

**Town of Bolton  
PLANNING BOARD  
MINUTES  
Thursday February 16, 2012  
6:00 p.m.**

SEQR = State Environmental Quality Review  
PB = (Town of Bolton) Planning Board  
WCPS = Warren County Planning Board  
APA = Adirondack Park Agency  
LGPC = Lake George Park Commission  
DEC = Department of Environmental Conservation

**Present-** Herb Koster, Henry Caldwell, John Gaddy, Donald Roessler, Sandi Aldrich, Gena Lindyberg, Kirk VanAuken, Zoning Administrator Pamela Kenyon and Counsel Michael Muller

**Absent-** Chauncey Mason

The meeting was called to order at 6:14pm.

Herb Koster thanked Sue Wilson for her 7 years of great service to the PB.

Herb Koster asked if there were any changes or corrections to the January 20, 2011 minutes.

- 1) Henry Caldwell, page 1, first paragraph should read "... and new *alternate* member Kirk VanAuken who sat in Herb Koster's absence."

**RESOLUTION**

**Motion by** Don Roessler to approve the January 20, 2012 minutes as corrected.

**Seconded by** John Gaddy. Herb Koster abstained. **All Others in Favor. Motion Carried.**

**1) V12-01 SAGBOLT, LLC.** Represented by Atty. Benjamin Pratt. In accordance with Section 200-93A (other regulations applicable to Planned Unit Developments), seeks area variance (PUD Amendment) to amend V11-23 to **1)** convert and extend a hard roof and eliminate an awning to create balconies for the benefit of 3 hotel rooms above the dining deck; and **2)** to berth the Morgan perpendicular to the shore immediately in front of the former boat museum rather than parallel to the shore. Section 171.16, Block 1, Lot 16, Zone PUD. Property Location: 110 Sagamore Road. Subject to WCPS, ZBA, PB, APA and TB review. Subject to SEQR.

Jon Lapper representing Sagbolt requested to table the discussion regarding the mooring of the Morgan pending further discussions with the neighbor. The only item the applicant wished to discuss was the dining canopy. In the original proposal this was partially a solid surface and partially an awning. In order to add the balconies to the second story rooms above there, it seemed right to remove the awning and have it as a solid roof. Jon Lapper stated that Mike Phinney from Phinney Designs helped with the design; he moved some windows to make it more symmetrical. The applicant feels this

is a small aesthetic benefit and a practical way to create these balconies above the dining canopy.

Henry Caldwell asked what neighbors have concerns about the Morgan. Jon Lapper stated that the issue is determining whether there is enough space in this new location. F.R. Smith & Sons is next door and there is enough room to use their dock for 1 boat but if it has 2 boats and need to get one around another, there is concern that there is not enough room.

John Gaddy asked if the glass panels will be used for the railing. Jon Lapper replied yes they intend to use the glass panels instead of a hard railing that would block the view. Sandi Aldrich asked if it is non-glare glass. Justin Sanford, LA Group replied that it is clear glass and will not create a glare.

Kirk VanAuken stated that the roof extension is not going to be any greater than what is there now, and it will replace the temporary awnings. He noted that the terrace seems to have a drain in the back right corner and it seems that there will be down spouts from the upper level to the bottom tiers. However he is not sure what they intend to do with the drainage from the balcony to the back corner. Mike Phinney stated that there will be new internal drains in the balcony and there are leaders that are inside of the Sagamore structure that they would tie into. Kirk VanAuken stated that the balcony will now be a permanent structure and will slope; he asked if they intend to gutter that. Mike Phinney replied yes. The entire surface area of the deck currently sheet drains into an internal drainage system so the drainage from the roof above would still hit that level and get tied in.

Mike Phinney noted that as part of the original approvals there was an extensive improvement to the entire drainage system and stormwater run-off for the lawn area that was designed by the LA Group.

