

**Town of Bolton  
PLANNING BOARD  
MINUTES  
Thursday July 16, 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, Gena Lindyberg, Henry Caldwell, Alternate Ann Marie Somma, Zoning Administrator Pamela Kenyon and Counsel Michael Muller.

**Absent:** Kirk VanAuken

The meeting was called to order at 6:05 pm.

Herb Koster asked if there were any changes or corrections to the June 18, 2015 minutes.

**RESOLUTION:**

**Motion by** Gena Lindyberg to accept the June 18, 2015 minutes as presented with the following change on page 3; Motion SPR15-11, condition #2 should read as follows: They must specify the techniques and soil amendments to counter act the compaction on the south side of the lot.

**Seconded by,** John Cushing. Henry Caldwell abstained. **All in others Favor. Motion Carried.**

**REGULAR MEETING**

1. **SPR15-12 BOLTON FREE LIBRARY.** Represented by Megan Baker. Seeks Type II Site Plan Review for an advertising sign greater than 4 square feet. Specifically, 28 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.

Gena Lindyberg stepped down for this application.

Megan Baker presented the following;

- Her brother put the banner up not knowing it needed approvals.
- She took it down as soon as she realized it was a problem.

Herb Koster asked how long it would be up for. Ms. Baker replied it would come down August 1<sup>st</sup>. Sandi Aldrich asked if that was the day of the event. Ms. Baker replied yes they would then hang it down at the Park. Herb Koster asked if she would need approvals to hang it in the Park. Atty. Muller replied that the Town is exempt from the permitting process.

No Warren County Impact

**RESOLUTION:**

**Motion by** John Gaddy to declare the Bolton Planning Board as lead agency for SPR15-12.  
**Seconded by**, Sandi Aldrich. All in Favor. Motion Carried.

**Motion by** John Gaddy to accept SPR15-12 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. **Seconded by**, Sandi Aldrich. **All in Favor. Motion Carried.**

**2. SPR15-13 SCHNEIDER, JOHN.** Seeks Type II Site Plan Review for a roofed planter greater than 4 square feet for future business signage. Approximately 96 square feet is proposed. Section 186.14, Block 1, Lot 25, Zone RCH5000. Property Location: 4591 Lake Shore Drive. Subject to WCPS review. Subject to SEQR.

John Schneider presented the following:

- They are proposing a frame for a sign for future business.
- They would like to continue in the Adirondack style.
- They would like to do a little rock planter on the bottom of it.

Henry Caldwell asked about lighting. Mr. Schneider stated they would. Henry Caldwell asked how big the sign would be. Mr. Schneider stated it could not be more than 8'. He stated he would like the option for 3 smaller signs. He stated that it would be up to them to come before the Board for their signs, this is just the frame to accommodate any future business.

Sandi Aldrich asked if this would be in the State right of way. Mr. Schneider replied no, and that he had spoken to the State Engineer in Warrensburg and he had no opposition to it as long as he stayed out of the 25' setback. Henry Caldwell asked Mr. Schneider how he knew where that was. Mr. Schneider stated he measured it from the center line. Herb Koster stated the right of way was 25' from the center line. Sandi Aldrich stated that it does not always go from the center line. Henry Caldwell advised Mr. Schneider to go a couple feet further back than the 25'. Mr. Schneider stated that he planned to. Herb Koster asked if he would be going 27' back. Zoning Administrator, Pamela Kenyon stated she believes it will be further back and detailed it on the map to the Board. Herb Koster stated that the approvals should have a condition stating that it was not to be built in the State right of way.

John Gaddy inquired about the 96 sq. ft. Zoning Administrator, Pamela Kenyon stated she had done length x width. John Gaddy asked if they were approving 96 sq. ft. of signage. The Board said no.

John Cushing asked if the sign would be set back far enough so that people coming of Trout Lake Road did not have an obstructed view. Mr. Schneider stated that it was back far enough and there is no obstruction what so ever. John Cushing asked if the drivers heading south on 9N would have a problem. Mr. Schneider replied not at all, because it is set back far enough.

Ann Marie Somma inquired if there was another building that is not on the map that was previously an ice cream shop. Mr. Schneider replied yes, but they do not own that property. He detailed it on the map to the Board as to where the sign would be placed.

**RESOLUTION:**

**Motion by** John Cushing to declare the Bolton Planning Board as lead agency for SPR15-13.

**Seconded by,** John Gaddy. **All in Favor. Motion Carried.**

**Motion by** John Cushing to accept SPR15-13 as complete; waive the public hearing, having met the criteria set forth in the code, grant final approval of the project as presented with the following condition 1) The planter in not to be placed in the NYS right of way. 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.**

**3. SPR15-16 SILVER, CHELSEA.** Seeks Type II Site Plan Review for an advertising sign greater than 4 square feet. Approximately 9 square feet is proposed. Section 171.15, Block 2, Lot 36.1, Zone GB5000. Property Location: 4973 Lake Shore Dr. Subject to WCPS review. Subject to SEQR.

Chelsea Silver presented the following:

- They would like to put a 48' bracket much like Bob's Ice Cream.
- Their sign would be a 40" round sign.
- The bottom of the sign would hang just to the top of their door.

Sandi Aldrich asked if the sign would be stationary. Ms. Silver replied that it would be on little chains, but it would be stationary.

**RESOLUTION:**

**Motion by** John Gaddy to declare the Bolton Planning Board as lead agency for SPR15-16.

**Seconded by,** Gena Lindyberg. **All in Favor. Motion Carried.**

**Motion by** John Gaddy to accept SPR15- 16 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. **Seconded by,** John Cushing. **All in Favor. Motion Carried.**

- 4. SPR15-14 FORTUNA, CHRISTOPHER RICHARD.** Represented by Hutchins Engineering. Seeks Type II Site Plan Review for a major stormwater project involving more than 15,000 square feet of land disturbance. 23,400 square feet is proposed. Section 186.00, Block 1, Lot 40.111, Zone RL3. Property Location: 18 Brookside Parkway. Subject to WCPS review. Subject to SEQR.

