



TOWN OF WILTON
22 TRAVER ROAD
WILTON, NY 12831-9127
(518) 587-1939

PLANNING BOARD

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David Gabay
Brett Hebner
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David Catalfamo &
Christopher Price
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Executive Secretary

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

Mark Schachner
Planning Board Counsel

PLANNING BOARD

November 17, 2021

A meeting of the Wilton Planning Board (“the Board”) occurred on November 17, 2021, at 6:30 P.M., at the Wilton Town Hall, 22 Traver Road, Wilton, New York 12831.

PLEDGE OF ALLEGIANCE

I. CALL TO ORDER:

At 6:31P.M., Chairman Rice opens the Public Hearing.

II. PUBLIC HEARINGS:

A. 570 Maple Avenue - Business Office Conversion: Cecil Provost: Application for 570 Maple Avenue - Business Office Conversion by Cecil Provost for converting an existing residential home to business offices. Property located at/on 570 Maple Ave (Rte. 9) on 1.873 acre(s), Tax Map No(s). 153.5-1-16; zoned CR-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 570 Maple Avenue - Business Office Conversion by Cecil Provost for converting an existing residential home to business offices. Property located on 570 Maple Ave (Rte. 9) on 1.873 acres, Tax Map No. 153.5-1-16; zoned CR-1.

SAID HEARING will be held on Wednesday, November 17, 2021, at 6:30PM at Wilton Town Hall, 22 Traver Road, Wilton, New York. At that time, all persons will be given a chance to be heard.

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

Cecil Provost, the applicant and Jeff Anthony, Studio A, are here to present the Site Plan.

Site Statistics:

- Property location is 570 Maple Avenue on 1.9 acres
- Residential home to be converted into business offices.
- The Area Variances needed for this project were approved.
- Removal of a garage and a shed.
- Eighteen parking spaces required, and we are proposing nine.
- Buffer required along the driveway; the adjacent landowner would like a fence. We are proposing an 8 ft. fence.
- Stormwater is addressed.
- No changes are proposed to the entrance on Route 9.
- Three Maple Trees added to the plans.
- No outdoor storage will be permitted.
- Emergency services were satisfied.

Public comment:

- Adjacent landowners are in favor of the project.

Mr. Van Earden moves, seconded by Mr. Dobis to close the Public Hearing.

B. Wilton Plaza: R/H Route 50, LLC: Application for Wilton Plaza by R/H Route 50, LLC for installing additional dumpsters. Property located at/on 3057 Route 50 on 4.07 acre(s), Tax Map No(s). 153.-3-117; 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 Wilton Plaza by R/H Route 50, LLC for Minor Amended Site Plan to install additional dumpsters. Property located on 3057 Route 50 on 4.07 acres Tax Map No. 153.-3-117; zoned C-1.

SAID HEARING will be held on Wednesday, November 17, 2021, at 6:31PM at Wilton Town Hall, 22 Traver Road, Wilton, New York. At that time, all persons will be given a chance to be heard.

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

Gregg Ursprung, with Bergmann is here to represent the applicant.

Mr. Ursprung:

- We have received the Area Variance from the ZBA.

- We were able to provide a location for the dumpsters and angle them so that they can be accessed by the trucks.
- We are adding about fourteen feet of concrete for the dumpster pads.
- We did take a look at the truck turning movements coming into the dumpsters so they basically come down the drive pull in behind the building and then they can easily access those dumpsters within an angle that we have provided.
- We are not changing the existing pavement, that access remains.
- We are losing zero parking spaces and we are actually adding two where the dumpsters were.
- The Area Variance is for a 3.5 ft. rear setback.
- Plans were sent to Wilton Mall, and they approved of the plans.

Public comment: There are none.

Mr. Gabay moves, seconded by Mr. VanEarden to close the Public Hearing.

III. REGULAR MEETING:

PRESENT: Chairman William Rice, Harold VanEarden, Michael Dobis, Dave Gabay, and Chris Price 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: Brett Hebner, Ron Slone, Jeff Hurt, and Dave Catalfamo, Alternate

MINUTES APPROVAL: Mr. Price, seconded by Mr. Gabay for the approval of the meeting minutes of October 20, 2021, as written. Ayes: Chairman Rice, Mr. VanEarden, Mr. Dobis, Mr. Gabay and Chris Price, Alternate

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

IV. APPLICATIONS:

A. 570 Maple Avenue - Business Office Conversion: Cecil Provost: Application by Cecil Provost for SEQRA Declaration for 570 Maple Avenue - Business Office Conversion for converting an existing residential home to business offices. Property located at/on 570 Maple Ave (Rte. 9) on 1.873 acre(s), Tax Map No(s). 153.5-1- 16; zoned CR-1.