Henry Caldwell stated that he would like to discuss the lights on the bridge because they are extremely bright and a liability. The lights make it harder to see when boating under the bridge. He stated that he does not think that the neighbors like them either. He is not asking that they spend a lot of money for the lights, but they could change the ballasts, or light bulb and it could save them a lot in electricity. Brad Dow, Director of Engineering for the Sagamore, stated that they have looked at a couple of options available to them. Their first option is to replace the existing fixture head. They have not gotten quotes on that yet, but he thinks that they are in excess of \$1,000/ per fixture. However, this would not be a fully dark sky compliant fixture. They would still see some light due to the elevation of the bridge and existing poles. The second option is to retro fit the existing fixture and using the same fixture that have been approved and used by the Town and replacing the 4 fixtures. However Supervisor Conover has indicated that those fixtures cost approximately \$2,000 a piece.

Brad Dow stated that an important part of the discussion however needs to be about the minimal lighting requirements that they would need on that bridge for vehicle traffic. This would have to be acceptable to DOT and their insurance company. Brad Dow agrees that they could probably change the ballasts or decrease to a lower wattage bulb, but they would have to answer that question first. Henry Caldwell stated that he doesn't understand why they would even need lights since all cars have headlights. Brad Dow stated that he cannot answer that question and would have to defer that to the architect and insurance company. Henry Caldwell stated that the Sagamore has done a wonderful job in cutting way down on the lights around the waterfront and he would like to see the bridge addressed next. Brad Dow stated that they are looking into this and they are committed to moving forward with it. Henry Caldwell thanked them for looking into this matter further. Herb Koster asked if they have looked at shielding the fixture on the lake side. Brad Dow replied that they have not explored that and would probably be some sort of custom made fixture which could be cost prohibitive. He stated that the street lights used in Town are directional so there is more light in the street side, so they could look at something like that.

## **RESOLUTION**

**Motion** by Henry Caldwell to accept amendment to V11-23 and recommend to the TB approval of same. **Seconded** by Sandi Aldrich. **All in Favor. Motion Carried.** *It is noted that the second portion of this application pertaining to the berthing of the Morgan was tabled pending additional information.*

**2) SD12-01 SALAMONE, KEN.** Represented by the Phinney Design Group. Seeks to amend previously approved plat (SD05-23 Wide Water Subdivision), specifically to create a lot line adjustment between lots 1 and 2. Section 213.05, Block 1, Lots 6.1 & 6.2, Zone RM1.3. Property Location: 4124 Lake Shore Drive. Subject to SEQR.

Herb Koster stated that this subdivision in 2005 got a variance for these lot lines. To adjust them now the applicant must get a variance to do so. The applicant would like to go forward with item 3 even though they are aware that the proposed house cannot be built without the lot line adjustment. Counsel Muller stated that if they are to move forward with item 3, it means the applicant will have to go to the ZBA for the variance before they can come back to review the lot line adjustment based on the variance. If they pass along a favorable recommendation for the variance to the ZBA it will still come back to the PB conceptually. However, they do have the ability to hold it up and have the ZBA review the variance.

Sandi Aldrich asked if the ZBA will even consider the lot line adjustment if the PB does not provide them with some sort of guidance regarding the house. Counsel Muller stated that he cannot speculate on that, but if they were able to do something tonight, the ZBA is looking for a recommendation on item 3.

Herb Koster asked if this would come back for Site Plan Review. Pam Kenyon replied that she doesn't see why it would unless it is a condition that they put on it. She stated that the condition was that a house located on Lot 2 would come back for site plan review and that is one of the concerns that she has. With the lot line adjustment a portion of the house is now going to be on lot 2. She stated that it would be the Board's call.

Mike Phinney provided a little history to the property. He stated that this was subdivided into 3 lots, after several lots were combined and re-subdivided. There were quite a few cottages and structures on the property that the applicant has since removed or improved. The applicant has now hired his firm to create a master plan for both lots now and into the future. Mike Phinney stated that they had quite an extensive discussion with the ZBA. Originally it was thought that the lot line adjustment could happen administratively, however they found that there were some contingencies on that lot line adjustment and tonight they were made aware that they would need a variance for it.

Mike Phinney stated that the ZBA is seeking the PB's general recommendation on the project. He stated that they would like to give the entire presentation and then have a recommendation of some sort to the ZBA, so they may act.

