

**Town of Bolton
PLANNING BOARD
MINUTES
Thursday June 22, 2017
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: Gena Lindyberg, Ann Marie Somma, John Cushing, Sandi Aldrich, Herb Koster, Kirk VanAuken, and Atty. Michael Muller.

Absent: John Gaddy, Zoning Administrator, Pamela Kenyon, Alternate; Jessica Rubin.

The meeting was called to order at 6:02pm.

REGULAR MEETING

- Herb Koster asked if there were any changes or corrections to the May 18, 2017 minutes.

The Board decided to table the May minutes until next month for more Board members.

RESOLUTION:

Motion by Sandi Aldrich to table the May 18, 2017 minutes as presented. **Seconded by**, Gena Lindyberg. **All in Favor. Motion Carried.**

- Herb Koster asked if there were any changes or corrections to the April 20, 2017 minutes.

Motion by Sandi Aldrich to accept the April 20, 2017 minutes as presented. **Seconded by**, Gena Lindyberg. Kirk VanAuken abstained. **All others in Favor. Motion Carried.**

1. **SPR17-05 HOFMAN, MILLARD (HUDDLE BAY WINE & SPIRITS).** Represented by Penelope Jewell. Seeks Type II Site Plan Review for an advertising sign greater than 4 square feet. Specifically, 24 square feet is proposed. Section 186.14, Block 1, Lot 5, Zones RCH5000. Property Location: 4587 Lake Shore Drive. Subject to WCPS review. Subject to SEQR.

Millard Hoffman presented the following:

- The sign was purchased by the previous owners and it was leaning against the building.
- He would like to put it up on the building.
- It is an unobtrusive sign.
- It matches the color scheme of the building.
- It will be a little extra signage on the building and will help a lot.

- Many people don't know the store exists.

Sandi Aldrich asked how much bigger this sign was in comparison to the existing one that faces south. Mr. Hoffman, it was about the same size and detailed it on the photos. Sandi Aldrich inquired if he would be placing it on the end of the building facing Route 9N. Mr. Hoffman replied that was correct. Unfortunately, it will still be hidden behind some bushes when he puts it up. Gena Lindyberg asked if he would be placing the sign where it is depicted in the pictures. Mr. Hoffman replied yes.

John Cushing asked about the sign in the log planter and if Mr. Hoffman thought this additional sign would be an overkill of signs. Mr. Hoffman replied that he did not. The planter sign is for all the businesses in the building. They are trying to keep it tasteful and not like all the other liquor stores that have posters etc. John Cushing stated that it seemed like over kill to him. There was a chalkboard, a sign on the building, a flag and the planter. Mr. Hoffman stated that he was trying to do anything to get more business and he thought this sign was really subdued. He never had anyone complain about his signage or say it was obnoxious.

Sandi Aldrich asked if they intended to have any lighting. Mr. Hoffman stated he did not.

Gena Lindyberg stated that it looked as if the tree would be blocking part of the sign. Mr. Hoffman replied that this was correct. It will be blocking a large portion of it. Gena Lindyberg asked if he planned to leave the tree up. Mr. Hoffman replied yes, he did not own the property.

Kirk VanAuken stated that they will not be lighting it and the sign is already leaning on the building and facing only one way. John Cushing stated he thinks it is too much for one business and if everyone started to put 3 or 4 signs up this it would be too much signage throughout the town. Kirk stated this is a case by case basis he has no issues with it. Sandi Aldrich stated that as long as it was not lighted she did not have a problem with it. Herb Koster stated he did not find it offensive. Gena Lindyberg asked if there was any other way they could reduce the signage, like removing the black board sign. Mr. Hoffman stated he used the black board to put up the business hours and specials. and if he had to choose between the two he would keep the black board. John Cushing asked if he planned on removing the cedar tree. Mr. Hoffman replied that he did not own or maintain the property and he had no plans to have it removed. Gena Lindyberg asked if he owned the property. Mr. Hoffman stated that he only owned the business.

