



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

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Website:

**PLANNING BOARD**  
**August 19, 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

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

Mark Schachner  
Planning Board Counsel

Amy Dileone  
Executive Secretary

A meeting of the Wilton Planning Board (“the Board”) occurred on August 19, 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:**

At 6:33 p.m., Chairman Dobis opens the Public Hearing.

**I. PUBLIC HEARING:**

**A. 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.

**B. 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.

**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 Special Use Permit 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.

**PLEASE TAKE NOTE** that the Planning Board for the Town of Wilton will hold a **PUBLIC HEARING** for a Special Use Permit 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.

**SAID HEARING** will be held on Wednesday, August 19, 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.

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).

General site statistics for Solar Lot 1 & Lot 2:

- 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 were granted 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 will provide access to the parcel from Sherman road. Lot 2 will provide access from King Road. Both lots once created and filed will be keyhole lots.
- This is the first large solar array in the Town of Wilton.

Public Comment:

- There is no public comment.

Chairman Dobis asked if there were any other questions or comments. There are none.

Dave Gabay made a motion to close the Public Hearings at 6:40 p.m. seconded by Michael Coleman.

**I. REGULAR MEETING:**

**PRESENT:** Chairman Michael Dobis, Harold VanEarden, Dave Gabay, Brett Hebner, Ron Slone, Bill Rice, and Michael Coleman, Alternate; Ryan K. Riper, P.E., Director of Planning and Engineering, Mark Schachner, Planning Board Counsel and Amy DiLeone, Executive Secretary

**ABSENT:** Jeffrey Hurt and Dave Catalfamo

**MINUTES APPROVAL:** Bill Rice moves, seconded by Dave Gabay for the approval of the meeting minutes of July 15, 2020 as written. Ayes: Chairman Dobis, Ron Slone, Hal VanEarden, Brett Hebner, and Michael Coleman Alternate

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

**II. APPLICATIONS:**

**A. Lumens Holdings 3, LLC: Wilton Solar Array #1 (Sherman Road)** Application for Wilton Solar Array #1 (Sherman Road) for a Special Use Permit 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.

Application by Lumens Holdings 3 LLC, for Conceptual Subdivision for Wilton Solar Array #1 (Sherman Road) and Wilton Solar Array #2(King Road). Property located on Sherman Road and King Road, on 59± acres, Tax Map No's. 128.-1-36.2 and 129.-1-29; zoned R-2.

Application by Lumens Holdings 3 LLC, for Conceptual Site Plan and for Wilton Solar Array #1 (Sherman Road) 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.

**B. Lumens Holdings 3, LLC: Wilton Solar Array #2 (King Road)** Application for Wilton Solar Array #2 (King Road) for a Special Use Permit 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.

Application by Lumens Holdings 3 LLC, for Conceptual Site Plan, for Wilton Solar Array #2 (King Road) 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).

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

Discussion:

- There is a resident on King Road who is adjacent to the access road on King Road. They will be impacted visually and during construction. The resident would like the Planning Board to consider buffering, there is little to no vegetation behind the home.
- The applicant is happy to provide visual buffering for the resident.
- The items in Mr. Riper's letter will be addressed.
- Mr. Riper suggests the applicant should provide a visual or birds eye view of the solar arrays and the buffering from the street view for the Board to review.
- Discussion between Attorney Schachner and the Board about the visual impacts being pertinent in order to move on with SEQRA, Special Use Permit, and Conceptual approvals.
- The Board unanimously agrees not to grant any approvals until a Visual Site Plan is submitted. This project is the first in the Town and needs to be reviewed correctly.
- The Board should provide clear direction to the applicant.
- The Board would like the applicant to show the view from Route 50, King Road, and the visual impacts to the adjacent landowners.
- The height of the arrays will be 3ft. at the low point and 9ft. at the high point.
- Fencing was mentioned and was noted to be a discussion for the future.

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

**C. Forest Grove, LLC: Forest Grove Conservation Subdivision**

A request by Forest Grove, LLC for a 90-day extension for Amended Subdivision Plan for Forest Grove Conservation Subdivision with a total of 321-lots on 565 acres. Property located north of Jones Road and near Putnam Lane, Tax Map No's 141.-1-25, 28, 29 and 128.-1-69, 71.22, 87 and 141.-2-2, 3 and 141.-2-4.2, and 140.16-3-1 thru 6 and 140.12-3-1 thru 11 and 99; zoned R-2.

On a motion introduced by Dave Gabay, the Board adopts the following resolution:

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board does hereby grant the request by Forest Grove, LLC for a 90-day extension for Amended Subdivision Plan for Forest Grove Conservation Subdivision with a total of 321-lots on 565 acres. Property located north of Jones Road and near Putnam Lane, Tax Map No's 141.-1-25, 28, 29 and 128.-1-69, 71.22, 87 and 141.-2-2, 3 and 141.-2-4.2, and 140.16-3-1 thru 6 and 140.12-3-1 thru 11 and 99; zoned R-2.

The motion is seconded by Hal VanEarden and duly put to vote, all in favor, on August 19, 2020.

**D. Ridgeview Commons: Ridgeview Commons Townhomes**

Application by Ridgeview Commons for an Amended Site Plan for Ridgeview Townhomes for a lot line adjustment, in order to have all townhomes on one lot. Property located on Ballard Road on 21± acres. Tax Map No's. 114.-2-73, 114.-2-15.2, 114.-2-15. 31, zoned; PUDD.

Mr. Riper explains the lot line adjustment.

Chairman Dobis asks if there are questions. There are none.

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 Application by Ridgeview Commons for an Amended Site Plan for Ridgeview Townhomes for a lot line adjustment, in order to have all townhomes on one lot. Property located on Ballard Road on 21± acres. Tax Map No's. 114.-2-73, 114.-2-15.2, 114.-2-15. 31, zoned; PUDD.

