

**Town of Bolton
PLANNING BOARD
MINUTES
Thursday December 17, 2015
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- Sandi Aldrich, John Gaddy, Herb Koster, John Cushing, Kirk VanAuken, Henry Caldwell, Gena Lindyberg, Zoning Administrator Pamela Kenyon and Counsel Michael Muller.

Absent: Alternate, Ann Marie Somma

The meeting was called to order at 6:03pm.

Herb Koster asked if there were any changes or corrections to the November 19, 2015 minutes.

RESOLUTION:

Motion by John Gaddy to accept the November 19, 2015 minutes as presented. **Seconded by,** Kirk VanAuken. Gena Lindyberg abstained. **All others in Favor. Motion Carried.**

PUBLIC HEARING

1. **JUMBO REALTY LLC. (CAMP WALDEN).** Represented by Peter Loyola of CLA Site. As a condition of approval set forth by the Planning Board on September 18, 2014, seeks to discuss the master planting plan. The condition reads as follows: The applicant must implement the plan as presented with the addition of more screening and come back before the Board in one year's time for review. Section 185.00, Block 1, Lot 32, Zones RCL3, LC25 and LC45. Property Location: 429 Trout Lake Road. This item was tabled at the November 2015 meeting pending a public hearing.
2. **SPR15-23 JUMBO REALTY, LLC. (CAMP WALDEN).** Represented by Peter Loyola of CLA Site. Seeks Type II Site Plan Review for a group camp. Specifically to convert the infirmary building into Boys HQ Cabin. Section 185.00, Block 1, Lot 32, Zone **RCL3**, LC25 and LC45. Property Location: 429 Trout Lake Road. Subject to WCPS review. Subject to SEQR. This item was tabled at the November 2015 meeting pending a public hearing.

These items were heard jointly

Peter Loyola of CLA Site presented the following:

- They will be adding 500 sq ft. to the renovation along with 26 new campers and 6 staff to the camp.
- They have been slowly upgrading over the years.

- The Master Plan was originally presented September 2014.
- They have made some minor adjustments to the Master Plan and they are at the tail end of the build out of the camp.
- He detailed the Master Plan to the Board.
- The property was bought in 2004 and opened in 2005 without many changes.
- 2005 to 2011 they constructed 5 cabins and he detailed them on the plan.
- They have all had upgraded septic systems and an overall stormwater master plan has been implemented.
- The existing fields were upgraded and reconfigured for soccer, softball and basketball.
- He detailed all the new stormwater treatment and controls that have been implemented and updated on the Master Plan.
- They have upgraded the water system and became DOH compliant in 2012.
- In 2012 they improved and extended the dining hall with new stormwater controls implemented.
- In 2013 they built the Admin 2 building to accommodate the staff, implementing plantings for screening and regraded and improved the sediment controls.
- They started implementing trees along the water front for screening and they will continue to plant for screening.
- In 2014 – 2015 they designed a DOH approved septic system to accommodate any new buildings, fixed cabins, built the Lodge, made improvements to the parking lot and additional planting for screening.
- They will continue to add mature trees for screening across the site.
- They have not started the approved Arts & Crafts building as of yet.
- Future projects are an infirmary, staff housing, internal maintenance and staff parking, covering the hockey rink, internal improvements to recreation building, upgrading the absorption beds, 1 additional girl's cabin and the dining hall deck.
- The boys HQ cabin's non-existing stormwater controls would now be treated in infiltration trenches and a DOH septic system that is almost approved.
- They are here to answer any questions.

Nancy DiDonato of Trout Lake Shores stated she has concerns about the sound system as it is so much louder than what was previously used. They are broadcasting before 6 am. It has been outrageous this summer. The sound system is driving them all nuts. She is also glad that they are addressing the parking, as it is a very narrow winding road.

Chris Navitsky, Lake George Waterkeeper passed out maps to the Board of aerials from Warren County GIS of 2001 & 2013. He detailed the changes to the Board. He stated that the owner has done tremendous upgrades and made it a viable camp and business. He is encouraged that they have come up with a Master Plan to address stormwater, but each change has been piecemeal and it has grown significantly so as they move forward they should take into consideration restoring the eco systems. He is happy they will address all the stormwater, but he believes all stormwater should be considered major. Hopefully they can implement low impact development practices and maybe have areas designated for restoration of the landscape.