Application by Cecil Provost for Preliminary Site Plan for 570 Maple Avenue - Business Office Conversion for converting an existing residential home to business offices. Property located at/on 570 Maple Ave (Rte. 9) on 1.873 acre(s), Tax Map No(s). 153.5-1- 16; zoned CR-1.

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 or Small "*
2. *Will the proposed action result in a change in the use or intensity of use of land? "No or Small "*
3. *Will the proposed action impair the character or quality of the existing community? "No or Small "*

4. *Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? “No or Small “*
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 or Small “*
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 or Small “*
7. *Will the proposed action impact existing:*
 - a. *Public/private water supplies? “No or Small”*
 - b. *“Public/private wastewater treatment utilities? “No or Small “*
8. *Will the proposed action impair the character or quality of important historic, archaeological, architectural, or aesthetic resources? “No or Small “*
9. *Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora, and fauna)? “No or Small “*
10. *Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems? “No or Small “*
11. *Will the proposed action create a hazard to environmental resources or human health? “No or Small”*

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby move for a negative declaration on SEQRA for the Application by Cecil Provost for 570 Maple Avenue - Business Office Conversion for converting an existing residential home to business offices. Property located at/on 570 Maple Ave (Rte. 9) on 1.873 acre(s), Tax Map No(s). 153.5-1-16; zoned CR-1.

The motion is seconded by Mr. VanEarden and duly put to vote, all in favor, on November 17, 2021.

Cecil Provost, the applicant and Jeff Anthony, Studio A, are here to present the Site Plan.

There are no comments from the Board.

The Board was pleased with the overall site plan and the removal of the fence in the front of the property.

Mr. Ripper, Town Engineer addresses the items in his review letter dated November 10, 2021, to the Board.

- The Board can waive 33% of the parking in the front.
- Sight distance of the 8 ft. fence.
- Sign permit is a separate permit.
- Make sure that there's adequate ingress and egress from the existing entrance for two cars pulling in and out.
- Lighting and sidewalks can be waived.
- Placement of Maple trees on the frontage of the 28 ft. easement.

The Board waived the parking requirements.

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby grant the Application by Cecil Provost for Preliminary Site Plan for 570 Maple Avenue - Business Office Conversion for converting an existing residential home to business offices. Property located at/on 570 Maple Ave (Rte. 9) on 1.873 acre(s), Tax Map No(s). 153.5-1-16; zoned CR-1.

The motion is seconded by Mr. Dobis and duly put to vote, all in favor, on November 17, 2021

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board does hereby grant the Application by Cecil Provost for Final Site Plan for 570 Maple Avenue - Business Office Conversion for converting an existing residential home to business offices. Conditioned upon compliance with the Town Engineer, Ryan Riper's review letter dated November 10, 2021, and further conditioned upon a letter from DOT stating the curb-cut is sufficient. Property located at/on 570 Maple Ave (Rte. 9) on 1.873 acres, Tax Map No. 153.5-1-16; zoned CR-1.

The motion is seconded by Mr. Price and duly put to vote, all in favor, on November 17, 2021.

B. Wilton Plaza: R/H Route 50, LLC: Application for Wilton Plaza by R/H Route 50, LLC for installing additional dumpsters. Property located at/on 3057 Route 50 on 4.07 acre(s), Tax Map No(s). 153.-3-117; zoned C-1.

Gregg Ursprung, with Bergmann is here to represent the applicant.

Mr. Ursprung has nothing further to add.

Mr. Riper, Town Engineer, addresses the items in his review letter dated November 5, 2021, to the Board.

- Landscaping has been added to the plans.
- Time limit should be added for removal of the dumpsters and completion of the project.