The motion is seconded by Hal VanEarden and duly put to vote, all in favor, on August 19th, 2020.

**E. Exit 16 LLC: Exit 16 Self-Storage/U-Haul Business**

Application by Exit 16, LLC for Amended Site Plan for Exit 16 Self-Storage, for a proposed U-Haul rental business with on-site truck storage. Property located on Ballard Road, on 9.64 acres, Tax Map No. 115.-2-38; zoned C-3.

Owen Speulstra from Environmental Design Partnership and Wayne Samascott are present to represent Exit 16, LLC

- This is a request for an amended site plan for an existing self-storage facility.
- There will no physical changes to the site.
- The applicant is amending the site to allow a U-Haul rental business at the storage facility.
- The U-Haul trucks will be parked in the gravel area in the back of the site.
- They submitted a revised site plan today that addresses Mr. Riper's comments.
- Prior to the construction of the future buildings the applicant shall revisit the Planning Board to make certain that this use complies with what was previously approved.

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

Discussion:

- The U-Haul trucks shall be parked in the rear of the building.
- There will be no retail sales by U-Haul at this site.
- U-Haul supplies a 3ft. x 3 ft. metal sign to be put in the ground, like a real estate sign.
- The sign permit is a separate permit through the Building Department.
- This project will begin as soon as they get Planning Board approval.
- There would be 8-10 total trucks and trailers on the site.
- The parking should be demarcated as on the existing Site Plan for the Final Site Plan.
- This is an additional use on the property that meets all the zoning requirements.

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board does hereby grant the Application by Exit 16, LLC for Amended Site Plan for Exit 16 Self-Storage, for a proposed U-Haul rental business with on-site truck storage. Property located on Ballard Road, on 9.64 acres, Tax Map No. 115.-2-38; zoned C-3.

The motion is seconded by Ron Slone and duly put to vote, all in favor, on August 19th, 2020.

**F. Louis P. Faraone: Seasoned Gourmet Firewood-Exit 15N**

Application by Louis P. Faraone for Conceptual Subdivision for Seasoned Gourmet Firewood–Exit 15N for a pre-existing, non-conforming commercial retail use. Property located on 4226 Route 50 on 13.33± acres, Tax Map Numbers 141.-2-66, 141.-1-6, 141.-2-54, 141.-1-33 and a portion of 141.-1-31.1; zoned RB-1.

Application by Louis P. Faraone for Conceptual Site Plan for Seasoned Gourmet Firewood–Exit 15N for a pre-existing, non-conforming commercial retail use. Property located on 4226 Route 50 on 13.33± acres, Tax Map Numbers 141.-2-66, 141.-1-6, 141.-2-54, 141.-1-33 and a portion of 141.-1-31.1; zoned RB-1.

Justin Grassi of Saratoga Law is here on behalf of Louis P. Faraone for Gourmet Seasoned Firewood.

General site statistics:

- There is a new modified Site Plan as of today.
- The Site Plan consists of two parcels owned by the applicant, two parcels owned by entities which he is a managing member, and one parcel intended to be subdivided from the Donald Tooker Living Trust. The sale of the parcel is contingent on subdivision approval currently before this Board.
- The existing pre-existing, non-conforming use has expanded beyond the 2007 approval and needs to come into compliance.
- The parcels are being explained by Attorney Grassi.
- The subdivision is also being explained.
- Attorney Grassi explains the history of the parcels.
- Storage of firewood related materials on parcels 141.-1-33, 141.-1-6
- Variance for storage on one parcel in 2007.
- There are multiple area variances on the property from 2008.
- The items have been removed from the DOT right of way.
- The signage was removed.
- There are no new uses or structures on the property.
- Modified location of post signage.

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- There is an expanded driveway with a 30 ft. radius needing DOT approval.
- The lighting is explained.
- They demarcated where the stacked firewood is on the site.
- The parking is explained and discussed.
- The placement of the signage was a concern and at 25 ft. it would need an area variance.
- There are driveways on the northern and southern ends of the property used for deliveries.

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

Discussion:

- Utility easement is discussed.
- Future utilities could be water and sewer extending to the north in the easement.
- Firewood stored adjacent to Route 50 could have a better covering, something that is consistent throughout the property.
- Applicant states the site is intended to be somewhat fun and whimsical.
- Dot has design standards for any commercial entrance based on the speed of the road and the use of the road.
- The motion for conceptual should be conditioned on DOT approval.

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 Application by Louis P. Faraone for Conceptual Subdivision for Seasoned Gourmet Firewood–Exit 15N for a pre-existing, non-conforming commercial retail use. Conditioned upon DOT approval and SCPB review. Property located on 4226 Route 50 on 13.33± acres, Tax Map Numbers 141.-2-66, 141.-1-6, 141.-2-54, 141.-1-33 and a portion of 141.-1-31.1; zoned RB-1.

The motion is seconded by Dave Gabay and duly put to vote, all in favor, on August 19th, 2020.

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 Application by Louis P. Faraone for Conceptual Site Plan for Seasoned Gourmet Firewood–Exit 15N for a pre-existing, non-conforming commercial retail use. Conditioned upon DOT approval and SCPB review. Property located on 4226 Route 50 on 13.33± acres, Tax Map Numbers 141.-2-66, 141.-1-6, 141.-2-54, 141.-1-33 and a portion of 141.-1-31.1; zoned RB-1.

The motion is seconded by Bill Rice and duly put to vote, all in favor, on August 19th, 2020.

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 8:34p.m. The motion is seconded by Dave Catalfamo, and duly put to vote, all in favor on this day August 19, 2020.

Date Approved September 16, 2020

Amy DiLeone  
Executive Secretary