No County Impact.

RESOLUTION:

Motion by Kirk VanAuken to declare the Bolton Planning Board as lead agency for SPR17-05. **Seconded by**, Sandi Aldrich. **All in Favor. Motion Carried.**

Motion by Kirk VanAuken to accept SPR17-05 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. John Cushing opposed **All others in Favor. Motion Carried.**

2. **SPR17-06 FORREST, CHARLOTTE.** Represented by Barry Kincaid. Seeks Type II Site Plan Review to thin and remove selected trees for a filtered view on that parcel designated as Section 141.00, Block 1, Lot 15. Zone RL3. Property Location: 2 Walker Point Lane. Subject to WCPS review. Subject to SEQR.

Barry Kincaid of KLC Trees LLC., presented the following:

- This site does not require site plan review, but he would like to present this project to the Board to show them what he is planning and to get their input.
- KLC property Enhancement works with landowners in the Lake George Basin Region to help them restore and maintain their properties while respecting the environment and in strict accordance with various governmental codes and restrictions.
- They have worked with the Town of Bolton on numerous similar projects to their satisfaction.
- His client's goal is to capture the eloquent beauty and charm of the surrounding environment in a tasteful manner with respect to the view from the lake as well as create an obstructed view of the buildings from the public's eye.
- As such, their intent is to create an esthetically pleasing and environmentally acceptable filtered view of the Southeast shore of Lake George along with Walker Pt.
- His client realizes how environmentally important this property is, and as such, they have chosen all earth tone colors for the house to further blend with the natural landscape. In addition, his client has agreed to plant an approximate 20' deciduous tree in the front of the house to help reduce the cleared area from the previous owner.
- The filtered view process begins by removing dead, diseased, and dying trees, and then selecting the necessary trees to be removed to enhance the growth and health of the remaining trees.
- The area to be thinned on the Southeastern side has had the trees that are over 6" "in diameter to be removed marked with ribbon.
- When the processes are finished they will go through and reevaluate to make sure no further trees need to be removed. They have also been starred on a survey map.
- The fine-tuning of the filtered view is done by pruning dead branches off the large canopied trees and removing minimal new growth branches to give the optimal view with the least impact on the landscape.
- This process has been professionally designed and will be meticulously implemented so that the remaining trees are not damaged and can continue to grow and fill-out their canopies.
- This process will give respect to the environment, Lake George and the public's view from the lake.

Gena Lindyberg asked what the big red star on the plan was. Mr. Kincaid replied this was the center of the clear cut where they will plant a large tree to obstruct the view of the house. Herb Koster asked if they would be planting where all the other stars are marked on the plans. Mr. Kincaid replied that they would not, he detailed on the plans what he planned on cutting and thinning on the right side.

Gena Lindyberg stated she realized that the clear cutting on the property was done by the previous owners. Barry Kincaid stated that is the reason he is here, to let the Board know that it had been clear cut, but they will be adding a 20' tree to obstruct the house and fill in some of the clear cut. They will be doing some thinning. They will manage a certain height elevation of the clear-cut area where it is growing back up.

Gena Lindyberg suggested planting some low growing bushes. Mr. Kincaid stated that regrowth is coming up now and they would be maintaining it. They would only be keeping a filtered view. The homeowner is spending a lot of money on purchasing the tree to obstruct the view of the home. They are trying to balance and soften the impact of the house.

Sandi Aldrich asked if the tree was between the house and the fire pit. Mr. Kincaid said he was not sure if the tree would be above or below the landscaped wall.

Herb Koster asked if this application does not need to be before the Board, how do they handle the motion. Atty. Muller asked Mr. Kincaid if he was asking for an advisory opinion. Mr. Kincaid replied that he was trying to keep the Board informed with what he had planned and keep his clients out of trouble. Atty. Muller told the Board can make an advisory opinion. Herb Koster stated that he did not want to bind the applicant to something that they did not need to be bound to. Mr. Kincaid stated he just wanted to be in good standing with the Board and that all their bases were covered.