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

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wilton Planning Board has approved the Application by R/H Route 50, LLC for Minor Amended Site Plan for Wilton Plaza for installing additional dumpsters. Conditioned upon having the connection road open to traffic by December 3, 2021, and the construction for the dumpster relocation completed by June 15, 2022. Further conditioned upon compliance with the Town Engineer, Ryan Riper's review letter dated November 5, 2021. No new or different environmental impacts. Property located at/on 3057 Route 50 on 4.07 acres, Tax Map No. 153.-3-117; zoned C-1.

The motion is seconded by Mr. Gabay and duly put to vote, all in favor, on November 17, 2021.

C. Forest Grove Conservation Subdivision: Forest Grove, LLC: Application by Forest Grove, LLC for Amended Subdivision for Forest Grove Conservation Subdivision for amending townhouse portion of the subdivision to allow optional single family detached homes with 5-ft side yard setbacks. Property located at/on Jones Road (to the north) and near Putnam Lane on 565 acre(s), Tax Map No(s). 141.-1-25, 28, 29; 128.-1-69, 71.22, 87; 141.-2-2, 3, 4.2; 140.16-3-1 thru 6; and 140.12-3- 1 thru 11 & 99; zoned R-2

Joe Dannible of EDP and Peter Belmonte of Belmonte Builders are here to represent Forest Grove.

Site Statistics:

Mr. Dannible:

- The applicant is proposing to amend the townhouse portion of the approved subdivision plans to allow for townhouse lots (74) to be converted to small single family detached residences.
- No changes to the lot lines depicted on the approved plans are proposed.
- The setbacks associated with these lots under the cluster provisions would be 5 ft. minimum with a total of 12.5 ft. for each parcel.

Discussion by the Board and the Applicant as to why the 5 ft. setback was needed:

- The Applicant would like to offer the most diverse homes for the money.
- The aesthetics of the subdivision is a large concern.
- There is already a reduction to 7.50 ft. side yard setback approved by the Planning Board.
- This style of clustering does not fit in, in the Town of Wilton.
- Concerns of emergency access between buildings, snow removal and drainage.
- The 10 ft. rear yard setback needs to be revisited, as to when it was approved at 10 ft.
- The Planning Board is genuinely concerned of the aesthetics and is asking the Applicant for renderings to be presented at the December 15, 2021, Planning Board meeting.

D. Commercial Development on Traver Road: Katherine E. King Application by Katherine E. King for Conceptual Subdivision and Conceptual Site Plan for Commercial Development on Traver Road for subdividing commercial property and the construction of two (2) commercial buildings. Property located at/on Traver Rd on 1.93 acre(s), Tax Map No(s). 115.14-1-5,16,17 & 21; zoned C-3.

Brett Strom of the LA Group is here to represent the application by Kathy King for commercial development on Traver Road.

Site Statistics:

- We are looking for a Conceptual Site Plan approval, as well as Conceptual Subdivision approval.
- The lot is currently made up of four different parcels. The proposed subdivision would break it into two individual parcels one on the east side of the road and one on the west side of the road.
- The first building on the east parcel is an 8000 square foot commercial building. We are proposing that this building will be used as office space and retail space. The west parcel is going to be an office building.
- The traffic study was done by VHB concluded there will be no delays in both A.M. and P.M. peak hour traffic. As a result of the project, we are currently showing an entrance to the east parcel of Traver and also off County Route 33. We have sent it to the county. We received comments, as you know, they are not in favor of this entrance, which we will be amending. We are just going to continue to talk with the county and to further address this. Whether it is just a single entrance out.

- We are proposing underground infiltration chambers over here and porous asphalt on this parcel. Existing culvert goes underneath the road. The existing water and sewer go down the west side of Traver road are side by side.
- The overall parking for the project, we produced numbers based on highest usage for say a laundromat, two parking spaces per machine and office space came up with the number 45, we are providing 51. For commercial office space requirement of 15 parking spaces which we are providing.
- In the landscape plan currently, we are showing some small bushes within the front of both buildings. During the ZBA meeting I know we had a comment about some screening, we do have some screening. We are keeping existing trees along the cemetery to provide screening.
- Lighting, we currently have some 20-foot LED light poles within the parking lot and wall packs on the front of both buildings, and also in the back.

Mr. Riper, Town Engineer addresses the items in his review letter dated November 9, 2021, to the Board.

- They will be required to submit county approvals for the new curb cut on the county road. The County’s DPW and the County Planning Board have both said they do not like the curb cuts on the county road.

Discussion of the curb cuts between the applicant and the Board.