Diane Sansone of 13 Bluequill Road read her letter with serious concerns of the increase of boat traffic on the lake along with intrusive building footprints on the landscape. She believes her peace and serenity is being eroded and firmly oppose further expansion of the camp.

Mary Louise Murphy stated her concerns with lights, lake traffic, screening and noise. She asked if there were different regulations for children's camps as opposed to a group camp which they are advertising themselves as, proposing weddings, church gatherings and corporate retreats. She would like to know what exactly Camp Walden is.

Atty. Muller read letters and emails from;

Nancy DiDonoto

Judy & David Quist

Lynn Butterworth & John Rendinaro

Michael Graney – Superintendent of Bolton Central School

Joe & Stacy Webb

Gary Haight & Terra M. Stern

John Cushing told the applicant that the Master Plan would have gone over much better if it had been presented years ago before they started doing all the building as opposed to piece mealing it.

Peter Loyola and Mr. Bernstein addressed the following items:

Lighting:

They recognize that lighting is an issue.

He detailed the lighting on the plan.

This is probably a result of the new cabins.

Along the roadway the town clear cut the brush and took down all the trees when paving, which made it bare and that's why they put up the fence.

They are committed to continual planting.

They did a selective cutting of pine trees for safety reasons.

They had a number of trees fall and they were lucky that they did not fall on the structures.

There is a lot of vegetation by the upper cabins.

They have incorporated downward shielded lights on the old cabins. Maybe they can reinvestigate this.

They can do a much better job managing the lights now that they know it is an issue.

They did not realize how much the light showed across the lake.

The loudspeaker issue:

The new speakers bounce across the lake very clearly.

He took down speakers that were on the building that were pointing at the lake and he will look into fixing this issue.

His staff all have radios now and he uses these more instead of the loudspeakers now.

They have a rule that speaker is not to be used between 8pm to 8am.

They would like anyone living on the lake to address any issues they have, and let them know about them, they would like to work with their neighbors to make it better. They want to be a good neighbor for the whole town. Music will always be indoors from now on.

The lake:

Sailboats were moored out to far and this will not happen again. They do not feel the need to increase any of the boats. There are 8 periods of 50 minute sessions per day. There is not a direct correlation to the amount of campers on site and the amount of campers on the beach front.

Stormwater:

They are a major stormwater project. Everything has been reviewed by Town Engineer, Tom Nace and approved. They have a general permit with NYS DEC that requires they be in compliance in anything they do or build on the camp.

The Master Plan:

They are on the tail end of this. They already have 500 campers attending the sessions. They had no idea how popular the camp would be, and this is why they came with a little bit time after time. This Master Plan was implemented in 2014 only because they had finished up the major piece of recreation. They were focused on the infrastructure. They worked with DOH to improve the septic and water systems that did not need Planning Board approval. They did not know enough in 2005 to know what they really wanted and it took years to come up with what they actually wanted or needed.

Dumpsters will be moved inside, this is an easy fix.

Staff Parking will be addressed internally to allow a significant reduction along the roadway.

Mr. Loyola has been working there for 10 to 12 years and has also been asked who he is at the waterfront and told to leave. Maybe they are asking in the wrong way, and for this he apologizes, but they are looking out for the campers. They go above and beyond in safety.

They are not interested in increasing any of the boats and they are happy to put that on the record. The sailboats and motorboats do go out in the lake. There is 50 minute sessions 9am to 5pm which makes 8 periods. There are a total of 28 days throughout the summer that you will have a lot of activity on the lake. There is a power boat that the camp chef uses privately. They detailed how the sessions worked. They are asking for 26 more kids for the boys HQ and 1 additional girl's cabin somewhere in the future. This is the maximum. There is not a direct correlation with the amount of campers and the amount of activity on the lake.

The ballfields have always been open to the school and the town. Mr. Bernstein stated that when he sends out an email for the fireworks, his cell phone is right on it and wants to be called if any of his boats are being reckless or vans are driving too fast. They are sincere in their want to work with the town and their neighbors. They are going to make the changes from what they are hearing from people tonight.

Carmine DiDonato asked if they are asking for another 26 campers and 6 staffers and then they want the same for girls. There used to be 250 campers now they are at 545 where are they going to stop. Mr. Bernstein stated that it stops right here with this Master Plan and they would not go any further, the facility cannot hold any more. The program area can only handle that many.