Mike Phinney stated that the applicant has really slowed down this whole process intentionally to design a better house and be less impact to the lake. He feels that they have come up with a much improved plan and design. The previous design was only a ZBA matter because they were building within the existing footprint but it was for a much larger house closer to the lake.

## **RESOLUTION**

**Motion by** Don Roessler to table SD12-01 pending further submittal of an application for a variance. **Seconded by** Sandi Aldrich. **All in Favor. Motion Carried.**

**3) V11-58 SALAMONE, KEN.** Represented by the Phinney Design Group. For the construction of a proposed single family dwelling, seeks area variance for **1)** a deficient shoreline setback: 75' is required, 18.8' is proposed; **2)** Height: 35' is allowed, 38' is proposed; **3)** Length: 120' is allowed, 146.10' is proposed; and **4)** Garage bays: 3 bays are allowed, 2 exist and 2 are proposed. Section 213.05, Block 1, Lot 6.1, Zone RM1.3. Property Location: 4124 Lake Shore Drive. Subject to WCPS review and APA review. *NOTE: The ZBA is seeking a recommendation of the Planning Board.*

Herb Koster stated that item 3 is looking for a recommendation because originally this needed a variance for a lot line adjustment so therefore it needs a variance to amend the variance to allow for the lot line adjustment.

Mike Phinney provided a little history to the subdivision. Originally they thought that

the lot line adjustment could happen administratively, however through the discussion they found there were some constraints put on the original subdivision which puts the applicant in this situation. He stated that Ken Salamone has really slowed down the development and building of this house to come up with the best design.

Herb Koster stated that they will have to come back to the PB for SD approval. Pam Kenyon replied that they will be back for approval of the lot line adjustment and possibly major stormwater if they pass the threshold. Herb Koster and John Gaddy stated that they feel this will be a major stormwater project. Mike Phinney disagreed; he stated that they have looked at this in great detail and don't believe they will trigger the threshold of a major stormwater project.

Mike Phinney provided some details to the plan. The previously existing house was a large 3 story house very close to the water. In 2009 the applicant received variances and approvals from the ZBA to build a new house in approximately that footprint but maximized the volume of that house to the same extent as the previous house including 1' overhangs on the roof. After having some time to reflect on this design the applicant felt that it was a very boxy design. Additionally because of the way the project was approved the applicant was not required to make any improvements to stormwater or any of the other improvements that he will describe tonight. Mike Phinney stated that at his recommendation, the applicant decided to take the opportunity to pause and think of a design that is more environmentally sensitive, and less impactful.

Mike Phinney stated that the applicant is trying to improve the house design for Lot 1. The original proposal posed to place a 3 story house in the same footprint of the existing house at the water's edge. The new design calls for a stepped back design with only 2 stories 45' from the lake and then the upper level. There will be a partially finished basement at the lower level, the main living level on the 2<sup>nd</sup> floor and then the sleeping level on the 3<sup>rd</sup> floor.

Mike Phinney stated that instead of maximizing the footprint, they have stepped that back as well to incorporate some landscaping including the ability to absorb run off on the back side of the house and garage. They are also going to replace the impervious parking/turn around area with permeable pavers. They want to make this area more attractive while allowing for proper drainage. Mike Phinney state that even though they pushed the massive program of the house to be extended out; it is in compliance with the setback from the lake, which they felt was more important than the impact to the lot line.

Mike Phinney stated that the applicant owns both lots, so in response to a master plan, if Lot 2 needs to be developed in the future it is set up so there are not going to have 2 houses side by side. He stated that he will show a plan indicating a house location. He stated that lot 2 can have just as big of a house with a storage building and approved septic design. He stated that if this were considered favorably then this lot would not

require variances for a house to be built in the future.

Mike Phinney provided details to the site prior to the applicant purchasing the property. He stated that there was a massive house on the lake, 7 cottages and large concrete pad. He stated that the applicant has since removed the large home and most of the cottages. He has placed a garage/storage building up where the cottages were located. The septic system that was designed and approved previously as a requirement of the subdivision before the applicant purchased the property is installed and is designed for 7 bedrooms. Mike Phinney stated that he has made renovations to the guest house which has 2 bedrooms and he would like to build a new 5 bedroom house.