Mr. Riper continues addressing the items in his review letter.

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 by Katherine E. King for Conceptual Subdivision for Commercial Development on Traver Road for subdividing commercial property. Property located at/on Traver Rd on 1.93 acre(s), Tax Map No(s). 115.14-1-5,16,17 & 21; zoned C-3.

The motion is seconded by Mr. VanEarden and duly put to vote, all in favor, on November 17, 2021.

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

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wilton Planning Board approves the Application by Katherine E. King for Conceptual Site Plan for Commercial Development on Traver Road for the construction of two (2) commercial buildings. Property located at/on Traver Rd on 1.93 acre(s), Tax Map No(s). 115.14-1- 5,16,17 & 21; zoned C-3.

The motion is seconded by Mr. Price and duly put to vote, all in favor, on November 17, 2021.

Set the Public Hearing for Wednesday, December 15, 2021.

E. Wilton Wendy's: CKA Management Application by CKA Management to set a Public Hearing for Wilton Wendy's for a Minor Amended Site Plan for façade improvements and the addition of a drive-thru lane and window. Property located at/on 3075 Route 50 on 93.59 acre(s), Tax Map No(s). 153.-3-86.111; zoned C-1.

Doug Heller with the LA Group is here representing CKA Management for Wendy's.

Site Statistics:

Mr. Heller:

- I am just going to concentrate on the revisions that have been made since we were here last month.
- A couple of the comments that we received from the Board, the biggest one was the addition of the dual order lanes. It is called a wide range drive thru, you can split off into two order menus that then return to single lane pickup. With that, there was some existing parking spaces that were removed so now with the dual order provides additional buffer and prevents people from coming in and cutting through. We have made that egress, which reduced the number of parking spaces that we are providing. We are still well above the requirement. I think, we are almost double the requirement for parking.
- The other big change was at the intersection of Route 50 and the Mall there were comments that there were no pedestrian crosswalks and there were little concrete pads. We have provided a sidewalk connection to the parcel itself.
- A lot of the conversation at the last meeting was regarding the half Friendly's, half Wendy's building.

Mr. Heller explains the new renderings with the up-dated aesthetics of the building.

The Board would like to see more texture in the building and some faux windows.

The Public Hearing is set for Wednesday, December 15, 2021.

F. Perry Crossing: FFBWOOD#2 LLC: Application by FFBWOOD#2 LLC for Conceptual Site Plan for Perry Crossing for the construction of two (2) retail buildings and a bank with drive up window. Property located at/on Route 50 and Perry Rd on 5.12 acre(s), Tax Map No(s). 153.-3-90.5; zoned C-1.

Luigi Palleschi of ABD Engineering is representing FFBWOOD#2 LLC.

Site Statics

Luigi Palleschi:

- We have made changes to the site
- The bank has been rotated to be parallel to Route 50.
- The auto parts store has been moved to the center lot.
- The tire store will be located on the south end.
- The number of parking spaces has been reduced
- More street trees have been added on Route 50.
- Added sidewalks for pedestrian access.
- Received a letter from DOT on 10/27/21 allowing access.
- The applicant and Pyramid Pines agreed to resolve their issues with the buffer.
- The Board was in favor of the new plan.

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

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wilton Planning Board approves the Application by FFBWOOD#2 LLC for Conceptual Site Plan for Perry Crossing for the construction of two (2) retail buildings and a bank with drive up window. Property located at/on Route 50 and Perry Rd on 5.12 acre(s), Tax Map No(s). 153.-3-90.5; zoned C-1.

The motion is seconded by Mr. Price and duly put to vote, all in favor, on November 17, 2021.

G. Edie Rd/Scout Rd Conservation Subdivision: B&D Properties, LLC: Application by B&D Properties, LLC for Conceptual Subdivision for Edie Rd/Scout Rd Conservation Subdivision for creating eighteen (18) single family lots. Property located at/on Edie Rd/Scout Rd on 44.07 acre(s), Tax Map No(s). 128.-1-2; zoned R-2.

Peter Yetto with Ingalls and Associates is here to represent Edie Rd./Scout Rd. Conservation Subdivision.

