

**Town of Bolton  
PLANNING BOARD  
MINUTES  
Thursday May 22, 2014  
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, Sandi Aldrich, Kirk VanAuken, Gena Lindyburg, John Gaddy, John Cushing, Zoning Administrator, Pamela Kenyon and Counsel Michael Muller.

**Absent:**

The meeting was called to order at 6:00 pm.

Herb Koster asked if there were any changes or corrections to the May 22, 2014 minutes.

**RESOLUTION:**

**Motion by** Gena Lindyburg to accept the May 22, 2014 minutes as presented. **Seconded by** Sandi Aldrich. **All in Favor. Motion Carried.**

**REGULAR MEETING**

**SPR14-14 BOLTON FREE LIBRARY.** Represented by Laureen Calautti. Seeks Type II Site Plan Review for an advertising sign greater than 4 square feet. Specifically, 6.25 square feet is proposed. Section 171.15, Block 2, Lot 32, Zone GB5000. Property Location: 26 Horicon Avenue-Bolton Central School. Subject to WCPS review. Subject to SEQR.

**Motion by** Sandi Aldrich to table SPR14-14 to later in the meeting. **Seconded by** Gena Lindyburg. **All in Favor. Motion Carried.**

**SPR14-13 ALDRICH, GLENNA & TONEY, LADDIE.** Represented by F&W Forestry. Seeks Type II Site Plan Review for timber harvesting in the RL3 zone and stream crossing in the LC25 zone. Section 212.00, Block 1, Lot 23.1, 23.2, 22, and 20, Zones RL3, RR5, RR10 and LC25. Property Location: Coolidge Hill Road. Subject to WCPS review. Subject to SEQR.

Pete Nicholas of F&W Forestry and Mr. Chandler the potential purchaser of the property stated they were in the process of purchasing the property and were looking to obtain a timber harvesting permit.

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Lee ? of FW Forestry stated they were proposing a shelter wood harvest which is a combination of individual group tree selection, leaving behind some good quality stock.

Henry Caldwell asked if they would be marking the trees to be removed. Lee ? replied no. Henry Caldwell asked who would be doing the logging. Mr. Chandler stated he would be and that he was a licensed NYS certified logger.

Henry Caldwell asked how long it would take to harvest the property. Mr. Chandler replied 5 years. He stated that the property was in the Fisher Act and would remain in it. Henry Caldwell asked when they would do another cut after the 5 years. Mr. Chandler stated probably 10 to 15 years which was standard rotation. Henry Caldwell asked if they would be using a feller buncher. Mr. Chandler replied yes.

Henry Caldwell asked where the headers would be. Mr. Chandler replied that the infrastructure was already in and he had met with Dean Moore of Soil & Water and walked the property with him.

Sandi Aldrich asked how close to the pond they would be. Mr. Chandler stated they would be following the state guidelines and they would like to restore the pond.

Kirk VanAuken asked if they would be harvesting the steeper ridge lines. Mr. Chandler replied in some areas yes.

Sandi Aldrich asked about the views from the lake. Mr. Chandler stated that they should not be able to see any cutting from the lake.

Kirk VanAuken asked what they would be doing with the tops. Mr. Chandler replied that they would be using them for erosion controls, which works very well.

Kirk VanAuken inquired if they would be using the existing roads and how many stream crossings there would be. Mr. Chandler replied he believes there would only be the one that already exists. John Cushing stated he thought it looked like 3. Mr. Chandler stated he was only aware of the one. Kirk VanAuken asked Mr. Chandler to show him on the plans. He showed them that two of them were culverts that were currently there.

Gena Lindyburg asked about the setbacks for the streams. Mr. Chandler stated he believed Warren County was 10'

John Gaddy asked about the letter from NYS stating it was an impacted stream and how they would be dealing with it. Mr. Chandler stated they had to follow state guidelines. John Gaddy asked if it was a pre-existing condition and the letter from the LG Waterkeeper stated the buffers should be 20' to 30'. Herb Koster asked what the Waterkeeper meant by an impacted stream. Chris Navitsky replied that DEC has classified it as impacted under the clean water act. John Gaddy asked if this sedimentation was due to the Town or prior activity done on the lot. Mr.

Navitsky replied that it was not particular to the lot, but due to the proximity of roads and land use in general.