Diane Sansone stated they missed the point of the other usage as they move forward. They are adding additional usage besides just a kid's camp. What happens when they add additional weeks in the year and additional types of usage? Where does that end? Mr. Bernstein stated they do have a group that comes in for a week. They are not a winterized camp and by early October it is all buttoned up. They are not seeking to expand into a wedding facility. They are listed as a Group Camp by DOH.

Henry Caldwell stated the planting plan needed to be more robust after hearing all of these concerns.

Peter Loyola detailed the new proposed planting plan for 2016 to the Board on his maps along with what had already been implemented. He stated part of their problem was the infrastructure. Herb Koster asked if they were all deciduous trees. Peter Loyola stated they had a lot of deciduous and a lot of evergreen and much brush. Herb Koster questioned the amount of deciduous trees they plan to plant in 2016.

John Gaddy asked the elevation of Trout Lake surface. Peter Loyola stated about 767. He stated that he did not know if the information they used from the surveyor was from the US GS Data, but it was all relative to the lake.

Henry Caldwell stated he had problems closing the Public Hearing due to the planting plan. Mr. Loyola stated that they had presented a planting plan for the approval of the lodge and he could go back to it and make sure they met the letter of the law. He said it will take a while for it to grow. The only thing they can do is revisit it every year. Henry Caldwell said he thought that would be the best solution.

Motion by Henry Caldwell to close the public hearing on the Planting Plan. Seconded by, Gena Lindyberg. All in Favor. Motion Carried.

Kirk VanAuken inquired about the 50 minute beach front sessions 8 times a day. Peter Loyola clarified this procedure to the Board. Mrs. Bernstein explained that all the campers are not going to the lake at the same time. They are not looking to increase the amount of boats that they have. Different periods have different amounts of kids out on the lake. Kirk VanAuken asked if they planned on increasing these periods. Mrs. Bernstein replied that they did not.

John Cushing asked about the amount of boats they had on the lake. Herb Koster replied 73 non-motorized and 5 power boats. Mr. Bernstein stated 5 power boats for skiing and 4 for transportation and 1 for the chef. John Cushing asked if all 83 boats were on the lake at the same time. Mr. Bernstein stated he could not say it never happened, but it would not be very often.

Kirk VanAuken asked if they were saying in each period the 5 boats were going out to shuttle. Mr. Bernstein said about 7 skiers per boat. Kirk VanAuken said they could be doing round the clock boating. Mr. Bernstein replied with the exception of lunch and a half hour period after that.

Herb Koster explained that the Board is concerned because they have a large amount of acreage and the amount of lakefront is very small. Mr. Bernstein stated they were willing to cap this.

John Gaddy asked how many total buildings are on the property now. Peter Loyola stated approximately 40.

Gena Lindyberg asked about parking, as it does not accommodate all of the staff. Mr. Bernstein stated they have added parking. Gena Lindyberg asked if he could guarantee there would be no parking on the road. Mr. Bernstein stated he has a plan to make sure staff parking does not occur on the road this next year. Gena Lindyberg asked how many parking spots they have now. He said at least 50 on one side of the street and 16 inside. Gena Lindyberg asked when they would be implementing this plan. Mr. Bernstein stated this next 2016 season. He stated they would still be using the parking on the other side of the street.

Motion by John Gaddy to close the public hearing for SPR15-23. Seconded by, Sandi Aldrich. All in favor. Motion carried.

The Board took a 10 minute break.

REGULAR MEETING

REGULAR MEETING

1. **JUMBO REALTY LLC. (CAMP WALDEN).** Represented by Peter Loyola of CLA Site. As a condition of approval set forth by the Planning Board on September 18, 2014, seeks to discuss the master planting plan. The condition reads as follows: The applicant must implement the plan as presented with the addition of more screening and come back before the Board in one year's time for review. Section 185.00, Block 1, Lot 32, Zones RCL3, LC25 and LC45. Property Location: 429 Trout Lake Road. This item was tabled at the November 2015 meeting pending a public hearing.

Herb Koster stated that the Board would like to see additional plantings especially additional deciduous trees, he feels they did a lot of work but the Board would like more. Mr. Bernstein replied that they plan to do this.

Henry Caldwell said he would like them to come back in a year to see how they were doing. Mr. Layola stated they would be happy to. Herb Koster stated they would like them to come back with additional plantings especially to screen from the road and the lake.

John Gaddy stated the road clearing by the town was a partner in clearing the road which is no fault of Camp Walden as was the tree and removal of trees for safety reasons. He would like to see more planting to reduce the noise going across the lake. Peter Loyola stated they would continue to add a combination of trees to reduce this. John Gaddy asked for more plantings at the corners to help reduce the site from the lake. Peter Loyola detailed ways they could do this on his plan.

