Alternates; Ryan K. Ripper, P.E., Director of Planning and Engineering, Mark Schachner, Planning Board Counsel and Amy DiLeone, Executive Secretary

ABSENT: Harold VanEarden, Dave Gabay

MINUTES APPROVAL: Ron Slone moves, seconded by Dave Catalfamo for the approval of the meeting minutes of June 17, 2020 as written. Ayes: Chairman Dobis, Jeffrey Hurt, Dave Catalfamo, and Michael Coleman Alternates

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

II. APPLICATIONS:

A. William Mevec: Commercial Building Application for a Preliminary Site Plan by William Mevec for a 6,000 SF commercial building. The one-story commercial building will be leased as multiple retail spaces which is a special permitted use in the RB-1 zone. Property located on 39 Northern Pines Road on 3.39 acres, Tax Map Number 114.8-1-16: zoned RB-1. Site Plan approval process to commence after Special Use Permit is granted.

Gavin Vuillaume of Environmental Design Partnership here on behalf of William Mevec.

Mr. Riper addresses the items in his review letter to the Board.

Bill Rice asked if there were any other questions or comments. There were none.

Chairman Dobis called into the meeting.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby grant the request for Preliminary Site Plan approval for William Mevec for a 6,000 SF commercial building. The one-story commercial building will be leased as multiple retail spaces which is a special permitted use in the RB-1 zone. Property located on 39 Northern Pines Road on 3.39 acres, Tax Map Number 114.8-1-16; zoned RB-1.

The motion is seconded by Dave Catalfamo and duly put to vote, all in favor, on June 17, 2020.

B. Michael Decker: Spectrum at Wilton Marketplace Application for Preliminary Site Plan by Michael Decker and CT Male for Spectrum at Wilton Marketplace for proposed project to construct a 4,050 sq. ft. commercial building. Property located on Lowes Drive on .89± acres Tax Map No.153.-124; zoned C-1.

Frank Palumbo, CT Male Associates is present to represent Michael Decker for Spectrum at Wilton Market Place.

- Received Mr. Riper's letter and there are two comments addressing the building and the sidewalks items #2 & #3. The rest are administrative.
- Revised building plan was submitted during the meeting.
- The planning Board asked that the east elevation be improved.
- Mr. Palumbo explains the improvements to the east side of the building.
- South elevation faces Lowes Drive.
- West elevation faces Marketplace Road.
- East elevation is the rear of the building seen from Lowes Drive.
- North elevation faces Aldi's.
- Mr. Rice suggests adding some glass to the eastern side of the building.
- Mr. Palumbo says if they run glass along that side it would limit what they can do with the interior architecture.
- Mr. Palumbo says it is consistent with other buildings in the area.
- Mr. Slone thought it was a good effort and he is comfortable with it.
- The Board members were in agreement with Mr. Slone.
- The applicant is proposing the sidewalk along the Marketplace Road boundary line.
- The discussion by the Board was to have a full addition of sidewalk all the way around the corner and up to the access drive of Lowes Drive.
- The cost of the sidewalk would be about \$37,000.00.
- The applicant has already committed to the enhanced landscaping.
- Lowes and Walmart were not required to install sidewalks.
- With the new road there would be an opportunity to extend the sidewalks to the residents in Pyramid Pines was discussed.
- A driveway connection to the back of Saratoga Ambulatory facility was part of their site plan and the applicant's variance plan was discussed.
- Installing the sidewalk on just the Lowes side would be more tolerable than both sides.