John Cushing asked a question about the letter and if it was a Warren County rule. Herb Koster stated that it was not a law at this time, it was a law that the LGPC would like to have passed.

Mr. Chandler stated that they are looking to enhance the buffer and only dead or diseased trees would be removed to make it healthy.

Gena Lindyburg asked what time of year they would be working on this. Mr. Chandler replied that they were only working at dry times of the year and winter time. He stated they are hoping for 8 months of the year but it may only be 6.

John Gaddy asked about the restoration process. Mr. Chandler replied that it was market motivated. John Gaddy asked if restoration was an ongoing process. Mr. Chandler replied that it was.

Henry Caldwell asked about the status of the beech and ash. Mr. Chandler replied that the beech was all diseased in there and the ash borers are heading north and they would be targeting them as the state recommends.

Gena Lindyburg asked about the possible changes that the LGPC wanted. Mr. Chandler replied if it comes down to it they would have to go with it but he believes that it is excessive.

Sandy Aldrich asked if they did any replanting or seeding. Mr. Chandler replied not generally but that they occasionally threw down grass seed for erosion control.

No County Impact.

## **RESOLUTION:**

**Motion by** John Gaddy to declare the Bolton Planning Board as lead agency for SPR14-13 and to accept SPR14-13 as complete, waive a public hearing, and having met the criteria set forth in the code, grant final approval of the project as presented with the following condition: All conditions/recommendations, outlined in the Warren County Soil & Water Conservation District's letter dated June 11, 2014 must be complied with. This includes a 20' to 30' buffer along the streams. 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.**

**SPR14-15 SQUEO, FRANK.** Represented by Bruce Soloyna. To place solar panels on existing single family dwelling, seeks Type I Site Plan Review for a land use within 100' of Lake George and a wetland. Section 186.15, Block 1, Lot 8, Zone LC45. Property

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Location: 72 Treasure Point Road. Subject to WCPB and APA review. Subject to SEQR. See V14-16 associated with this project.

**Motion by Sandi Aldrich to table SPR14-15 to later in the meeting. Seconded by John Gaddy. All in Favor. Motion Carried.**

**SD14-01 OBERER, ERNEST.** Represented by Peter Loyola. Seeks to merge those parcels designated as Section 171.00, Block 1, Lots 6 & 15.2 then subdivide into 3 lots. Zone LC25. Property Location: Edgecomb Pond Road. Minor Subdivision. Sketch Plan Review. Subject to SEQR. For discussion purposes only. A major stormwater project will also be required but has not yet been applied for. This item was last heard March 2014, at which time the PB declared itself lead agency.

Peter Loyola stated:

- They have relocated one of the homes to a lower elevation.
- They have taken great strides to minimize the clearing on the driveway.
- They have limited the length of the main drive by 600'.
- They submitted a visual impact assessment.
- They are looking for feedback in terms of how they should proceed.
- They have also provided restrictive filtered view creation plan that would be included as part of the deeds.
- He detailed the photos of the visual impact with the Board.
- They are prepared to put together a strict enforcement plan for any tree cutting, to be approved by the Town with periodic checks by the Town.
- They feel it is not necessary to clear cut for a great view.

John Gaddy stated that as much as this is an improvement, he still is concerned with the visibility aspect of this. He said that he did not see the Town as a willing participant in the enforcement from his standpoint as a Board member. He inquired if coming across the peak would cause a notch in the ridge line. Mr. Loyola replied absolutely not, there would not be any changes to the horizon line. John Gaddy stated that the new proposal had tighter cutting but they are now dealing with steeper grades. Mr. Loyola stated the changes were at the request of the Planning Board to accommodate emergency vehicles and they have taken great strides to minimize the clearing and they are only developing 2 acres out of 76 acres. Mr. Loyola stated that they are only a little bit higher than the other homes that have been clear cut for a view, and this is not what they are proposing. John Gaddy stated that this is not what the Board wanted either but it happened. Mr. Loyola stated that is why they are taking steps for this filtered view and to put some meat to the restriction plans.

Sandi Aldrich stated she also had concerns with the Town enforcing the tree removal and fines are not sufficient in deterring people from doing what they want to. She said once the trees are gone, they are gone.