Herb Koster asked if the fence could disappear. Mr. Bernstein replied they needed it for security reasons.

Sandi Aldrich asked for clarification for the difficulty of transplanting trees. Peter Loyola stated the soils are very bony up here and transplanting is very expensive, the largest landscaping trees are about 8' to 10' on the evergreen size. He stated they were able to get much larger deciduous trees. They are using everything available. He stated that once the trees get established they will take off.

RESOLUTION:

Motion by Henry Caldwell to grant approval of the planting plan as presented with the following condition; The applicant must implement the plan as presented with the addition of more screening and come back before the Board in November 2016 for review. **Seconded by,** John Gaddy. **All in Favor. Motion Carried.**

- 2. SPR15-23 JUMBO REALTY, LLC. (CAMP WALDEN).** Represented by Peter Loyola of CLA Site. Seeks Type II Site Plan Review for a group camp. Specifically to convert the infirmary building into Boys HQ Cabin. Section 185.00, Block 1, Lot 32, Zone **RCL3**, LC25 and LC45. Property Location: 429 Trout Lake Road. Subject to WCPS review. Subject to SEQR.

Herb Koster stated in answer to Mr. Cushing's question, he should have been more assertive in demanding a general plan for the project earlier. Now they have a complete picture on the plan and they will act on it now. The John Gaddy agreed that they should have done this earlier.

Gena Lindyberg inquired about the unbuilt Arts & Craft building. Mr. Layola stated that was previously approved by the Board to build the new Arts & Craft building. This is something that they will plan to implement in the future. Mr. Layola stated it will be rebuilt in the same footprint as the existing foundation. Herb Koster stated this was a pre-approved building.

Henry Caldwell stated he appreciated BCS being able to use the ball fields and the fact that they are the second largest employer in the summer season in the Town of Bolton. He believes they need to make compromises on some on the issues such as riparian rights, painting the fence a dark color, the septic system for the boys HQ, the loud speaker and he asked about eliminating

the tubing and banana boat. Mr. Bernstein stated some children are afraid to ski. He stated he only added one skiing boat since he bought the camp. He will not add any more boats.

Kirk VanAuken stated they are using the boats much more frequently than they have in the past. He asked if there was a way to do more deep water starts to be less obtrusive. He explained that he was trying to help him decrease a little of the impact they have there. Mr. Bernstein stated they do that now with one boat, but he could try to do that. He stated that a neighbor's suggestion to have them all going in the same direction would help. Henry Caldwell stated the tubing and banana boat are the highest impact.

Gena Lindyberg inquired about the horsepower of the boats. Mr. Bernstein stated they vary. Gena Lindyberg asked what range they were. Mr. Bernstein stated they were similar to about 40 other Glastron boats on the lake.

Herb Koster stated they are looking for a reduction on the power boating on the lake. They are utilizing the majority of powerboating on the lake. Mr. Bernstein stated that they could take one of the ski boats out on to the lake so it was not all congregated in their area. Gena Lindyberg stated that there were many comments about the power boats from the neighbors. Kirk VanAuken asked if they would increase the time to accommodate the extra skiers. Mr. Bernstein replied that he did not. Kirk VanAuken asked how they planned for fluctuation of interest from year to year. He detailed to Board how he planned to do this.

Herb Koster stated that the applicant is looking for 26 additional campers and the Board is looking for them to give up something on the lake front. Mr. Bernstein stated that they would be willing to stop the power boating on Monday and Fridays. Henry Caldwell stated that sounded great to him. They could try it out for a year and come back to the Board.

John Gaddy discussed the lighting and stated he would like them to all be retrofitted or replaced with dark sky compliant lighting including the street lighting. Mr. Bernstein replied that they would replace them with dark sky compliant lighting. John Gaddy stated he would like this done by June 1st. Mr. Bernstein asked John Gaddy if he would be willing to come up and show him his concerns with the lighting. John Gaddy stated he would love to. Mr. Bernstein also said he could be turning the field and court lighting off earlier in the evening. Peter Loyola stated the fields are so far back that he thinks it is ambient lighting people are seeing but they can definitely work on that.

Mrs. Bernstein asked if they could use just one boat on Mondays and Fridays for banana boating. Henry Caldwell said they were asking for the one thing that was the highest impact. Mr. Bernstein stated they could do it, he had already agreed to it. Henry Caldwell said they could do it for a year and come back to the Board and talk to them. Mr. Bernstein stated that was fair.