- Mr. Hurt makes a comment on the sidewalk being a good idea with the bus stops by Five Below and Walmart, with a new grocery store in the middle.
- Chairman Dobis suggests a timeline as to when the sidewalks should be installed.
- Mr. Van Earden sent an email stating he was in favor of extending the sidewalks.
- Mr. Riper asks Mr. Palumbo if it was acceptable to delay the installation of the sidewalk to a future date? This is just one piece of a large parcel and this is something the Board has to consider as to what would the trigger points be for installation.
- Mr. Palumbo said I think there would be some agreement to that and asks if anything was done with Warren Tire and Cumberland Farms on Route 9. There is a school at one end and the Hamlet Zone at the other end.
- The Board did request sidewalks to be installed when requested from the Town.
- Discussion of bus routes.
- The idea was when Lot 2 was developed the sidewalk would continue along Lowes Drive.
- Mr. Slone suggested when you break ground on lot 2 that would trigger the sidewalk.
- The Board agrees that the applicant should install the sidewalk on Marketplace Drive now and that the other sidewalk should be installed when lot 2 is developed.
- Mr. Riper is asking for the triggering language for lot 2, is it when the applicant comes in?
- Mr. Slone says it should be a hard trigger once you break ground on Lot 2 the sidewalk is installed.
- The language will say Area 2 indicating adjacent to the Aldi's building and adjacent to and along the mobile home park's Palm Drive.
- Attorney Schachner confirms the issuance of a building permit for Area 2.
- The Board agrees with Attorney Schachner.
- Discussion of County Referral.

Mr. Rice asked if there were any other questions or comments. There are none.

Town Counsel Mark Schachner reads the SEQRA Part II questions to the Board.

Part II questions are:

1. *Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? "No "*
2. *Will the proposed action result in a change in the use or intensity of use of land? "No "*
3. *Will the proposed action impair the character or quality of the existing community? "No "*
4. *Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? "No "*
5. *Will the proposed action result in an advanced change in the existing level of traffic or affect existing infrastructure for mass transit, biking, or walkway? "No "*
6. *Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? "No "*
7. *Will the proposed action impact existing:*
 - a. *Public/private water supplies? "No "*
 - b. *Public/private wastewater treatment utilities? "No "*
8. *Will the proposed action impair the character or quality of important historic, archaeological, architectural, or aesthetic resources? "No "*
9. *Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora, and fauna)? "No "*
10. *Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems? "No "*
11. *Will the proposed action create a hazard to environmental resources or human health? "No "*

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board for the Town of Wilton adopts a negative declaration on SEQRA for subdivision by Michael Decker and CT Male for Spectrum at Wilton Marketplace for proposed project to construct a 4,050 sq. ft. commercial building. Property located on Lowes Drive on .89± acres Tax Map No.153.-124; zoned C-1.

The motion is seconded by Jeff Hurt and duly put to vote, all in favor, on June 17, 2020.

On a motion introduced by Jeff Hurt, the Board adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby grant the Application for Preliminary Site Plan by Michael Decker and CT Male for Spectrum at Wilton Marketplace for proposed project to construct a 4,050 sq. ft. commercial building. The sidewalk, along the north side of Lowes Drive, from the intersection of Marketplace Drive to the intersection on Lowes Drive at Five Below retail store location, shall be installed in accordance with Town standards, upon issuance of the first building permit succeeding Spectrum's permit for Development Area 1B, Tax Map No.153.-3-124, as shown on map titled "Zoning Variance Request Overall Site Plan" and dated April 2, 2015. Sidewalk installation must be completed before the Certificate of Occupancy is issued with associated building permit noted above. Property located on Lowes Drive on .89± acres Tax Map No.153.-124; zoned C-1.

The motion is seconded by Ron Slone and duly put to vote, all in favor, on June 17, 2020.

C. Wilton Mall: Wilton Mall Discussion of an extension of time for installation of the Proposed Road Connection (Wilton Mall loop road) from July 1, 2020 to September 1, 2020.

Mr. Riper explains as part of the approval for Saratoga Hospital in Wilton Mall it was conditioned that there was a proposed connection made from the loop road to the Nigro Plaza.

- The mall has moved forward and has done everything the Town has requested of them.
- They need permission to work on the Nigro parcel.
- Nigro wants a traffic study done and have hired consultants to do the study.
- The connection of the loop road would be where the dumpsters are located.
- The deadline of July1, 2020 was given for the paving to be done.
- The mall is asking for an extension date of September 1, 2020.
- Nigro is concerned of additional traffic flow through their connection.
- The plaza must come before the Planning Board to relocate the dumpsters.
- It is possible that Nigro may not want the connection.
- The mall is looking for an official resolution to extend the paving date.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby grant the extension of time for installation of the Proposed Road Connection (Wilton Mall loop road) from July 1, 2020 to September 1, 2020.