Henry Caldwell stated that he is concerned that the lot line wraps around the front of the house on lot 1 which could potentially allow for a house to be in front of his and be right on the lake. Mike Phinney stated that they did that intentionally so that someone can't build something there. Henry Caldwell stated that nothing could stop any future owner from coming to the Boards to ask for relief to place a house there. Mike Phinney stated that the master plan is for the building location to be away from this house. He stated that they have a great location away from the lake that will provide lake views. He stated that this master plan is forcing a much more responsible use of the properties. Herb Koster asked if the applicant would be willing to put a deed restriction on the lot. Mike Phinney replied yes, the applicant has already volunteered to do that to protect himself and his privacy.

Herb Koster stated there were conditions on the removal of trees. Ken Salamone stated that the previously approved house location for lot 2 would have required the removal of a lot of trees. He stated that they will be cutting down some trees but it is less than what was previously proposed. Mike Phinney stated that the LA Group did a survey of the trees on the property, and indicated what trees would need to come down while providing a natural buffer between houses and the lake.

Mike Phinney provided more details to the proposal. He stated that there is a significant change in the mass pushing up the hill beyond the 75' setback. They will incorporate natural stone materials and timbers; which will blend in better with the environment. He provided details to the difference in elevation. Herb Koster asked about the previously approved building height. Mike Phinney replied that it was 39.5' and the proposed is 38'. Mike Phinney stated that by stepping back the house it has pushed the mass away from the footprint but has caused the request for the lot line adjustment and previously approved variances to be re-approved. Some variances are less, and they are building a smaller footprint and a shorter house.

Mike Phinney stated that there will be a large green roof on the front and edge of the terrace that will be vegetated. Mostly low growing sedums and ornamental grasses. Additionally, they will also have a rain garden.

Herb Koster asked if the proposed house exceeded the original house. Mike Phinney replied no it has been pulled in on both directions but he was not sure of the overall width. Herb Koster stated that there is a limit to the width of the house of 120'. Mike Phinney stated that is one of the variances that the applicant is seeking because of the small foot bridge that connects the boathouse to the proposed structure. However, it did not seem to be an issue since the design was being stepped back into the hillside. Kirk VanAuken asked what the length of the house was from the northwest corner to the corner of the garage. Mike Phinney replied that it will be 140' from the lake to the garage, but the actual building itself is 96'.

Sandi Aldrich asked about the driveway access. Mike Phinney provided details to the driveway and elevation. Sandi Aldrich asked if any blasting would be necessary. Mike Phinney replied no. They tried to work with the natural grades to avoid additional disturbance. Additionally the footprint of this house was cleared previously so the fill that was put in is pretty loose.

John Gaddy stated that he feels that the design from the lake is an improvement of the previously approved project. The goal is to keep that hidden, but he is concerned that when they have another house to the south it will have a totally different look from the lake with additional clearing. Mike Phinney stated that is a good point regarding the lot line adjustment; they want to preserve and protect this view shed.

Herb Koster asked if they could create a deed restriction that cannot be removed by any future owners. Counsel Muller replied yes they could but the Town would become a party to this agreement to be a beneficiary of the covenant as well. Therefore if the lot owners agreed to remove the condition they would not be able to without Town approval.

Sandi Aldrich stated that there were restrictions on cutting the trees. Pam Kenyon stated that the condition was that prior to a certificate of compliance being issued that there wouldn't be tree removal. She stated that she didn't see where it said that they couldn't take down any trees unless they acquired a certificate of compliance. She asked if the newly created lot 2 will have any trees taken down as a result of the lot line adjustment between the house and lake. Mike Phinney replied no, if the lot line is approved the trees that they will be taking down will now be on lot 1.

Mike Phinney stated that there is a requirement on Lot 2 for site plan review. Any future development will require full site plan review which will include tree removal, stormwater mitigation, site location and more. Sandi Aldrich stated that Lot 2 would not be able to open the view shed without coming back to the PB. Herb Koster stated that there are 11 trees to be removed on lot 1 with the lot line adjustment and he has 7 trees that won't be cut down on the old home site of lot 2. Mark Tabor stated that there is one additional tree by the shoreline that will be removed as well. Mike Phinney stated that if

the area had not been all fill they would have considered keeping it. However, with this type of investment they had to consider that this tree is over 100' tall on shallow soils, they would be asking for a lot of problems only 20' from the house.