Henry Caldwell asked if they offered fishing. Mr. Bernstein replied a little bit.

RESOLUTION:

Motion by John Gaddy to declare the Bolton Planning Board as lead agency for SPR15-23. **Seconded by**, Sandi Aldrich. All in Favor. Motion Carried.

Atty. Muller went through the SEQRA application with the Board.

Motion by Henry to accept SPR15- 23 as complete; waive the 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 with the following conditions;

1. All lighting is to be retrofitted to be dark sky compliant.
2. No power boating activities such as skiing, tubing or banana boat rides on Mondays and Fridays.
3. Applicant must meet with a Planning Board member to figure out how to reduce the light impact of the athletic field lights.
4. Applicant must be compliant with the Town of Bolton local noise ordinance #22 at all times.
5. There is to be no parking in the public right of way at any time.
6. Applicant must return to this Board in November 2016 for review.

Seconded by, Sandi Aldrich. John Cushing opposed. **All other in Favor. Motion Carried.**

3. **SPR15-27 WARD, MARK.** Represented by Casey Buckley. Seeks Type II Site Plan Review to timber harvest an area greater than 1 acre on those parcels designated as Section 199.07, Block 1, Lots 8.1 & 8.2 and Section 199.08, Block 1, Lot 4. Zones RL3 & RR5. Property Location: 999 Wall Street. Subject to WCPS. Subject to SEQR.

Casey Buckley presented the following:

- 145 sq. ft. of basal area that they want to take down to 105 sq. ft.
- Warren County Soil and Water came through and did an appraisal.
- There are a couple of drainages detailed on the map.

Herb Koster asked if they would be doing this in the winter. Mr. Buckley replied yes.

Herb Koster asked if they would be crossing the stream in the winter. Mr. Buckley replied yes.

Gena Lindyberg inquired where the stream was located on the map. Mr. Buckley pointed it out.

Gena Lindyberg asked if there was a buffer. Mr. Buckley replied yes.

Sandi Aldrich asked if the property was on both sides of Wall Street. Mr. Buckley replied yes it was a separate tax parcel, and they would probably log it if they could get someone to do it.

Herb Koster asked if that would be a different landing that he would need to set up. Mr. Buckley replied yes and it was on the plan.

RESOLUTION:

Motion by Henry Caldwell to declare the Bolton Planning Board as lead agency for SPR15-27. **Seconded by**, Kirk VanAuken. **All in Favor. Motion Carried.**

Motion by Henry Caldwell to accept SPR15- 27 as complete; waive the 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 with the following conditions; 1. This shall be done in the winter months and 2. They must follow the guidelines of the Warren County Soil & Water permit. **Seconded by**, Kirk VanAuken. **All in Favor. Motion Carried.**

4. **SPR15-29 ARANCIO, ROBERT.** Represented by Barry Kincaid. Seeks Type II Site Plan Review to create filtered views on those parcels designated as Section 156.00, Block 2, Lots 23 & 24, Zones RL3 & RM1.3. Property Location: 60 South Farm Road. Subject to SEQR.

Barry Kincaid presented the following:

- They are looking to re-establish former views of the lake and restore lost property values.
- Trees that have taken over the view will be selectively removed as necessary.
- He handed out another set of pictures from the lake to the Board.

John Cushing asked if this was property that Mr. Ronning had clear cut years ago. Mr. Kincaid replied yes.

The Board asked questions about the photos. Mr. Kincaid detailed them to the Board members.

Herb Koster stated that there are two lots on the application. Mr. Kincaid stated the applicant owned both lots. Realistically he only needed the lower lot on the application. Herb Koster asked if he was looking to clear cut it like Mr. Ronning did. Mr. Kincaid replied not exactly like it was in the picture, they would leave some vegetation, but it will have to come back down to restore the property value. Henry Caldwell stated that Mr. Kincaid was making him nervous saying he wanted to take it all back down, that was why the Town put a 5 year moratorium on the property on Mr. Ronning for doing that. Discussion ensued on why Mr. Ronning clear cut it.

