



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

PLANNING BOARD

William Rice,
Chairman
Harold VanEarden,
Vice Chairman
Michael G. Dobis
Ron Slone
David Gabay
Brett Hebner
Jeffrey Hurt
David Catalfamo &
Christopher Price
Alternates

Amy DiLeone
Executive Secretary

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

Mark Schachner
Planning Board Counsel

PLANNING BOARD

December 15, 2021

A meeting of the Wilton Planning Board (“the Board”) occurred on December 15, 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. Commercial Development on Traver Rd: Katherine E. King: Application for Commercial Development on Traver Rd by Katherine E. King for subdividing commercial property and constructing 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 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 Commercial Development on Traver Rd by Katherine E. King for subdividing commercial property and constructing 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.

SAID HEARING will be held on Wednesday, December 15, 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.

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

Site Statistics:

- Mr. Strom: Since the last meeting in November there have been some minor changes to the plans.
- The entrance on Traver road has been modified slightly.
- There has been a slight modification on the office building on the west parcel. The eaves were over the setback. A small modification of the building has brought that in compliance.
- We have sent the plans and engineering report to the Saratoga County Sewer District, we are currently waiting for a response.
- Wilton Water and Sewer application has been submitted.
- Continuing conversations with the county, we will touch on that in more detail in the regular meeting.

Public comment: There was none.

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

B. Wilton Wendy's: CKA Management: Application for Wilton Wendy's by CKA Management for improvements to the building façade and the parking lot configuration with 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.

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** Wilton Wendy's by CKA Management for improvements to the building façade and the parking lot configuration with 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.

SAID HEARING will be held on Wednesday, December 15, 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.

Dave Carr of the LA Group is here to represent Wendy's by CKA Management.

Mr. Carr: The Board has seen this plan a couple times, but for the public; the applicant is proposing to renovate this existing vacant Friendly's that is next to the 99 Restaurant, on route 50.

- They are proposing to renovate part of the existing building into a Wendy's with two drive through lanes in the rear and occupy half of the space.
- There are some elevations that have been the largest part of the discussion by the Board. We will get into that at the regular meeting.
- There are facade improvements, reduction in the required parking, there are no improvements outside of the existing pavement, and there is actually an increase in pervious area.

Public comment:

There is a conversation about the traffic flow, parking, and public safety.

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

C. Palmertown Ridge Subdivision (Woodard Rd): Witt Construction, Inc.:

Application for Palmertown Ridge Subdivision (Woodard Rd) by Witt Construction, Inc. 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 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 Palmertown Ridge Subdivision (Woodard Rd) by Witt Construction, Inc. 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.

SAID HEARING will be held on Wednesday, December 15, 2021, at 6:32PM 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.

Dave Carr of the LA Group is here to represent Palmertown Ridge Subdivision.

Site Statistics: Mr. Carr:

- What we have here is, a three-lot subdivision. Lot-one is just under 350 acres, lot-two is approximately 150 acres and lot-three is approximately 20 acres. The entire parcel is just under 530 acres.
- The Board has seen this a couple times it has gone to the Zoning Board and received a variance for frontage. This action is to subdivide the land. In end, there is going to be a transfer of lots one and three to the Open Space Institute to continue the Palmertown Range trail to the north. Witt Construction does plan on developing parcel two in the future, there is no set plan for that yet.
- This subdivision is a subdivision of land only. There is nothing proposed to be constructed only a gravel trail head.

- To update the board, a wetland biologist from our office, Maria Trataka from Saratoga Plan and Ray O'Connor from the Town was on part of the walk. We re-walked a couple locations that were in question. We re-located those locations using GPS, and they were reviewed with Saratoga Plan today. Saratoga Plan signed off on that, so the trail and the easement are in the correct location. We walked out a second time and it was confirmed today with Saratoga Plan.
- One of the conditions would be for a map to be re-reviewed by everybody before it is filed but the trail has been walked two or three times at this point and we believe now we have got an agreeable location to all parties involved.
- This easement is temporary until all this land is turned over then the easement really is not needed anymore.

Public Comment: There was none.

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

D. The Car Shoppe: The Mast Group: Application for The Car Shoppe by The Mast Group for Special Use Permits for a 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.

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 The Car Shoppe by The Mast Group for Special Use Permits for a 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.

SAID HEARING will be held on Wednesday, December 15, 2021, at 6:33PM 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.

Bob Flansburg, Dreamscapes Unlimited, and Chris Masantuono, the applicant, are here to represent The Car Shoppe.

General Site Statistics:

Mr. Flansburg:

- Renderings of the building are being shown.
- We are looking to propose a used car dealership with service facility.
- There will be four 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.