Gena Lindyberg asked if the Board could put something in the minutes stating that there is not a problem. John Cushing said there was a big problem here. This is a critically environmental area, cutting down hundreds of trees and he did not understand why a permit was not needed. Mr. Kincaid asked how he was getting hundreds of trees. Mr. Cushing stated he walked the property and saw all of the red and white stripe ribbons. Mr. Kincaid replied that he needed to look at the map, the red and white stripes were for the surveyor to mark all the trees on a plan. Mr. Cushing asked if they were surveyed to be removed. Mr. Kincaid replied no, just to locate them to be drawn on a map. Atty. Muller asked if Mr. Kincaid had gone over his plans with the Zoning Administrator. Mr. Kincaid replied yes. Atty. Muller if Mr. Kincaid was seeking an advisory opinion to make sure he was not heading in the wrong direction. Mr. Kincaid replied that this was correct. Atty. Muller asked if Mr. Kincaid had a fee imposed on him for an opinion of the Board. Mr. Kincaid replied that he was. Atty. Muller asked if Mr. Kincaid was given a positive recommendation by the Board, did he plan on following it. Mr. Kincaid stated that if it was positive, he would.

Gena Lindyberg asked if he was removing 7 trees. Mr. Kincaid replied that is what he plans on removing, he may have to remove a couple more. They would still be leaving the big canopies and maintaining the forested area. John Cushing stated this was a big difference in what he thought they were taking. He was disgusted with the great big bowling alley that has already been cut and he thought they were going to cut down a bunch more. Mr. Kincaid replied that the applicant wanted it to be filtered. He said the applicant was reluctant to come to the Board, but he had explained that this is the way he worked, and he liked to be up front with them before he did any projects. Herb Koster stated that the Board appreciated this and it added to the validity of the work he does.

RESOLUTION:

Motion by Gena Lindyberg to recommend that Mr. Kincaid continue working on the property with the plans as he presented them this evening. **Seconded by**, Sandi Aldrich. **All in Favor. Motion Carried.**

- 3. SPR17-07 ROSS, VERONICA.** Seeks Type II Site Plan Review for an agricultural use, specifically to create an additional greenhouse, shaded potting area and a 4.09 square foot retail sign

to be located in a 9' x 4' wooden planting area. Section 171.06, Block 1, Lot 18, Zone RL3.
Property Location: 162 Valley Woods Road. Subject to WCPS review. Subject to SEQR. Note:
See SPR16-07 and SPR16-36 approvals for an agricultural use

Veronica & Patrick Ross presented the following:

- They are looking for approval to put a second green house as well as a shaded potting area that was 10' x 15' and install a sign over 4 sq. ft.

Herb Koster stated that when they first came for approvals they stated that they were not looking for the signs and this was only going to be a wholesale place. They are not in commercial zoning and now they are obviously going into retail sales. Mr. Ross stated that they do a lot of work with resorts and second home owners and the clients are expressing an interest to come to the site and see what they had for planters and statuary. They could come and pick these out and have them planted with what they would like. Herb Koster stated that he was not against what they were trying to do, he just wanted to make it clear that the business is changing in a different direction than what they had originally proposed. Mrs. Ross stated that the change is because it was a learning experience for her. When she originally started this business, it was primarily for existing clients from her previous job.

She is trying to grow the business and she is trying to pick up more clients. With these new clients, there has been more diversity and more requests for different things which has sparked the retail aspect of this. She is trying to cover all of the basis. When it comes to the retail aspect of it, she will only be open will be Thursday through Saturday from 10am to 2pm.

Herb Koster asked if they planned on lighting the sign. Mrs. Ross replied no.