Mr. Kincaid stated that this is a difficult situation due to what was done years ago. He stated that the applicant has lost his view, and it is not like the trees he needs to work with are close to the house. The homeowner has lost a substantial amount of property value in the loss of his view. Other houses around are managing their views without coming to the Board, he is here to do it correctly. He stated the homeowner is entitled to his views he has lost. Henry Caldwell said he needed to be saying filtered views. Mr. Kincaid stated this was a hard one. He would have to take down so many trees to get anything because of what was done years ago. It is a pre-existing condition, there has to be a way to manage this without taking away his property values.

Gena Lindyberg stated that the agenda says to create a filtered view. Mr. Kincaid said it was a misprint on the agenda. He pointed out his application where it said restore a former view.

John Gaddy said he appreciated the photograph because it showed how the use of darker paint jobs helped blend the structure in with the landscape, and he asked how willing the applicant would be to paint the home so it was dark earth tones. Mr. Kincaid stated that he was not sure. John Gaddy said the applicant wants something and he is reluctant to just let him cut a view. Mr. Kincaid stated they should have done it a long time ago, but the applicant wanted to be compliant with the Board.

Gena Lindyberg asked if there was any way to make a filter view. Mr. Kincaid replied there was not, there was just too much distance.

Gena Lindyberg inquired how many trees they would be taking down. Mr. Kincaid replied she did not want to know. Herb Koster asked if he was trying to re-establish the view from the photo. Mr. Kincaid replied that he was trying to get the applicant as much of his view back as possible, he is not looking to clear the whole lot.

John Cushing stated it was the same problem people had all over the lake.

Mr. Kincaid said that working with the Board is how he gets his clients to understand how the process works and how to work with the Board to do things correctly. He totally agrees that if there was a way to do a filtered view he would. He stated maybe they could even have him plant a couple of trees in front of his house, but he does not know if there is a septic there or not, but it may be a possibility.

John Gaddy said he appreciated him coming to the Board but he has seen people saying they wanted a garden and making a view. Barry Kincaid if he wanted to do that, he could as it is agricultural, maybe they can put some trees in front of the house in between the windows to dampen the effect from the lake.

Henry Caldwell asked how do you do a clear cut without making it look like a clear cut? Mr. Kincaid stated you don't level the whole thing. He can still leave green to dampen the impact. He said it was a tough issue for him to take on, but this is part of his business.

Gena Lindyberg asked the acreage, she would like some facts. Mr. Kincaid replied he did not have it at this time. He stated one parcel is 2.13 acres and one is 4.3, and he is not sure which one is which. Gena Lindyberg asked how much they would clear. Mr. Kincaid stated they would have to thin all of the lower area. Sandi Aldrich replied best case scenario is 2 acres, worst case scenario is 4 acres.

Mr. Kincaid stated that if the Board would like him to table it so he could see if he could get the homeowner to plant some deciduous trees by the windows of the house to help shield the house from the lake, he would. They ultimately want to come up with a way to also maintain the view.

Gena Lindyberg asked him to come back with the information of where they were planning on cutting. Mr. Kincaid said he would and he would also ask about planting trees next to the house. Atty. Muller said he should ask him about painting his home too. Mr. Kincaid said he would, but that is a lot to ask.

Herb Koster asked about a big pine in the picture and if he was looking to get Tongue Mountain back. Mr. Kincaid replied yes. Henry Caldwell stated they were very sensitive about this area. Mr. Kincaid stated that they understand that.

RESOLUTION:

Motion by John Gaddy to table SPR15- 29 for additional information. **Seconded by**, Sandi Aldrich. **All in Favor. Motion Carried.**

5. **SPR15-30 COFFMAN, JAMES.** Represented by Barry Kincaid. Seeks Type II Site Plan Review to create filtered views on that parcel designated as Section 186.00, Block 1, Lot 4, Zone RL3. Property Location: Long View Lane. Subject to SEQR.

Barry Kincaid presented the following:

The Intent and Purpose of the Project:

- To develop a filtered view of the natural landscape using integrity in keeping the natural landscape intact.
- To create an unobstructed view of the structure from the public.
- My client's goal is to capture the eloquent beauty and charm of our surrounding environment in a tasteful manner with respect to the view from the lake.
- We will begin by removing all dead and diseased trees to help the surrounding trees growth.
- By doing this first, it will prevent unnecessary tree removal from the view. We intend to leave several large canopied trees in front of the intended structure.
- Pruning and thinning on the larger canopied trees will be minimal as necessary to help in growth away from view.
- Minimal trees will be removed. The majority of cutting will pertain to larger trees.
- By taking these steps, it will provide a filtered view and create healthier trees and vegetation or undergrowth.