Public Comment:

- A resident was concerned for the three homes on Route 9 that may be affected by headlights from the proposed site.
- Mr. Flansberg explains the proposed project to the resident.
- The headlights will not be an issue.
- Hours of operation will be 9-5, seven days a week.

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

III. REGULAR MEETING:

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

MINUTES APPROVAL: Mr. VanEarden, seconded by Mr. Gabay for the approval of the meeting minutes of November 17, 2021, as written. Ayes: Chairman Rice, Mr. Dobis, Brett Hebner, Dave Catalfamo and Chris Price, Alternates

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

IV. APPLICATIONS:

A. Commercial Development on Traver Rd: Katherine E. King: Application for Commercial Development on Traver Rd by Katherine E. King for subdividing commercial property and constructing 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:

- Mr. Strom: Subdivision is quite simple, no changes since the November meeting. The existing parcels are on both east and west side of Traver Road currently broken into four separate parcels. The proposal for the subdivision is to combine all the different parcels on the east side of Traver Road into one parcel and split the existing parcel that spans both sides of the road into a separate parcel. The end product would be two separate parcels.

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. VanEarden 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 for Commercial Development on Traver Rd by Katherine E. King for subdividing commercial property and constructing 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-

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

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

Mr. Stromm is explaining to the Board that the county has made a recommendation of a right out only onto Ballard Road and they have modified the plans to reflect that request. No other modifications have been made to the Site plan.

Mr. Riper addresses his review letter dated December 9th to the Board.

Mr. Riper states if the Board so chooses, they could give Preliminary and Final approval on the Subdivision only and Preliminary approval on the Site plan.

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 Preliminary 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 December 15, 2021.

Mr. Riper addresses his review letter dated December 9th to the Board.

- Discussion of the landscaping plan and spacing of street trees along the front.
- Cross access agreement is discussed.
- The applicant prefers a vinyl dumpster enclosure as opposed to the masonry enclosure. The Board was in favor.
- Ornamental lighting was not required by the Board due to the added expense to the applicant.
- The sidewalks are not going to be required.

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 Final Subdivision by Katherine E. King for subdividing commercial property. Conditioned upon compliance with the Town Engineer, Ryan Riper's review letter dated December 9, 2021. 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 December 15, 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 for Preliminary Site Plan by Katherine E. King for commercial development. 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. Gabay and duly put to vote, all in favor, on December 15, 2021.

B. Wilton Wendy's: CKA Management: Application for Wilton Wendy's by CKA Management for improvements to the building façade and the parking lot configuration with 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

Dave Carr from the LA Group is here to represent the applicant.

Mr. Carr:

- There was a request to remove one parking space, so we did.
- The second request was to add landscaping. The landscaping was added to the islands in between the drive thru.

- The East elevation is the side of the drive thru and the gray coloring on the eve of a gable and then the knot wood aluminum siding was added to break up the brown.

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wilton Planning Board has approved the Application for Minor Amended Site Plan by CKA Management for improvements to the building façade and the parking lot configuration with the addition of a drive-thru lane and window. Conditioned upon compliance with the Town Engineer, Ryan Riper's review letter dated December 9, 2021. Property located at/on 3075 Route 50 on 93.59 acre(s), Tax Map No(s). 153.-3-86.111; zoned C-1. 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 December 15, 2021.

C. 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.

Dave Carr from the LA Group is here representing Witt Construction, Inc.

Mr. Carr: I want to answer Ryan's question that came up today in our meeting with Saratoga PLAN.

- The two changes in the actual trail that we ended up with was the trail that was walked the first time.
- This trail was in a questionable area, it is a very wet area and it made sense to walk up and around it, and everyone was in agreement.
- The other questionable area where we have the trail makes the most sense. Maria from PLAN could not decide where the best placement of the trail was. The discussion led to the suggestion to make the easement two hundred feet.
- The entire area from the boundary of lot two to the boundary of Witt's property would be an easement. This would allow Maria to put the trail wherever she wanted.
- The easement is temporary, until the transfer of the lot is done with OSI.

Mr. Riper:

- The final plan should reflect my comments regarding the access from Woodard Road.
- The parking area being an easement to the Town needs to be discussed.

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

Part II questions are:

11. *Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? "No or Small "*
12. *Will the proposed action result in a change in the use or intensity of use of land? "No or Small "*

13. *Will the proposed action impair the character or quality of the existing community? “No or Small “*
14. *Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? “No or Small “*
15. *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 “*
16. *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 “*
17. *Will the proposed action impact existing:*
 - c. *Public/ private water supplies? “No or Small”*
 - d. *“Public/private wastewater treatment utilities? “No or Small “*
18. *Will the proposed action impair the character or quality of important historic, archaeological, architectural, or aesthetic resources? “No or Small “*
19. *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 “*
20. *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 for Palmertown Ridge Subdivision (Woodard Rd) by Witt Construction, Inc. 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. VanEarden and duly put to vote, all in favor, on December 15, 2021.