John Gaddy stated that walking up there, in terms the re-vegetation from the fire 10 years ago, he has not seen significant trees coming back up in that area. Mr. Loyola stated their vegetation plan is well beyond the poplar trees and they want to help this along to be a more mature forest and the applicants own a nursery so they could help that along significantly. Mr. Loyola stated that the vegetation has grown significantly from just a few years ago.

Sandi Aldrich asked that they add views for lot #2 to their photos. Mr. Loyola stated they have and you would not be able to see it. Sandi Aldrich would also like to see the views from Cat Mt. as it is a very popular hiking area all year round. Mr. Loyola stated that they could provide that. He believes they will see very little visibility of the roadway.

Henry Caldwell asked where this project stands with the LG Waterkeeper's Article 78. Atty. Michael Hill stated the Article 78 proceeding concerned the prior default subdivision and is pending.

Atty. Hill stated that it has been held in abeyance pending the outcome of this subdivision. He stated that they have attempted to develop a plan that the Waterkeeper desires to see. Atty. Hill stated they had attempted to reduce the amount of clearing to accommodate the Waterkeeper's concerns by narrowing the driveway areas, but they have not satisfied him completely. He does not believe there will be any visual impact and they look forward to providing the photos from Cat Mt. as he believes any visual impact will be nonexistent or negligible. He explained that they are trying to work with the Board and the Waterkeeper too.

Herb Koster asked Atty. Muller if the Board should be acting on this project with the Article 78 still hanging over the applicants' head. Atty. Muller stated that the Board should proceed as he believes the Article 78 is entirely premature as there has not been final determination as far as Bolton dealing with this applicant is concerned. He explained that all that was approved by default was the subdivision and they had held in abeyance the stormwater. He stated this was the chief argument Bolton would be offering as their defense and he believes that it is a meritorious defense. Herb Koster stated that in the past they have had an Article 78 come against them with an unapproved project. Atty. Muller asked the Waterkeeper if they had all gotten together and created a model order by consent for that project. Chris Navitsky stated that claims were made that the stormwater plan met the Town Code and was approved, but the next day they came in and said that it actually did not meet the code and they retracted the approval and they had to get variances. He explained that after that, they had reached a settlement after they came back and went through the process. Herb Koster stated that he was concerned with the Board, making decisions on something that is hanging over the applicants' head. Atty. Muller stated he encouraged the Board to proceed only because he assumes the Waterkeeper's position will remain strident and they will basically be vigilant in their approach to opposition. He stated they have other matters pending which challenge issues that are imperative to be determined in this application but they are not properly before the Planning Board. They are issues for Bolton, and they are properly before the Zoning Board of Appeals. He stated that the Board needed to proceed but not necessarily decide tonight. There are many levels, many venues where the Waterkeeper's position has been objecting to the Oberer application.

Atty. Mike Hill stated that if this new application is approved they would be withdrawing the previously approved plan. He explained they are not looking for another default approval.

Gena Lindyburg asked if there is anyway the driveways could be shortened or changed to be less disturbing. Mr. Loyola replied that they were trying to reach a higher elevation and they have to create some switchbacks, turnoff areas, and make sure their radiuses are safe for emergency vehicles. He explained they do have a little steeper grade than on the previous application, but they are no greater than already existing Town roads. He explained they have already reduced it 600' and reduced the width of clearing substantially. She asked if lot 2 could be hooked to lot 3. Mr. Loyola replied it could not as there was a very steep ravine in that area and explained it was an existing logging road.

John Cushing asked the lengths of the driveways. Mr. Loyola replied the one was approximately 1700' and the other one was approximately 3700' with an existing road that went into an ATV road and they would be following that existing road as much as they could. John Cushing asked if that was typical for a 3 lot subdivision in Bolton to have that much roadway. Mr. Loyola stated that it was a driveway so it was privately maintained and able to sustain emergency access with a number of turn offs. Town Counsel, Mike Muller stated that the Board had to determine if this was a road or driveway. He stated on a previous application the Board determined that it was a shared driveway, but they are not wedded to that decision on this application. He stated this makes all the difference in the world in terms of the Bolton code. Herb Koster stated they had made that determination back in March to which the Zoning Administrator agreed. Town Counsel, Mike Muller stated that being a shared driveway with a maximum width of 16' and the Waterkeeper does challenge that based on the interpretation rendered by the Zoning Administrator. He stated that once it is deemed a driveway they are into a body of regulations that do not pertain to roads, but there are also clearing issues. He said on the topic of clearing, there are requirements and specifications in the code stating what the limits of clearing are and they are followed by other provisions of the code that talk about the Board making considerations to provide waivers with respect to them. He explained there are several areas in the code that must be resolved as this application proceeds. He stated this is not only germane to what they are doing tonight but also germane to the pending lawsuit.