John Gaddy asked if the unobstructed view from the public meant unobstructed from the lake. Mr. Kincaid replied yes.

John Gaddy asked where the house site would be located. Mr. Kincaid detailed it on the map. He stated that he had the applicant plant about 25 pine trees before he built so it would give him more screening.

Henry Caldwell if it was near the garage. Mr. Kincaid replied it was. The idea is to leave high canopy trees near the house.

Henry Caldwell asked if he was taking in consideration for the septic and well. Mr. Kincaid replied they were; they only will have to take the septic a little more serious.

Zoning Administrator, Pamela Kenyon asked if they were clearing for the house and the septic right now. Mr. Kincaid replied no, they were looking to fit the house in the best spot of the view he can create.

Gena Lindyberg asked about the size of the trees being cut. Mr. Kincaid said they would be larger trees being cut. Gena Lindyberg asked if they would be saving the younger ones. Mr. Kincaid stated he would be saving whatever he could save to keep it filtered. He said it will be thinned, but it would not be clear cut.

John Gaddy stated that there was a job done years ago in that same development that was heavily cut on top of the hill. Mr. Kincaid stated there were other cuts that he actually came in and got approvals for and they were not done by him or his approved plan. Henry Caldwell stated they would handle that in the resolution.

RESOLUTION:

Motion by Henry Caldwell to declare the Bolton Planning Board as lead agency for SPR15-30. Seconded by, Kirk VanAuken All in Favor. Motion Carried.

Motion by Henry Caldwell to accept SPR15- 30 as complete; waive the 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 with the following condition: Barry Kincaid of KLC Enterprises must do all the work presented, the owner must come back to the Planning Board if they would like to use another company. Seconded by, Sandi Aldrich. John Cushing and John Gaddy opposed. All others in Favor. Motion Carried.

1. SPR15-28 LJDJ ENTERPRISES, LLC. (ADIRONDACK EXTREME)

Represented by Atty. Michael O'Connor. Seeks Type II site Plan Review for a Group Camp. Specifically to create a zip line. Section 186.00, Block 1, Lots 87 through 92, Zone RR10. Property Location: Off Hendricks Road –Lots 6 through 11 of the Westwood Forest Subdivision. Subject to WCPS review. Subject to SEQR. See SPR06-56 for previous approvals.

Atty. O'Connor presented the following:

- This is not a separate project from what is already there.
- They are the owner/operator of Adirondack Extreme.
- They started some years ago when they bought lots 2, 3 and 4 from Rolf Ronning.
- They started with three rope courses and they are now up to eight.
- The business has been very successful.
- They bring a lot of activity to the town.
- They now own all the other lots and the road.
- They would like to offer an additional rope course to keep their activity fresh.
- This will still only be one ticket.
- This is basically an additional rope course.
- This new zip line will be about 1000'.

- The takeoff and landing platforms will be designed like the one across the road.
- These parcels were approved as individual building lots.
- When this subdivision was approved there was a road shown.
- He detailed on the maps how they would access the zip line.
- This company does everything first class.
- They reinvest in the properties.
- They have paved the road, and redone some of the sediment basins.
- They purchase a parcel from the County.
- They still have some engineering to do on the project.
- They want to see if they can get the road going up the road in shape to allow them to bring people up without much difficulty.
- They looked at the area for the path coming down, which is about 20' wide.
- They also filed a Jif application with the A.P.A. which they received a letter stating that no permit was required.

Herb Koster asked what the intent was to bring the people up the road to this area. Mr. Johnson replied by 4 wheel drive all-terrain vehicle. Herb Koster said they previously approved part of the driveway, but they do not have any detail on the rest of the road. Mr. Johnson said they would put access in there in case of an emergency. Herb Koster stated they do not have detail on the loop around to the starting point of the zip line. Henry Caldwell asked about the all the x's. John Cushing asked if that was where the people get dropped off. Mr. Johnson replied yes and they would walk down to the zip line on a mulched path. He explained that it would allow vehicle access in case of an emergency. He stated they have mulch paths on the other course too. He explained that they brought in an arborist every year to check on the trees.

Herb Koster asked if they would have to build a high platform for the start. Mr. Johnson replied not really. This would be a high speed zip line with a zip stop automatic braking system. It is not like the one that is being done in Lake George. Atty. O'Conner stated that this would drop about 210' to 220' over a 1000' span, which is about a 21% incline/decline.