There are no comments from the Board.

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 Preliminary 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 December 15, 2021.

D. The Car Shoppe: The Mast Group: Application for The Car Shoppe by The Mast Group for a 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.

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

21. *Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? “No or Small “*
22. *Will the proposed action result in a change in the use or intensity of use of land? “No or Small “*
23. *Will the proposed action impair the character or quality of the existing community? “No or Small “*
24. *Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? “No or Small “*
25. *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 “*
26. *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 “*
27. *Will the proposed action impact existing:*
 - e. *Public/ private water supplies? “No or Small”*
 - f. *“Public/private wastewater treatment utilities? “No or Small “*
28. *Will the proposed action impair the character or quality of important historic, archaeological, architectural, or aesthetic resources? “No or Small “*
29. *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 “*
30. *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 for The Car Shoppe by The Mast Group for a 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.

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

There are no comments from the Board.

Mr. Riper addresses the Special Use Permit Section 129-176 section 175 of the Town Code.

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

The items in Mr. Riper’s review letter have not been met. There will be no conceptual approval tonight.

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 for Special Use Permits by The Mast Group for a 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.

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

E. Pine Bluff (Edie Rd/Scout Rd) Conservation Subdivision: B&D Properties, LLC:

Application for Pine Bluff Subdivision (Edie/Scout Rd) by B&D Properties, LLC for creating nineteen (19) 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.

Joel Hence with Ingalls and Associates is here to represent the Edie Rd./Scout Rd. Conservation Subdivision.

Site Statistics:

Mr. Hence:

- We made a couple small updates to the plan. One of these updates was requested by the Town. The Town would like to see a trail along the Northway. We added the trail between the proposed subdivision and the Northway. This creates a pedestrian connection to Scout Road. I believe there is another Trailhead planned towards the intersection. The Town will have a nice corridor connecting all the proposed subdivisions in this general area.
- With this trail, we were able to increase the density and by adding additional lots. We now have 19 lots on this proposed subdivision.
- One of the other items that was presented to the Board, I believe yesterday, it was a letter from the applicant's attorney, which was just a fact-finding letter. I know there has been some discussion about the connection on Scout Road, whether or not it would be appropriate for a new connection on Scout Road. The applicant's position is that it is not required.
- At the request of the Highway Supervisor in September, we adjusted this layout to have a hammerhead turnaround rather than the cul-de-sac. The cul-de-sac is the preferred alternative, but I guess one of the main discussion points tonight, and one of the things that needs to be discussed is, this turnaround.
- If possible, the applicants is anxious for concept approval, so we can install a new culvert with the driveway permit and start doing some more testing on these lots.

Mr. Riper:

- The letter from the applicant's attorney was received today. It needs to be reviewed by the Town Attorney.
- We have a memo, from our Highway Superintendent dated December 14, 2021, yesterday. I believe that it was sent out to the Board.
- The memo is reaffirming that the Highway Superintendent is taking the New York State Department Transportation and the County Planning Board's recommendation for the proposed road to meet Scout Road, the Highway Department will make the necessary improvements to Scout Road from the connection point.
- It is complicated because Kirk is retiring in three weeks. It is not in the budget and there are a lot of factors involved. He is stating that they would take care of, the existing portion of Scout Road pavement.

Attorney Schachner: We did not get this letter until today. I am just saying this for the applicant's benefit, that is most unfortunate. The applicant's attorney, at the very end, encourages the Board

to consult with me, but did not provide me with a copy of the letter, which is really unfortunate. But anyway, there are some legal points in the letter. There are about almost a dozen bullet points that talk about our Town Code and our Highway Department policies, that are not legal points. So, there is a lot to look at. There is a lot to analyze in this letter from the standpoint of whether the applicant's attorney makes an argument. I cannot say what the validity of the argument is, but makes an argument that it is not good planning to require the applicant to do that. That is not our legal issue.

Mr. Riper: I would like to see the applicant and the Highway Superintendent get together and have that conversation.

Chairman Rice: I thought that was going to get done, this is a whole wasted month. I know that you want us to make a decision. We have this from Kirk and from DOT saying they want this connection.

Let us give the applicant another month to iron things out with the Highway Superintendent and then we can come back and hopefully in a month we can make a decision.

There is no action on this application tonight.

F. Ingersoll Road Conservation Subdivision: Bordeau Builders, Inc. Application for Ingersoll Road Conservation Subdivision by Bordeau Builders, Inc. for creating forty-one (41) single family lots. Property located at/on Ingersoll Rd at Route 50 on 76.47 acre(s), Tax Map No(s). 154.-1-3.1; zoned R-2, RB-1.