Tom Hutchins of Hutchins Engineering presented the following:

- They are in the initial phases of building their permanent residence.
- This is lot #4 of the Brookside subdivision.
- Previously there was a woods road that went through the lot.
- This road will be utilized for the driveway.
- There is a pond on the site.
- The building will be a modest 3 bedroom home with a garage.
- They have done the typical wastewater and stormwater plans.
- They tried to maintain minimal disturbance by keeping the layout as tight as possible.

Sandi Aldrich inquired about only having the first floor plan. Mr. Hutchins stated that this was a single story home with a finished basement. Gena Lindyberg asked about the difference in plans. Mr. Hutchins detailed the plans to the Board.

Herb Koster asked what the applicant was before the Board for. Zoning Administrator, Pamela Kenyon stated it was for stormwater. John Gaddy asked if the Board would be doing a site plan on the house. Zoning Administrator, Pamela Kenyon stated she did not believe so it is required for stormwater. Herb Koster stated all the questions about the house have nothing to do with the stormwater. Gena Lindyberg asked if the roof of the house had something to do with the stormwater. Herb Koster stated that was up to the engineer and how he designed the stormwater. Mr. Hutchins stated that they put the house on the plan to show the Board where it was located. He stated that the subdivision required them to come back before the Planning Board for stormwater before the lots were developed.

Mr. Hutchins detailed the stormwater plans to the Board on the drawings. He stated that they were trying to maximize infiltration. He stated that he had received the Waterkeeper's letter and he had no problems with it.

Henry Caldwell stated that he has concerns with the driveway being so close to the property line and the possibility of killing the neighbor's trees. Mr. Kincaid stated that the driveway was already there and they would not be going any farther with excavation. Mr. Hutchins stated this was a good point and that was why they were using the existing driveway. Mr. Kincaid stated that the property line is actually farther away from where the driveway is. He stated that he is concerned with all the clearing they have to do just for stormwater and he believes more damage is done with all the extra clearing needed. Mr. Hutchins stated he may be able to tighten it up a little more.

Gena Lindyberg asked if the turnaround was necessary. Mr. Hutchins stated it was. Henry Caldwell stated it would be good for emergency vehicles too.

Ann Marie Somma asked if the pipe coming out of the pond was a discharge pipe and if it currently existed. Mr. Hutchins replied yes. Ann Marie Somma asked if it was flat there as there were no elevation lines. Mr. Hutchins replied that the pond elevation was 770 relative to the topo and was 23' below the first floor of the house. He stated the outlet of the pond was 769.5.

Mr. Kincaid stated that the pond has been there for 30+ years. Ann Marie Somma stated she had concerns with water discharge before and after the construction of the house. Mr. Kincaid stated it should be the same. Herb Koster stated it would increase some with construction.

Mr. Hutchins stated they would also be doing a stormwater maintenance agreement with the Planning Office.

John Gaddy

**RESOLUTION:**

**Motion by** John Gaddy to declare the Bolton Planning Board as lead agency for SPR15-14.  
**Seconded by**, Henry Caldwell. **All in Favor. Motion Carried.**

**Motion by** John Gaddy to accept SPR15- 14 as complete; waive the public hearing, having met the criteria set forth in the code, grant final approval of the project as presented with the following conditions 1) The notes for erosion and sediment control notes on sheet 1 are to be adhered to and provided to the contractor. 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.**

**5. SPR15-15 BWM REALTY ASSOCIATES (JOHN KELLY).** Represented by Joseph Haines. Seeks Type I Site Plan Review for tourist accommodation of 75 or more units, specifically to demolish several buildings and relocate 58 lodging units into a hotel style building, reconfigure existing buildings into dining pavilion and maintenance facility, new in-ground pool, leachfield and misc. site improvements. Section 200.06, Block 1, Lot 19.1, Zone RM1.3. Property Location: 4436 Lake Shore Drive. Blue Water Manor. Subject to WCPS review and APA approval. Subject to SEQR. Site Plan Review will also be required for a major stormwater project but has not yet been applied for. Conceptual review only. See V15-24 associated with this project.

**\*This item was tabled until August 20, 2015\***

**6. SPR15-17 FORTUNA, RICHARD.** In accordance with Section 200-47G3 (Regulations of mobile homes outside of transient mobile home courts or campgrounds), seeks Type II Site Plan Review to place a construction trailer on that parcel designated as 186.00-1-40.111. Zone RL3. Property Location: Brookside Parkway. Subject to WCPS and SEQR review. See SPR14-17 for previous approval.

Tom Hutchins presented the following:

- This Board approved a temporary trailer on this site a year ago tomorrow.
- A condition of approval was to come back before the Board if they needed more time.

- The trailer is in place and not particularly visible.

Henry Caldwell asked if they would be approving it for another year. Mr. Hutchins replied yes.

**RESOLUTION:**

**Motion by** Henry Caldwell to declare the Bolton Planning Board as lead agency for SPR15-17.  
**Seconded by,** Gena Lindyberg. **All in Favor. Motion Carried.**

**Motion by** Henry Caldwell to accept SPR15-17 as complete; waive the public hearing, having met the criteria set forth in the code, grant final approval of the project as presented with the following condition 1) If they need the trailer more than one year, they will need to come back to the Planning Board for approvals. This motion includes a SEQR analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented.  
**Seconded by,** Sandi Aldrich. **All in Favor. Motion Carried.**

The meeting was adjourned at 7:01.

Minutes respectfully submitted by Kate Persons.