



**TOWN OF WILTON**  
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**PLANNING BOARD**  
**September 16, 2020**

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

Mark Schachner  
Planning Board  
Counsel

Amy Dileone  
Executive Secretary

**PLANNING BOARD**

Michael G. Dobis,  
Chairman

Harold VanEarden,  
Vice Chairman

William Rice

Ron Slone

David Gabay

Brett Hebner

Jeffrey Hurt

David Catalfamo &  
Michael Coleman  
Alternate

A meeting of the Wilton Planning Board (“the Board”) occurred on September 16, 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:**

**I. REGULAR MEETING:**

**PRESENT:** Chairman Michael Dobis, Harold VanEarden, Dave Gabay, Jeffrey Hurt, Bill Rice, Michael Coleman, and Dave Catalfamo, Alternates; 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:** Brett Hebner and Ron Slone

**MINUTES APPROVAL:** Bill Rice moves, seconded by Dave Gabay for the approval of the meeting minutes of August 19, 2020 as written. Ayes: Chairman Dobis, Hal VanEarden, Jeffrey Hurt, Dave Catalfamo, and Michael Coleman Alternates

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

**II. APPLICATIONS:**

**A. Kurt Borchardt: Artisanal Brew Works Temporary Taproom & Craft Brewery**  
Application by Kurt Borchardt for Amended Site Plan for Artisanal Brew Works Temporary Taproom & Craft Brewery for a brewery and taproom with on-premise consumption and retail. Property located at/on 617 Maple Ave on 17.35 acre(s), Tax Map No(s). 140.-3-26; zoned PUDD.

The owners of Artisanal Brew Works Kurt Borchardt and Colin Quinn are present.

- They have been in business in Saratoga Springs for 5 years and their lease is expiring at the end of this month.
- Food was not allowed in the Saratoga establishment per the Zoning Code.
- They make high end craft beer.
- They have a War Head Sour that has changed their brewery dramatically.
- Distribution in Massachusetts, Connecticut, Rhode Island, Pennsylvania, New Jersey, Florida, and California.
- The War Head production is out of Massachusetts to much for this brewery to handle.
- Goal is to be a destination brew pub.
- Want to have a family friendly atmosphere with an indoor and outdoor vibe.
- Their long-term location will be the current location of Cole's Collision.
- If conditions allow, they would like to tie into the Skidmore bike trails.
- Most importantly they want to be a valuable commodity to the community.
- Short term goal is to have a brewery with on premise and off premise sales at what was the hydroponics shop.
- They would like to ask for the ability to use some of the outside area due to COVID.
- A challenge to the project is the need for sewer and water.
- There will be a 6,000-gallon weir tank/clarifier to be pumped out weekly.
- Extend the water and sewer mains to the property.
- Make sure the well onsite has enough capacity for the brewery.
- Temporary space will be used for 3-6 months.
- Cole's would like to be out of their building by January.
- Restaurant and the tap room will be done first then the brewery. For the permanent location.
- Temporary location will not have a restaurant component.
- Would like to have food trucks.
- Open mid-October with licensing approvals.
- The Board had positive feedback regarding this project.

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 Kurt Borchardt for Amended Site Plan for Artisanal Brew Works Temporary Taproom & Craft Brewery for a brewery and taproom with on-premise consumption and retail. Property located at/on 617 Maple Ave on 17.35 acre(s), Tax Map No(s). 140.-3-26; zoned PUDD

The motion is seconded by Bill Rice and duly put to vote, all in favor, on September 16, 2020.

**B. Lumens Holdings 3, LLC: Wilton Solar Array #1 (Sherman Road)** Application by Lumens Holdings 3, LLC for SEQRA Declaration for Wilton Solar Array #1 (Sherman Road) & Solar Array #2 (King Road) for two (2) 5.0 MW ground-mounted solar arrays submitted under the NY-Sun Incentive program. Property located at/on Sherman Road/King Road on 59± acre(s), Tax Map No(s). 128.-1-36.2 & 129.1-129; zoned R-2.

Application by Lumens Holdings 3, LLC for Special Use Permit for Wilton Solar Array #1 (Sherman Road) & Solar Array #2 (King Road) for two (2) 5.0 MW ground-mounted solar arrays submitted under the NY-Sun Incentive program. Property located at/on Sherman Road/King Road on 59± acre(s), Tax Map No(s). 128.-1-36.2 & 129.1-129; zoned R-2.

Application by Lumens Holdings 3, LLC for Conceptual Subdivision for Wilton Solar Array #1 (Sherman Road) & Solar Array #2 (King Road) for two (2) 5.0 MW ground-mounted solar arrays

submitted under the NY-Sun Incentive program. Property located at/on Sherman Road/King Road on 59± acre(s), Tax Map No(s). 128.-1-36.2 & 129.1-129; zoned R-2.

Application by Lumens Holdings 3, LLC for Conceptual Site Plan for Wilton Solar Array #1 (Sherman Road) & Solar Array #2 (King Road) for two (2) 5.0 MW ground-mounted solar arrays submitted under the NY-Sun Incentive program. Property located at/on Sherman Road/King Road on 59± acre(s), Tax Map No(s). 128.-1-36.2 & 129.1-129; 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).