Sandi Aldrich asked if there will be any landscaping or plantings in front of the house on the lakeside. Mike Phinney replied that it is already grass and they intend to keep it that way.

John Gaddy stated that there is a recorded deed with restrictions saying that lot 2 is subject and restricted that no vegetation shall be cut by the owner of lot 2 within 20' of the northerly property line of lot 2 below the 334' contour line of the subdivision map. Mike Phinney stated that those restrictions were placed in the deed in the event that those lots were sold to two different individuals. He stated that he feels that the deed restrictions can be removed considering that the applicant is the owner of both lots and the Town is not a party to that deed restriction. Ken Salamone stated that when he purchased lot 2, the owner of lot 1 wanted to protect his privacy so he agreed to the deed restriction.

Sandi Aldrich stated that the storage building by the road is a 2 bay garage. Mike Phinney stated that the building was approved as a storage building with a 2 bay garage and boat storage. Herb Koster stated that property owners are allowed 3 garage bays and 2 bays for boat storage so the applicant will need a variance. Mike Phinney stated that they will do whatever they need to with Pam Kenyon.

John Gaddy stated that he would like to get the applicant's reasoning for why he feels that this is considered a minor stormwater project. Mike Phinney stated that he will have Justin Sanford discuss that in further details, but overall there have been a lot of measures taken to reduce the amount of run-off. John Gaddy asked if there were test pits done to show the depth to bedrock. Mike Phinney replied yes they had a geotechnical report done and determined the appropriate location of the rain gardens based on the results.

Henry Caldwell asked for more details on the permeable pavers. Mike Phinney stated that they come in a variety of shapes and forms but there are 2 types; 1) there is a certain amount of spacing between the pavers that has a certain amount of voids that allows water to enter and be absorbed and the substrate that goes into that construction is specially engineered to allow the water to get in and permeate and 2) the actual paver itself is made up with this elastomeric glue, but it has a certain amount of voids to allow water through it and the substrate is similar to the first type. The applicant will probably go with the first option. Henry Caldwell asked how they will hold up in the winter with sanding. Mike Phinney replied that it is meant to take an element of that nature and still be pervious.

Justin Sanford, LA Group, provided details of their stormwater management. He stated

that they have applied for minor stormwater due to the gross square footage of disturbed area. The previous site had over 9,000 sq. ft of impervious area, the previously approved had over 8,600 sq. ft of impervious and this current proposal has 4,500 sq. ft. They were able to do that with an approximate 1200 sq. ft green roof. They are proposing to take over 2000 sq. ft of parking area and replace it with permeable pavers. Justin Sanford stated that when they applied for the minor stormwater permit they did that in accordance with Bolton's stormwater regulations which states that you must treat 1.5 gallons for every sq. ft of additional impervious surface that they are proposing. The prior site was over 9000, they are only proposing 4500 sq. ft so they have no net impervious and have actually reduced it by 50%. They want to do everything possible to treat the stormwater and protect the water quality. The majority of the roof will be treated in the rain garden. They accounted for the additional 4500 sq. ft of impervious into the 1200 sq. ft green roof and calculated to capture the first .5" of rainfall off of that roof. That calculation gives you the need for 187 cubic feet of storage. The portion of the roof that will not make it into the green roof will be guttered to a rain garden in front of the garage which will treat and hold up to 300 cubic feet of storage. Justin Sanford stated that are providing more than adequate storage for the run-off. Additionally they have shrubs and landscape on the perimeter and foundation of the building to help with the infiltration on site for the impervious spaces.