The motion is seconded by Dave Catalfamo and duly put to vote, all in favor, on June 17, 2020.

D. Lumens Holdings 3, LLC: Wilton Solar Array #1 (Sherman Road) Application for Wilton Solar Array #1 (Sherman Road) by Lumens Holdings 3 LLC, for a proposed project consisting of a 5.0 MW ground-mounted solar array submitted under NY-Sun Incentive program. Property located on Sherman Road, on 31 acres, Tax Map No. 128.-1-36.2; zoned R-2.

E. Lumens Holdings 3, LLC: Wilton Solar Array #2 (King Road) Application for Wilton Solar Array #2 (King Road) by Lumens Holdings 3 LLC, for a proposed project consisting of a 5.0 MW ground-mounted solar array submitted under NY-Sun Incentive program. Property located on King Road/Sherman Road, on 28 acres, Tax Map No's. 128.-1-36.2 and 129.-1-29; zoned R-2.

Kent Randall, Eco Vue Consulting Services, Frank Ruffolo, Lumens Holdings 3 LLC, Nicholas Vamvas, The Chazen Companies, Peter Mcauliffe and John McDonough, Omni Navitas Holdings LLC are present to represent Wilton Solar Array #1 (Sherman Road) and Wilton Solar Array #2 (King Road).

- We are before the Board tonight for a recommendation to the Wilton Zoning Board of Appeals in July for Area Variances.
- There are two separate 5.0 MW ground-mounted solar array projects submitted under NY-Sun Incentive program.
- The project will be on two separate parcels through the subdivision process and will also include a lot line adjustment.
- Both of these projects will need Area Variances for frontage.
- The applicant is proposing to subdivide a 54.24 acre lot into two parcels lot one at 31.01 acres and lot two at 27.97 acres then incorporate 129.-1-29 into lot two for the creation of two 5 megawatt solar arrays. Lot 1 meets all area and setback requirements and has a proposed frontage of 85.00 feet this frontage will provide access to the parcel from Sherman road. The required amount of frontage in the R-2 Zone is 250.00 feet. The amount of relief requested is 165.00 feet of frontage. Lot 2 also meets all area and setback requirements this parcel will be accessed from King Road and has a proposed frontage of 97.56 feet. The amount of relief requested is 152.44 feet. Both lots once created and filed will be keyhole lots.
- This is the first large solar array in the Town of Wilton.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board for the Town of Wilton adopts a favorable recommendation to the Zoning Board of Appeals for Wilton Solar Array One (Sherman Road) by Lumens Holding 3 LLC for an area variance for frontage. Proposed project 5.0 MW ground-mounted solar array submitted under NY-Sun Incentive program. Property located on Sherman Road, on 31 acres, Tax Map No. 128.-1-36.2; zoned R-2.

The motion is seconded by Dave Catalfamo and duly put to vote, all in favor, on June 17, 2020.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board for the Town of Wilton adopts a favorable recommendation to the Zoning Board of Appeals for Wilton Solar Array Two (King Road) by Lumens Holdings 3 LLC for an area variance for frontage. Proposed project 5.0 MW ground-mounted solar array submitted under NY-Sun Incentive program. Property located on King Road/Sherman Road, on 28 acres, Tax Map No.'s 128.-1-36.2 and 129.-1-29; zoned R-2.

Planning Board Minutes
June 17, 2020

The motion is seconded by Dave Catalfamo and duly put to vote, all in favor, on June 17, 2020.

Chairman Dobis asks for a motion to adjourn. On a motion introduced by Ron Slone, the Board adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED that the meeting of the Planning Board be adjourned at 8:54p.m. The motion is seconded by Dave Catalfamo, and duly put to vote, all in favor on this day June 17, 2020.

Date Approved July 15, 2020

Amy DiLeone
Executive Secretary