Henry Caldwell stated it was hard to separate the old application to the new application. He believes the Town is getting more sensitive to ridge line development and exposing the fire and rescue squads access the properties. Mr. Loyola stated that they recognize this and they are proposing sprinkler systems and a water tank and they have gone beyond in terms of fire suppression capabilities. He explained an ambulance can readily get up that driveway. John Gaddy said to keep in mind that they have not seen this kind of infrastructure being proposed because they have not had anything this remote developed in this kind of difficult terrain. Herb Koster stated that they are offering a step above what the Board has ever asked for before. Mr. Loyola stated that yes they have some steep slopes but they have been able to mitigate some of this by using existing ATV roadway.

Henry Caldwell asked if the house on lot 1 was about the same elevation as the house on lot 3. Scott Miller stated that the elevation on lot 1 is 1220' and the elevation on lot 3 is 1,240'.

Henry Caldwell asked about a vernal pool that was not shown on the map. Mr. Loyola replied that they were staying away from it and it was non jurisdictional from the A.P.A. Sandi Aldrich asked if it was next to the burned area. Mr. Loyola stated it was behind it.

Henry Caldwell asked the size of the underground storage tanks. Mr. Miller replied that they were not determined yet but would be sized at a later date based on the size of the house. Henry Caldwell asked if the houses would have sprinkler systems. Mr. Loyola replied yes.

Gena Lindyburg asked if there were restrictions on the size of the houses. Mr. Miller replied that he did not believe that there was currently a restriction in the deed. She inquired if there would be in the future. Mr. Loyola stated they had designated the cleared area as a certain size, so there was a limited building envelope. Sandi Aldrich inquired what size house they used for the drawings. Mr. Miller stated they were shown for a 2,400 sq. ft. house. She asked if they chose to build a 5,000 sq. ft. home what would happen to the building envelope. Mr. Miller stated the current envelope would fit a house twice that size. Herb Koster asked if the homeowner could clear that area or would the building have to fit within that area and still fit in all the utilities and comply with all the codes. Mr. Loyola replied correct. Herb Koster stated that the Board has found in the past that homeowners that buy a lot believe they are allowed to clear cut within the whole area that is drawn on the map, and that is not the way it is. Mr. Miller stated that the clearing limits shown on the map which are the hashed areas is currently set up as the initial area that is allowed to be cleared. Herb Koster stated this was quite a large area and it goes beyond the code. Mr. Loyola stated they could pull it in. Sandi Aldrich asked how they would know where to pull it in if they do not know the size of the house. Mr. Loyola stated they are basing it on a 2,400 sq. ft. house. Herb Koster stated that if they could somehow list the borderline as the allowable placement of a house, within this limit, not the clear cutting line. Mr. Loyola asked if they should then have the clear cutting to be determined based on the size of the house. Mr. Loyola asked if a building envelope would be appropriate as a designation for that area. The Board replied it should be an allowable building envelope including setbacks.

Atty. Muller stated that the Board needed to hone in on the issue of discussing the clearing for the driveways. He stated that there was a 16' shared driveway and this plan calls for clearing well in excess of 16'. Herb Koster stated they had to allow for the cut and fill on slopes. Atty. Muller agreed and stated that this has been the Zoning Administrator's response to the Waterkeeper's challenge, but you will find other sections in the code that limit to 16'. He stated in order to substantiate what the Board has practically answered they needed to give considerations to whether waivers were being granted, to what extent, under what circumstances and how does all of this get mitigated. He explained the hypothetical answer given by himself and the Zoning Administrator to the inquiry was that once the 16' wide driveway goes in, all that was necessarily cleared would be graded and the slope would be re-vegetated with the result of the end product being a 16' wide clearing. Herb Koster agreed. Atty. Muller read Section 150-27. He stated that in this process of considering the plan they need to hone in on this particular issue. He believes that the Board definitely has the authority under the code to make such waivers, but only upon a finding as to what he read. He stated if they don't do that then the Board is still running up against the more stringent requirements that have not been waived.