Justin Sanford stated that they have a grading and drainage plan as well as an erosion and sediment control in place on that grading plan to protect the water quality of Lake George. John Gaddy asked what their depth to bedrock is. Justin Sanford stated that they dug a series of test pits throughout the site and they range from 1'-28" of soil before bedrock. They did not perform a test pit in the exact location of the rain garden area. Therefore they are proposing that the rain garden have a 1.5' retaining wall that will lift the rain garden to give them adequate space. Rain gardens are designed to give a minimum of 2' from the bottom of the system to bedrock. John Gaddy asked if there were any test pits behind the proposed garage and west side of the house. Justin Sanford replied no, there are existing tanks under existing crushed stone, but they figure the tanks are 6' deep so there seems to be more depth as they get closer to the lake.

Kirk VanAuken asked if there was any history about unwanted growth between the pervious pavers because he is concerned that if there is growth that the owner may want to use some sort of chemical to remove them and it is close to the lake. Mike Phinney replied that this surface will be driven on quite a bit, so in general there could be an occasional weed and how that gets treated can be done in a host of ways. He stated that chemical treatment is not something they would condone or recommend.

Herb Koster asked how the Board wished to proceed. Don Roessler asked if they should hold a public hearing. Herb Koster stated that the ZBA is a public hearing.

Chris Navitsky Lake George Waterkeeper, stated that most times when they raise

comments on Site Plan issues at the ZBA level they often do not take those comments into consideration because they are not part of the site plan review process. He requested having a public hearing at the PB level.

Mike Phinney responded that he does not feel that a public hearing is necessary. He stated that the ZBA had plenty of discussion about the comments that were made by the Lake George Waterkeeper and others. He does not feel that the ZBA disregarded his comments. Additionally, there will be another public hearing at the next ZBA meeting and he feels that holding a 3<sup>rd</sup> public hearing would be extreme. Mike Phinney noted that all of these applications are in response to the applicant doing what the Waterkeeper asks people to do. The applicant could have built a very large structure right next to the lake and it would not have fallen into the purview of this Board. It was already completely approved by the ZBA, all the applicant had to do was get a building permit. Some people would get the building permit, dig the hole and then decide to amend it. He feels that they have come up with a very responsible design that is environmentally friendly and incorporated a lot of measures that were not incorporated before. Herb Koster agreed and added that they can have the Town Engineer review this project and determine if this is a minor or major stormwater project.

Henry Caldwell stated that he would feel more comfortable if this were considered a major stormwater project. Mark Tabor stated that he does not think that it matters whether it is major or minor because the improvements are so extensive. Once they reduce the impervious area over 50% they are already greatly reducing the pre-existing conditions. He is not recommending that and would prefer to go with minor since that is the type of application that is before them. It is close in terms of the threshold but at significant cost the applicant has gone above and beyond to make sure this is as environmentally friendly as possible and that they develop the site responsibly.

John Gaddy asked if there have been any attempts to redesign the entryway garage so that it is not such a large structure. Mike Phinney replied that there is a desire for this entryway to act as a vestibule that is small in scale and nature. It is also pretty transparent so the massing of the garage building and the house feel like 2 separate buildings.

John Gaddy stated that he is just concerned with the lot line jutting back in front of the house on lot 1. Herb Koster stated that he has the same concern but the applicant has already indicated that he is willing to provide a deed restriction. There was some discussion regarding what the deed restriction might entail. Counsel Muller stated that he would work with them to be sure that the Town was a third party and beneficiary in the covenant and that it is permanent and runs with the land. Mike Phinney also reminded them that they will also have the restriction that Site Plan Review is required for any improvements to lot 2.

There was discussion of access to lot 2 once this lot line is adjusted. Ken Salamone provided some history of the driveway accesses to lots 1 and 2. He stated lot 2 has access through lot 3 off of 9N. He stated that he has removed a ton of asphalt from the property. There was pavement throughout the cabin area and put in pervious pavers. He stated that he intends to keep removing the asphalt on the property. He stated that he has been here for a long time and plans to spend the rest of his life here. He is excited about the new plan.

The Board discussed how they wished to proceed with the lot line adjustment and recommendation. Mike Phinney requested an opinion about the lot line adjustment. Herb Koster recommended tabling the subdivision application first.