Norman Ward is here a landscape architect with Lansing Engineering, representing Bordeau Builders.

Site Statics:

- Conservation Subdivision with 38 proposed lots, last before the Board in June of 2021.
- 76.47 acres with 13.2 acres of DEC wetlands.
- Proposing public water and septic.
- Submit to the Town Board for acceptance of land to be dedicated to the Town for the 10% density bonus. Maximum of 41 lots.
- Traffic study is needed.
- Concern of curb cuts onto the Town road.

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

- Stormwater concerns.
- Grants for roundabouts were discussed.
- Steep slopes very concerning.
- Request for homes to set back farther was not addressed.
- There are two possible connection locations for sewer, either on Loudon Road or going down Old Gick Road to the Paddocks. Connecting the sewer to this subdivision should be evaluated.
- Site distance concern.

There is no action on this application tonight.

G. Forest Grove Conservation Subdivision: Forest Grove, LLC: Application for Forest Grove Conservation Subdivision by Forest Grove, LLC for amending townhouse portion of the subdivision to allow optional single family detached homes with 5-ft. side yard setbacks with a total of 12.5-ft for each parcel. 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.

Mr. Belmonte: After the last meeting, I had a lot of time to contemplate some of the things that were said. There were a few points that I just wanted to go back and reiterate. One of the things you brought up, is you were disappointed that we were coming back making a change, for the development started. I understand the frustration, and the confusion that it can create. I just wanted to point out that this neighborhood was designed and always talked about as a constantly evolving project. There are going to be many times that we are going to be back in front of the Board, introducing new ideas as the market changes, or correcting ideas that we assumed were right and proven to be not so right. I understand that. What brought us here tonight, or even in the last meeting was our reassessment of the market. We can see Forest Grove, the townhouse section, of course, was intended to be our entry level homes into the community. Being entry level, they may not be inexpensive, but they were going to be the least expensive homes that we could offer in the community with all the amenities that it presented. The last 20 months have been the most radically evolving period of time that I have experienced the 40 years that I have been in this business. What we had come to realize, we had started the Regatta View neighborhood over by Saratoga Lake, with the intention of testing these townhouse designs, because we knew that there, we had 24. Here we were going to have about 72 and that we could not call the market wrong. We found over the last 20 months that the cost of those townhouses did not compare to what we thought they could be built for. We have a lot of opportunity being taken in today's market, where framers, other trade personnel and suppliers are raising costs disproportionately to what we had planned for. What we've, experienced is to build one of these townhouses, for building the exact same unit as a freestanding structure, we are paying in excess of \$10,000 premium to put those two buildings together. Well, that goes directly against what our philosophy was, when we started phase one of Forest Grove. We wanted these units to be affordable. We wanted to be able to extend them to families or couples who wanted a simpler lifestyle, did not want large lots wanted to be in a community with the amenities this community offers. Based on the last 20 months experience we have had, we have designed the wrong product for the location, and for the purpose. What we are trying to do is make a product with very similar architecture, but by breaking the units apart, and be able to save the consumer that \$10,000. We are not asking for any more lots. We are not changing the number of units we are going to build; all we are trying to do is maintain our initial philosophy that we wanted these to be the most cost-effective product that we were bringing to the community. That is the driving force behind this change. Realizing that we are going lot for a lot, one for one, not ask for any more density, that we want this to be the most affordable product. To give you an example, I even embarrassed to say this, but over in Sonoma Grove. If you purchased a home 20 months ago, or you purchased the home today, you are paying in excess of \$100,000 more for the exact same house. We have deteriorated the ability for young couples to be able to afford homes. As a builder, I feel

responsible for and trying to react to that. That is what tonight's presentation is about, is reacting to that change in the market. I do not plan on making one more penny on this.

Site Statistics:

- The Applicant would like to offer the most diverse homes for the money.
- The Applicant is proposing to amend the townhouse portion of the approved subdivision plans to allow for townhouse lots (72) 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.
- Mr. Dannible explains the renderings.
- Single family and duplexes unit shown mixed together.
- Mr. Belmonte: We're taking the duplex lot and we are splitting the two units apart. Each would be 5-foot setbacks, the overhangs could be 10-feet apart, the buildings could be 12-feet apart. On the opposite side of the building the outside of the duplex lot, you would have 15-feet between overhangs 17-feet between buildings.

Discussion by the Board. They were not in favor of the proposed changes and would like the plans revised again.

There is no action on this application tonight.

NOW, THEREFORE, BE IT RESOLVED that the meeting of the Planning Board be adjourned at 9:35P.M.

The motion is seconded by Mr. Price and duly put to vote, all in favor on this day December 15, 2021.

Date Approved January 19, 2022

Amy DiLeone
Executive Secretary