Gena Lindyberg asked if there was a driveway to the second parking area. Mr. Ross. Mrs. Ross stated that there were two gravel paths to the area. The business was seasonal from Memorial Day to Labor Day.

John Cushing asked if the sign and planter were the proper distance from the road and if they worried about it being hit by a plow or being in the County right of way. Mrs. Ross stated she was not worried if they were not worried. Mr. Ross stated that he believed the sign was 25' in from the center line, but the planter is not 25'. They had decided to put it there to dress the area up as an afterthought and if the Board believes it should be removed they could remove it. John Cushing stated it wasn't an afterthought, they already have it in. He believes it is too close to the road. He realizes mailboxes are closer, if it was his he does not think he would have put it that close. Mrs. Ross stated they considered using an existing tree, but there is so much foliage it would not be seen.

Gena Lindyberg asked where the sign was located on the plan. Mr. Ross detailed it on the plan for her.

John Cushing asked who owned the two houses on both sides of the parking area. Mr. Ross detailed the information on the plan for Mr. Cushing and showed which structure he owned and stated the other was not his.

Herb Koster stated he did not know of many businesses in town that did not have signage or planters in the 25' right of way.

Kirk VanAuken stated that this was just a proposed greenhouse that was roughly the same size as the other one.

No County Impact

RESOLUTION:

Motion by John Cushing to declare the Bolton Planning Board as lead agency for SPR17-07. **Seconded by**, Sandi Aldrich. **All in Favor. Motion Carried.**

Motion by John Cushing to accept SPR17-07 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 with the following condition; 1) There is to be no lighting on the sign. 2) Any damage to the sign and planter is the applicants' responsibility. **Seconded by**, Gena Lindyberg. **All in Favor. Motion Carried.**

4. **SPR17-08 GRAMMATICA, NICHOLAS.** Seeks Type II Site Plan Review for a multi-use accessory structure greater than 1,500 square feet of floor space. An additional 1,450 square feet is proposed for a total of 3,450 square feet. Section 199.04, Block 1, Lot 7.12, Zone RL3 and LC25. Property Location: 423 Coolidge Hill Road. Subject to WCPS review. Subject to SEQR. See SPR17-01 approvals for a 2,000-square foot multi-accessory structure.

Nicholas Grammatica presented the following:

- He originally came before the Board for a 40 x 50 footprint.
- His architect has recommended that he could use the extra space in the garage for storage because he does not have an attic in the home.
- He was advised by the Zoning Administrator that he would need to come back before the Board to get approvals for the additional space.

Sandi Aldrich stated that she believes this is an incomplete application as the SEQR form has not been filled out. Atty. Muller helped the applicant fill this out form.

Gena Lindyberg inquired if there were any changes as to the use of the building. Mr. Grammatica stated that it would be for more storage not for a shop. Gena Lindyberg asked about a bathroom. Mr. Grammatica stated that he would be putting in a bathroom to make it more convenient for cleaning. Gena Lindyberg asked if it would be heated. Mr. Grammatica replied no, it would be used mostly for storage.

Gena Lindyberg asked what the need for the lean to on the back was for. Mr. Grammatica stated it was an area to put his motorcycle or car if it was wet or dirty to be cleaned before it went inside. It would not be enclosed.

John Cushing asked if there would be any sort of commercial business or a fire suppression system in this building. Mr. Grammatica replied that there would not be, it was for his private use and storage.

No County Impact

RESOLUTION:

Motion by Kirk VanAuken to declare the Bolton Planning Board as lead agency for SPR17-08. **Seconded by,** John Cushing. **All in Favor. Motion Carried.**

Motion by Kirk VanAuken to accept SPR17-08 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 with the following condition; 1) Downward facing and shielded lighting is required for the exterior of the building. 2) There is never to be a kitchen in this structure. **Seconded by,** John Cushing. Sandi Aldrich opposed **All others in Favor. Motion Carried.**

The meeting was adjourned at 6:58pm

Minutes respectfully submitted by Kate Person