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.
- After the Public Hearing on August 19, 2020 the Board was looking for additional information regarding the visual impacts and visual screening would work on the site.
- The Board received two sets of plans and Kent Randall is explaining the cross sections on the first plan and the photos on the second.
- The arrays will not be visible from the road.
- Additional screening will be provided for the adjacent landowners.
- There will be 2-3 mechanical cuttings of the ground cover per year and no chemicals shall be used.
- The Board asks that a note be placed on the final plans stating that no chemicals shall be used on the property for vegetation.
- There will be two electrical connection points on King Road.
- There should enough energy for 2,000 homes.
- Patricia Brennan lives on King Road; she is the only neighbor that has been in contact with the Town. Her property is to the right of the access drive and her concern is buffering.
- The applicant will address Patricia Brennan's concern.

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

Town Counsel Mark Schachner reads the Full Environmental Assessment Form Part II questions 1-18 to the Board for Wilton Solar Array Lot 1 and Lot 2. All questions were answered "No" with all subsequent questions answered "No" or "Small" with exception of the following question:

7. Impact on Plants and Animals (Yes); subsequent questions answered "No" or "Small"

On a motion introduced by Dave Gabay 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 Application by Lumens Holdings 3, LLC for Wilton Solar Array #1 (Sherman Road) & Solar Array #2 (King Road) for two (2) 5.0 MW ground-mounted

solar arrays submitted under the NY-Sun Incentive program. Property located at/on Sherman Road/King Road on 59± acre(s), Tax Map No(s). 128.-1-36.2 & 129.1-129; zoned R-2.

The motion is seconded by Bill Rice and duly put to vote, all in favor, on September 16, 2020.

On a motion introduced by Bill Rice the Board adopts the following resolution:

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board does hereby grant the 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.

The motion is seconded by Hal VanEarden and duly put to vote, all in favor, on September 16, 2020.

On a motion introduced by Bill Rice, the Board adopts the following resolution:

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board does hereby grant the 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.

The motion is seconded by Hal VanEarden and duly put to vote, all in favor, on September 16, 2020.

On a motion introduced by Bill Rice, the Board adopts the following resolution:

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board does hereby grant the Application by Lumens Holdings 3 LLC, for Conceptual Site Plan 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.

The motion is seconded by Hal VanEarden and duly put to vote, all in favor, on September 16, 2020.

Set the Public Hearing for Site and Subdivision for October 16, 2020.

### **C. R/H Route 50, LLC: Wilton Plaza**

Application by R/H Route 50, LLC for Amended Site Plan for Wilton Plaza for installing two (2) 10-yard capacity trash bins and two (2) 8-yard capacity recycling bins. Property located at/on 3057 Route 50 on 4.07 acre(s), Tax Map No(s). 153.-3-117; zoned C-1.

John Lapper applicant's attorney, Gregg Ursprung, project engineer from Bergmen Engineering, Mark Nadolny, project traffic engineer from Creaton Manning are present to represent R/H Route 50, LLC.

- Relocate the dumpsters from the rear of the site to the side of the site
- John Lapper: The issue is about the future connection to the Wilton Mall. Our client is very concerned about the traffic congestion on an already busy Wilton Plaza.
- A traffic report was submitted to the Town from Mark Nadolny that shows there will be a failing intersection at Route 50. The idea of encouraging people to cut through this site that already has difficult geometrics with the angle of the parking lot coming into the access road of Market 32.
- Per the traffic engineer, Mark Nadolny, they would be creating a traffic situation that will be a major problem.

- In accordance with the traffic study they do not think it would be a good decision to interconnect these two properties and are asking for it not to be included on the site plan.
- Chairman Dobis refers to 2008-2009 approved site plan showing the loop road connection.
- Chairman Dobis said the Board was going to act on the dumpsters being moved and the road being installed as required.
- John Nigro is a very responsible developer and we are showing that things have changed in 11 years and our site can't handle the cut through traffic.
- Lengthy discussion on the installation of the loop road, the traffic study, and the terminology of a cut through road vs connector road (shared access point).
- This property is in violation and in court due to additional dumpsters.
- The Planning Board is asking that the loop road be installed as it was approved in 2009.
- John Lapper says they would like to come back in a month with a compromise that would work for everyone.
- John Lapper is asking to table the application until next month.
- SEQRA is being explained and discussed by Mark Schachner, Town Council and the Board.
- The EAF form will have to be amended to reflect the new proposed action.
- John Lapper is asking again to table the application.
- The application is tabled until Wednesday October 21, 2020 with a submission date of Tuesday October 6, 2020.

**D. Wilton Mall, LLC: Wilton Mall** Discussion regarding a commitment extension from September 1, 2020 to November 1, 2020 for the construction and maintenance of a loop connection road at the Wilton Mall, that was originally a condition of the minor amended site plan for Saratoga Hospital approved November 2019.

Mike Shaffer of Wilton Mall and Don Pringle of Macerich are present to represent the Wilton Mall.

The Board agrees to grant the extension with the date of Wednesday December 16, 2020, the date of the December Planning Board meeting due the application of R/H Route 50, LLC being tabled.

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board does hereby grant the request by Wilton Mall, LLC for a commitment extension from September 1, 2020 to December 16, 2020 for the construction and maintenance of a loop connection road at the Wilton Mall, that was originally a condition of the minor amended site plan for Saratoga Hospital approved November 2019. Property located at/on 3065 Route 50 on 93.59 acre(s), Tax Map No(s). 153.-3-86.111; zoned C-1.

The motion is seconded by Dave Gabay and duly put to vote, all in favor, on September 16, 2020.

On a motion introduced by Dave Gabay 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 Hal VanEarden and duly put to vote, all in favor on this day September 16, 2020.

Date Approved October 21, 2020  
Amy DiLeone  
Executive Secretary