Site Statistics:

Mr. Yetto:

- This will be a Conservation Subdivision.
- The project is located on Edie Road, both proposed entrances are on Edie Road, Scout Road comes out to Edie Road, Pettey's Sawmill is on the corner and Interstate 87 is in the rear.
- The parcel is approximately 44 acres, and in the R-2 residential zoning district.
- There will be 18 Lots on well and septic
- Proposed Roadway 1600 linear feet, road will terminate at hammerhead at the end instead of a cul-de-sac at the request of the Highway Superintendent.

The Board was given an email that was sent today, stating the Highway Superintendent, Kirkland Woodcock would like a connection to Scout Road instead of the hammerhead turn around.

The Board stated to Mr. Yetto that they would not oppose the statement of the Highway Superintendent and the applicant should speak to the Highway Superintendent directly.

There was no action taken on this application tonight.

H. Palmertown Ridge Subdivision: Witt Construction, Inc.: the Application by Witt Construction, Inc. for Conceptual Subdivision for Palmertown Ridge Subdivision (Woodard Rd) for a three (3) lot residential subdivision. Property located at/on Woodard Rd on 537.5 acre(s), Tax Map No(s). 101.-1-102.1; zoned R-3.

Brittney Engelmann is here representing Witt Construction, Inc.

Ms. Engelmann is saying nothing really has changed since the October 20th meeting. She has a few comments and explains them to the Board.

Mr. Riper:

- Saratoga PLAN is going to review the project.

- A note must be included on the subdivision map that there will be public access from Woodard Road to lot two because it is really unknown the exact right of way into lot two, the lots do not touch that is why there was a zero lot line adjustment for frontage, and it needs to be clear that there is public access to the lot.
- The easement language needs to be submitted for review.

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

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wilton Planning Board approves the Application by Witt Construction, Inc. for Conceptual Subdivision for Palmertown Ridge Subdivision (Woodard Rd) for a three (3) lot residential subdivision. Property located at/on Woodard Rd on 537.5 acre(s), Tax Map No(s). 101.-1-102.1; zoned R-3.

The motion is seconded by Mr. Price and duly put to vote, all in favor, on November 17, 2021.

Set the Public Hearing for Wednesday, December 15, 2021.

I. Route 50 Warehouse: Liuos Thinking, Inc.: Pre-Application by Liuos Thinking, Inc. for Route 50 Warehouse for the construction of a 6,000 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.

Rene Lipatas of CHA Consulting is representing Liuos Thinking, Inc.

Site Statics:

- Location is Route 50 and Edie Road.
- They are proposing a warehouse essentially to store containers and outdoor storage for their business.
- They provide emergency response and temporary for base camps.
- They position themselves where they would have containers and then in the event of emergency, they create kitchens and bathrooms.
- There is shallow ground water.
- One employee daily and ten in an emergency situation.
- Containers stored out front.
- Preserve the buffer in the back.
- They would like two access points.

Mr. Riper: This will be a difficult site for this type of business due to; ground water, storm water, pavement setbacks, and storage not being allowed in the front of the facility.

The Board's main concerns are traffic and aesthetics.

There is no action being taken on this application tonight.

J. The Car Shoppe: The Mast Group: Application by The Mast Group to set a Public Hearing for Special Use Permit for The Car Shoppe for a 10,075 sq. ft. used auto sales and service facility. Property located at/on Maple Ave (Rte. 9) on 11.83 acre(s), Tax Map No(s). 153.-1-15.113; zoned CR-1.

Bob Flansburg, Dreamscapes Unlimited is here representing The Car Shoppe.

General Site Statistics:

Mr. Flansburg

- We are looking to propose a used car dealership with service facility.
- There will be 4 service bays
- The car sales will be located in the front
- We moved the entire site forward.
- Most of the display area will be in the front.
- Employee parking to the side and rear.
- Shared entrance with Warren Tire.
- This project will need two special use permits one for the sales and one for the service.

Mr. Riper, Town Engineer addresses the items in his review letter dated November 10, 2021, to the Board.

Mr. Riper: The only action for tonight is the Board, setting a Public Hearing for a special use permit for two uses: the auto sales and service facility.

Set the Public Hearing for Wednesday, December 15, 2021.

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

NOW, THEREFORE, BE IT RESOLVED that the meeting of the Planning Board be adjourned at 10:20P.M.

The motion is seconded by Mr. Price and duly put to vote, all in favor on this day November 17, 2021.

Date Approved December 15, 2021

Amy DiLeone
Executive Secretary