### **RESOLUTION**

**Motion by** Don Roessler to table SD12-01 pending further submittal of an application for a variance. **Seconded by** Sandi Aldrich. **All in Favor. Motion Carried.**

John Gaddy stated that if they were to look at sheet A3.1.2, they are looking at a 140' wide structure that has a very strategic tree that breaks up this mass. He agrees that there have been a lot of improvements in the design and consideration of the stormwater. However, he would like to see some sort of requirement for maintaining some screening beyond the certificate of compliance in order to have his vote on this project. Herb Koster stated that it can be verbalized in the motion.

Mike Phinney stated that the stormwater requirements were volunteered by the team, not required by the math. Herb Koster stated that regardless of whether this is major or minor, the Board would like the Town Engineer to look it over. Don Roessler asked if the lighting will be dark sky compliant. Mike Phinney replied yes and they are limiting the lighting outside in general. Don Roessler stated that he would like to see the deed restriction at the next meeting. Sandi Aldrich stated that if they provide a favorable recommendation it is for all 4 variance requests. Herb Koster replied yes.

### **RESOLUTION**

**Motion by** John Gaddy to recommend the following to the ZBA: 1) that the stormwater portion of this project, minor or major, is reviewed by Town Engineer Tom Nace, 2) that permanent vegetation be required to remain to break up the massive structure of the complex to the south side of the house as presented in diagram A3.1.2, dated December 21, 2011 and 3) that any exterior lights on the structures be downward facing and shielded to be dark sky compliant. **Seconded by** Don Roessler. Henry Caldwell opposed. **All Others in Favor. Motion Carried.**

**4) SPR12-01 TRAPP, JOSEPH & MARY.** Represented by John Esper. Seek Type I Site Plan Review to construct a camp within ¼ mile of the Schroon River. Section 170.01, Block 1, Lot 3, Zone RR10. Property Location: East Schroon River Road – 1 ½

miles south of exit 24. Subject to WCPS and APA review. Subject to SEQR.

John Esper stated that he has a purchase agreement with the current owners and is looking to construct a 20' x 20' camp structure with a 12' x 20' deck. It meets the purposes of recreational and occasional use without water, electricity or driveway. It is in keeping with the restrictions of the Town as well as the APA and Wild, Scenic and Recreational Rivers Act.

John Esper stated that the proposed structure would be in keeping with the landscape. It will be within the required setbacks from the Northway to the east, the river to the west and East Schroon River Road. The structure is small and will be against the land as it slopes up.

John Esper stated that this would be used strictly for recreational purposes. His family likes to camp, hike, bike, cross country ski and snow shoe. John Esper indicated that he is very sensitive to properly constructing this building and has an eye for the aesthetic nature of structures as well as storage of materials around such buildings. It is his intention to have this structure be aesthetically pleasing, small in size with a color choice of dark green or brown to match the landscape. He stated that he has some building materials that were still usable from the addition project on his primary dwelling that he will be using.

John Esper stated that he has been in contact with WC Buildings and Code to make sure that the proposed plans are in keeping with their code restrictions for buildings. He plans to do a lot of the work himself along with a contractor who is very capable. He feels that it is a minimum impact and will enhance their use of the property.

Henry Caldwell asked what triggers the need for Site Plan Review. John Esper stated that it falls under the Adirondack Wild Scenic and Recreational Rivers Act, which is separate from the APA act, because it is within ¼ mile of a recreational river so it falls into that jurisdiction that requires this review. Henry Caldwell asked what their codes are for a camp. Pam Kenyon replied that camps cannot have running water or electricity. If he were to add these features he would need to come back before the Board. John Esper stated that there is no electricity on that road that is even available.

John Esper stated that there is quite a bit of fill that is on the site, which is from when the Town excavated that road to provide more light on the road so it would melt the snow. A lot of fill was dumped there and he would like to deal with those mounds. His intention is to smooth that out around the building site. He feels that they can improve the aesthetics of the site.

Pam Kenyon stated that there was no LC-LGRP impact.

**RESOLUTION**

**Motion by** Don Roessler to accept SPR12-01 as complete, waive a public hearing, having met the criteria set forth in the code, grant final approval of the project as presented. This motion includes a SEQR analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented.

**Seconded by** Sandi Aldrich. **All in Favor. Motion Carried.**

The meeting was adjourned at 8:23pm.