Herb Koster stated in a previous meeting they had discussed the differences of a roadway and a driveway, and one of the reasons for making it a driveway is because it is only being shared by two houses and the other thing was the cut and fill disturbed areas would be a lot less than if they considered it a roadway. Atty. Muller agreed. Herb Koster stated he believed they had already had those discussions and asked Atty. Muller if he thought they had been completed. Atty. Muller replied that he thinks the Board still needs to make a finding of fact and have some explanation of the waivers they are granting and why, for the record, if they are going to support this application. Herb Koster stated that the reason was because they did not want vertical grade changes as opposed to slope grade changes. Atty. Muller then read Section 150-28 to the Board. He explained that the widened areas of clearing to achieve the proper slopes to allow the 16' wide shared driveway to go in the path as depicted will then be properly re-vegetated and in doing so the end result there is no clearance that exceeds the 16'. He stated it is restored and if they make those findings and conditions it seems to be what the code is asking the Board to do. Mr. Loyola stated that it is temporary clearing and that they are proposing during construction that the limits of disturbance allow for cuts and fills and then they re-vegetate back to an opening of 16'. Herb Koster asked if they would be giving the Board a plan of what they would be using to re-vegetate as in what size trees and what kind of ground cover they would be using. Mr. Loyola said they would and pointed out the two different driveways and showed the points where they would be widening the driveway. Herb Koster stated that this was arranged between the Board and the applicant at a previous meeting through discussion for emergency equipment and all this would be stated at the time they move forward with this application if they move forward with it. Atty. Muller stated this was correct it had to be included in the Board's findings if they support this application and that is his recommendation.

John Gaddy asked Atty. Muller about previous re-vegetation requests on other properties and stated that the Town does not seem to make the effort to enforce these conditions. He stated he is very reluctant to agree to something that sounds good on paper if the track record of the Town is not supporting that this is where we want to go, citing Moonlight Management as an example. Atty. Muller stated that project was poorly crafted and not necessarily enforced. He believes since then, the Board has moved forward and they have made conditions of approval that can be enforced by the Town. Herb Koster stated bringing up previous applicants is not fair to the current applicant. Atty. Muller stated he agreed that each applicant has to stand on their own merit and the Board has to exact from the applicants reasonable conditions and impose requirements that best suit the interests of the Town of Bolton as long as they stay in the four corners of the code.

Mr. Loyola stated the developer has a landscaping business and understands plant material. He stated they have been involved with reclamation projects throughout New York State and have won awards for it. He said they are going to try their best.

Mr. Loyola stated that 80% of the driveway is only going to be 14' wide and that they are really doing what they need to do. Atty. Muller asked the Board if they would be considering a waiver if they were over 16' wide. Herb Koster replied yes and that the waiver had already been discussed due to emergency vehicles and the Board had a long discussion on this back in March. Atty. Muller said, in anticipation of the argument going back to court, let's deal with and give

consideration that when you are presented with the waiver of requirements they need to do their best possible job to get the applicants into compliance and give good reason as to why they would waive or give some liberal consideration to granting an exception. Herb Koster asked Atty. Muller if he was looking for a waiver early on in this discussion. Atty. Muller replied no, he just wants them to consider this before they get to the end.

John Gaddy asked Atty. Muller to look at Section 150-5, Section C and he does not understand what a resource limitations map is. Atty. Muller stated he had never heard of one and neither had the Zoning Administrator. He stated the Board could not hold an applicant to a standard they are not familiar with and he would go on record as saying they have never consulted such a thing, they are not in possession of such a thing and quite frankly they are amazed that it is in there.

John Gaddy stated that this is clearly a tough spot to build. Mr. Loyola stated that the driveway was a bit of a tough spot but they had really beautiful areas for building. He stated all the house sites are on very buildable lots. John Gaddy stated he has no issue with the lots, it is the access to the lots that becomes the issue. They have to offer waivers to get to those spots. Mr. Loyola stated any subdivision requires additional cut and fill for various reasons. He said that these waivers are granted all the time in Bolton Landing. John Cushing stated not for 5,400'. Mr. Loyola stated that it was not 5,400' they are talking about 700'.