Atty O'Connor explained the difference between the zip line platforms. He explained it would not be higher. John Gaddy asked how high the starting platform would be. Mr. Johnson they did not know yet but it would not be higher than 35'. Atty. O'Conner stated they would be using 45' poles that by Niagra Mohawk standards must be 7' in the ground, but they can go further to make 35'.

Sandi Aldrich asked if this would be visible from any road. Mr. Johnson replied no, part of their strategy is that everything disappears in the canopy of the trees.

Herb Koster asked if this would be part of the whole course. Mr. Johnson replied that was correct. They are trying to create an all-day adventure park, so people can spend the whole day if they like.

Henry Caldwell inquired how many people they get on an average per day. Mr. Johnson replied they try to cap it at about 400 – 450 patrons per day. The last person they send out is at about 3:30 for the full course. The park closes at 8:00pm. They have a pretty good formula for

moving people through the course.

John Gaddy praised the operation and stated he would like to see cleaning up of the signs and he advocates a bigger sign. Mr. Johnson stated that he would too, but he was told it was the largest sign he could have as it was in a scenic corridor. John Gaddy discussed the many signs and ingress and egress need to be reworked on this road. It is very confusing for motorists.

Mr. Johnson stated he was appreciative that the Town of Bolton paved the road coming in.

John Gaddy asked if they had permits for the clearing that had been done and the amount of space cleared. Mr. Johnson replied the clearing was done in early November. Atty. O'Connor stated they cleared 16,000 sq. ft. Less than a third of an acre and he does not believe you need a permit if it is less than an acre. He explained that the slopes were under 25%.

Herb Koster stated that they were going across different parcels.

John Gaddy inquired about the stormwater for the improvements. Mr. Johnson stated they just had their 5 year inspection and the results had been sent to the Planning Office. He stated there were a couple of recommendations that they will address in the spring. He stated over the years they have tried to fix a lot of the previous owners' ills.

John Gaddy asked if they had needed a permit for the clearing. Zoning Administrator, Pamela Kenyon replied that they would have needed Site Plan Review approval to amend the previous group camp prior to clearing. Atty. O'Connor stated it was not part of this parcel, but they will do whatever they need to. They were told by the A.P.A. a permit was not needed. Herb Koster told them any time they do anything to the property in the future, they would need to come in and talk to the Planning Office. Zoning Administrator, Pamela Kenyon stated that they would need to discuss any improvements they make to the road.

Henry Caldwell asked if there would be any liability to the town if they approved the zip line. Atty. Muller replied no. Mr. Johnson stated that they have an extremely safe course and have been incident free going in to their tenth season.

John Gaddy asked how they deal with the clearing that was done. Zoning Administrator, Pamela Kenyon stated they would be assessed a \$150.00 after the fact civil penalty. She said to keep in mind that if they go over 15,000 sq. ft. of land disturbance on that road it will be a major stormwater project. Herb Koster explained that is why he was asking the questions earlier. Mr. Johnson said they have spent thousands of dollars fixing the road that was put in by Mr. Ronning. Herb Koster asked if they would be changing any of the grade. Atty. O'Connor replied no. Atty. Muller stated that if they choose to do anything that is 15,000 sq. ft. or greater, it would become a major stormwater project. John Gaddy asked if it became cumulative. Zoning Administrator, Pamela Kenyon stated they were separate parcels.

John Gaddy asked about lighting. Dave Johnson replied there would not be any lighting.

RESOLUTION:

Motion by Henry Caldwell to declare the Bolton Planning Board as lead agency for SPR15-28. **Seconded by,** Gena Lindyberg. **All in Favor. Motion Carried.**

Motion by Henry Caldwell to accept SPR15- 28 as complete; waive the 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 with the condition that there is no lighting. **Seconded by,** Gena Lindyberg . John Cushing opposed. **All others in Favor. Motion Carried.**

2. **SPR15-31 BOLTON LANDING MARINA.** Represented by VanDusen & Steves Land Surveyors. Seeks Type II Site Plan Review to amend previously approved Site Plan Reviews (SPR86-03 & SPR07-24) for a dry stack facility. Specifically to construct a 35'x 100' boat storage facility. Section 171.19, Block 2, Lot 3, Zone GB5000. Property Location: 4932 Lake Shore Drive. Subject to WCPS and LGPC review. Subject to SEQR.

This application was tabled at the applicant's request

The meeting was adjourned at 10:05.

Minutes respectfully submitted by Kate Persons.