Herb Koster asked if all cut and fills would need a waiver even though they would be on the drawing that they would be re-vegetated and what they would be re-vegetated with. He stated they were not part of the finished driveway but they are part of the construction of the driveway. Atty. Muller stated that he wanted to be cautious and consistent with what the Zoning Administrator had previously said in writing on this issue. He read the Zoning Administrator's determination to the Board. Herb Koster stated they would need a waiver for the 18' and they were going to have to discuss and put into writing the grading and replanting of the rest of the fill. Atty. Muller said exactly.

Mr. Loyola cited the different things he would be bringing back to the next meeting.

Herb Koster stated that there was no need for 20' around the septic area for clearing. Mr. Loyola stated in the final plat they would actually have metes and bounds with monuments that can be placed out there. He stated that they were well within the setbacks for all the lots but they would tighten it up. Henry Caldwell stated they might want to show a clearing area around the well for the trucks to get in to drill. Mr. Loyola stated that one or two trees may go but they can get in pretty close.

Herb Koster asked Atty. Muller if they should be taking the stormwater and the subdivision separately. Atty. Muller stated that the applicant is prepared in writing to enter into a stipulation stating:

1. The Planning Board will review all materials for the subdivision application SD14-01 except for the stormwater management plan and if they find such materials satisfactory complete, the Planning Board will issue a decision on the application.
2. If the Planning Board determines that the application is approvable except for the absence of a compliant Stormwater Management Plan, the Planning Board's approval will be issued conditioned upon Mr. Oberer's submission of a Stormwater Management Plan within 90 (ninety) days after receipt of conditional approval (or any longer period which is mutually agreeable to the Planning Board and Mr. Oberer).
3. If Mr. Oberer fails to submit a Stormwater Management Plan within such 90 (ninety) day period (or any longer mutually-agreed period), the conditional approval issued by the Planning Board shall expire and be null, void and of no effect, and Mr. Oberer will be required to seek re-approval of his application if he wishes to pursue the subdivision proposed in application SD14-01.

Atty. Muller stated he thinks this is sufficient. It's a contract and it has the force of law and if it is acceptable to the Board they should agree to it. Henry Caldwell asked if the Board would review the stormwater. Atty. Muller replied absolutely. Zoning Administrator, Pamela Kenyon inquired if they would not be reviewing the stormwater until the subdivision is approved. Atty. Muller replied it would be conditionally approved. Herb Koster stated that if the stormwater was turned down for any reason the subdivision would automatically be null and void. Atty. Muller agreed stating if they go through the whole process and the subdivision is denied they did not spend a cent on stormwater. Henry Caldwell asked if they were giving the applicants a waiver. Atty. Muller replied they would be giving them conditional approval subject to the next step and the subdivision would not go any further if not approved. Henry Caldwell stated this would be segmentation. Atty. Muller stated segmentation was not cumulative analysis. Zoning Administrator, Pamela Kenyon asked if this is where they got in trouble the last time. Atty. Muller replied yes, but they have in a contract that the project will only move forward if it's all approved and he thinks that it is legally acceptable. Pamela Kenyon asked if after they are through the sketch plan approvals would they require the stormwater. Herb Koster stated final approval for the subdivision with the condition that if the stormwater does not pass the Board the subdivision becomes null and void.

Gena Lindyburg asked the date that the contract would become effective. Atty. Hill replied it would become effective upon the receipt of conditional approval from the Board and that would start the 90 day clock. Atty. Muller stated the contract was available tonight for review and signature. Pamela Kenyon asked if they would be having a public hearing on a preliminary plat with no stormwater. Mr. Loyola stated with the condition that they were going to meet all the stormwater requirements of the state and the town. Herb Koster stated if they did not the subdivision becomes null and void.

Sandi Aldrich asked if they would have a public hearing for stormwater. Atty. Muller replied yes.

John Gaddy asked if the existing approved subdivision remained on the books as this project proceeds. Atty. Muller replied it remains unimpaired, but he thinks that the applicant realizes that it is going nowhere.

No County Impact.

**Motion by Henry Caldwell to table SD14-01 until next month for more information. Seconded by Sandi Aldrich. All in Favor. Motion Carried.**

**SPR14-14 BOLTON FREE LIBRARY.** Represented by Lauren Calautti. Seeks Type II Site Plan Review for an advertising sign greater than 4 square feet. Specifically, 6.25 square feet is proposed. Section 171.15, Block 2, Lot 32, Zone GB5000. Property Location: 26 Horicon Avenue-Bolton Central School. Subject to WCPS review. Subject to SEQR.

John Gaddy asked how many signs were on this fence. Zoning Administrator, Pamela Kenyon replied that it would be the third. Henry Caldwell asked if they were all seasonal. Pamela Kenyon replied yes. Megan Baker, Director of the Library stated this would be down after August 16<sup>th</sup>.

Sandi Aldrich asked the dates the sign was to be hung. Megan Baker replied as soon as possible.

Sandi Aldrich asked if they would be spacing the signs out. Megan Baker replied she would.

No County Impact

#### **RESOLUTION:**

**Motion by Henry Caldwell to declare the Bolton Planning Board as lead agency for SPR14-14. Seconded by John Gaddy. Gena Lindyburg recused herself. All others in Favor. Motion Carried.**

**Motion by Henry Caldwell to accept SPR14-14 as complete, waive a public hearing, and having met the criteria set forth in the code, grant final approval of the project as presented with the following condition: 1) this sign is to be hung from June 20<sup>th</sup> to August 17<sup>th</sup>. 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. Gena Lindyburg recused herself. All others in Favor. Motion Carried.**

**SPR14-15 SQUEO, FRANK.** Represented by Bruce Soloyna. To place solar panels on existing single family dwelling, seeks Type I Site Plan Review for a land use within 100' of Lake George and a wetland. Section 186.15, Block 1, Lot 8, Zone LC45. Property

Location: 72 Treasure Point Road. Subject to WCPB and APA review. Subject to SEQR. See V14-16 associated with this project.

Greg Crawford of Monolith Solar presented the following:

- Solar modules will be flush mounted taking on the same pitch of the roof.
- They propose to install 58 solar modules.
- These modules will be oriented on the south side in a landscape formation and on the east and west side in a portrait orientation.
- The modules will be approximately 6" to 8" above the roof.
- They will have the same pitch as the roof.
- The modules have a multi blue accent.
- The inverter will be housed inside an existing shed next to the home.
- This will tie into the utility meter housed inside that shed.

Herb Koster asked if they were non reflective material. Mr. Crawford said yes, they are designed to absorb the sunlight not reflect it.

Henry Caldwell asked the size of the inverter. Mr. Crawford said 17"x 49"x 10".

Henry Caldwell asked if he would be tied into the grid. Mr. replied essentially yes.

Henry Caldwell inquired about the blue color of the panels. Mr. Crawford stated it was a polycrystalline module so there were different shades of blue in it.

Sandi Aldrich asked the color of the existing roof. Mr. replied black and they will blend in nicely.

Gena Lindyburg asked about the visibility and reflection of light. Mr. Crawford stated it is hard to state the amount of reflection these modules are designed to absorb light and not reflect light.

Gena Lindyburg stated this will be very visible for a lot of people. Mr. Crawford asked who it would be visible to. Sandi Aldrich replied across the lake. Henry Caldwell stated this is something the Board was going to have to get used to. He said the biggest problem would be if they reflected but he has seen them that looked like the same roof. He stated that it went to the ZBA for a public hearing and was approved.

John Cushing asked about the house orientation and if they moved the house would they need all of those panels and it seems like an excessive amount of solar panels. Mr. Crawford explained that the homeowner wanted to get off the grid as much as possible with solar. John Cushing asked if they needed more panels because it was not the most efficient design. Mr. Crawford replied yes and they had added micro inverters to help the string produce voltage and ampage.

Sandi Aldrich asked if the roof patterns on the east mirrored each other, would they would be less obvious. Mr. Crawford stated they could make that change to be more symmetrical. Kirk

VanAuken asked the rationality for the design presented. Mr. Crawford stated he believes it is due to the sky lights. Herb Koster stated it could cause a moisture problem.

No County Impact.

**RESOLUTION:**

**Motion by** Henry Caldwell to declare the Bolton Planning Board as lead agency for SPR14-15. **Seconded by** John Gaddy. **All in Favor. Motion Carried.**

**Motion by** Henry Caldwell to accept SPR14-15 as complete, waive a public hearing, and 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** John Gaddy. **All in Favor. Motion Carried.**

The meeting was adjourned at 8:23 pm.

Minutes respectfully submitted by Kate Persons.