

**Town of Bolton
PLANNING BOARD
MINUTES
Thursday August 21, 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 Lindyberg, John Gaddy, Ann Marie Somma, Zoning Administrator, Pamela Kenyon and Counsel Michael Muller.

Absent: John Cushing

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

Herb Koster asked if there were any changes or corrections to the July 17, 2014 minutes.

RESOLUTION:

Motion by Gena Lindyberg to accept the July 17, 2014 minutes as presented with the following correction on page 9; it should read the oldest Johnson outboard motor franchise. **Seconded by** Henry Caldwell. Ann Marie Somma abstained. **All others in Favor. Motion Carried.**

REGULAR MEETING

1. **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. A major stormwater project will also be required but has not yet been applied for. This item was last heard July 2014.

Peter Loyola stated:

- They have provided the 4 items the Board requested.
- They will state in the filtered view creation plan and the plan that they will not clear the septic expansion area on each individual lot until necessary.
- They have provided a construction phasing sequencing plan.
- They have completed the EAF Long Form.
- They have updated the language for the procedural stipulation with regard to the stormwater, in hopes of an approval contingent on the stormwater.
- They are hoping to move to a public hearing after tonight.

Herb Koster asked if the Board should do the long form tonight. Atty. Muller replied they would do it after the public hearing.

John Gaddy asked for the determination of the shared driveway for Ann Marie Somma. Atty. Muller stated it was a shared driveway. She asked if it was to be cleared to an 80' area and then replanted back to the 16'. Mr. Loyola replied that would be the case in order to grade out the driveway. They have provided a very detailed phasing plan. They are only proposing about 700' of roadway in phase one and having it fully stabilized before proceeding up the hill. They believe this would be the best way to proceed to make sure everything is working properly before they move forward. Ann Marie Somma asked what the widest point would be that they propose to excavate at one time. Mr. Loyola replied it would be 80' to 100' at the lower elevations for stormwater retention areas, and much less the higher up they go.

John Gaddy asked about the grades for last roadways of the last 2 homes. Mr. Loyola stated they were staying the same as on the previous plan it is about 2% to 12%. He stated that it is much flatter in the upper area. He stated the upper portion of the driveway starts at station 27 and goes to station 36 and detailed it to the Board. He said they would be following an existing access as much as possible.

John Gaddy asked about a contour at station 21 and what the highest point on the road was. Mr. Loyola stated it was behind the ridge, not across the ridge. Herb Koster stated it looked like the elevation was 1,350' at station 21. Mr. Loyola stated that they had two different datum's which is causing a discrepancy and they could clarify the elevations.

Herb Koster stated they need to work with one datum on the map. He stated that according to the contours the high point is at around 21. He said what they were showing was a radical difference from the map they have in front of them. Mr. Loyola said they could rectify the differences to show what they have. Herb Koster stated this is 100's of feet.

Scott explained that they surveyed the property at one datum and they used US Geo datum for the property outside the Oberer's.

Herb Koster again stated that the contours are over 100' off from each other and he wanted a map with one datum on it to make it less confusing. Mr. Loyola stated they will update the topo datum.

Ann Marie Somma asked if the house on lot one had a lake view. Mr. Loyola stated yes to the south, she is looking at the prior application and she needed to look at figure 14.

John Gaddy asked if they had the houses that would be located on lots 1 and 3. Mr. Loyola pointed it out on the diagrams hanging.

Ann Marie Somma asked if there was a figure that showed her a visual of the house on lot 1. Mr. Loyola stated that you would not be able to see lot 1. He stated that you could not see the castle from lot 1.

John Gaddy asked about figures 19 and 20. Mr. Loyola stated they would be for lots 2 and 3.

Mr. Loyola stated that the driveway would not be visible from any of the locations. He stated even from Cat Mountain it would be difficult to see.

Ann Marie Somma asked how the Board would be considering a project this size with such little stormwater information. Herb Koster replied that the Board had an agreement with the applicant, that if the stormwater could not be adequately applied to this project, the project would become null and void. Mr. Loyola stated that they have done some test pits and the soils are great, and they are not foreseeing any problems. He said they are very confident they can provide the stormwater for 3 lots on the 75 acres.

Herb Koster stated it is very unusual to refer a minor subdivision to a public hearing, so he does not feel comfortable making this final right now.

Atty. Mike Hill, stated that procedurally they were hoping the Board would deem the application complete for purposes of final review and schedule a public hearing.

RESOLUTION:

Motion by Ann Marie Somma to accept SD14-01 as complete application, approve the sketch plan as presented and schedule a public hearing with the following condition 1) A proper topography map is drawn up with a standard US Geo Datum on it to eliminate all discrepancies. **Seconded by** Kirk VanAuken. Henry Caldwell and Gena Lindyberg Abstained. **All others in Favor. Motion Carried.**

2. **SPR14-15 F.R. SMITH & SONS.** Represented by Chris Gabriels and Jarrett Engineers. Seek Type II Site Plan Review for 1) Commercial boat storage not visible from the public right-of-way; and 2) a major stormwater project involving more than 15,000 square feet of land disturbance. 70,851 square feet is proposed. Section 171.00, Block 1, Lot 10, Zones **RR5** and LC45. Property Location: 18 Edgecomb Pond Road. Subject to SEQR, LGPC, WCPS, DEC and APA review. *Notes: See SPR87-08 approved by the PB on 4/30/87 for commercial boat storage. To be heard only if a successful variance is granted. See VI4-26 associated with this project.*

This item has been tabled at the applicant's request

3. **SPR14-18 ADIRONDACK BUILDERS AND DESIGNERS. (Kevin Maschewski).** Represented by Hutchins Engineering. For the construction of a proposed single family dwelling/attached garage, seek Type II Site Plan Review for a new land use within 250' of Lake George. Section 156.12, Block 1, Lot 7,

Zone RCL3. Property Location: 55 Indian Brook Drive. Subject to WCPS and SEQR review.

Gena Lindyberg sat out.

Tom Hutchins of Hutchins Engineering presented:

- This is lot #3 of the Northwest Bay subdivision
- They are proposing a 2 story residence with an attached garage.
- It is a 4 bedroom home.
- They generally held the configuration from the prior subdivision.
- They have included a detailed grading plan that shows detailed elevations.
- The parcel to the lake side is relatively flat and the soils are granular.
- The challenge down there is ground water table.
- The test holes showed 26" to 29" which is why the house elevation is brought up.
- There are to be no basement or crawl spaces proposed.
- They are proposing a geo synthetic sand filter type system.
- which is an enhanced system
- It is in a fill configuration and elevated further.
- He detailed the stormwater around the house and driveways.
- They have a landscaping plan showing buffer plantings in the area by the shoreline.
- There are a number of trees remaining between the house site and the lake shore.

John Gaddy asked about the amount of disturbed area for the house, the access and the septic. Mr. Hutchins replied the area shown is 13,500 sq. ft.

Henry Caldwell asked if they had already started clearing the lot. Barry Kincaid of KLC Property Enhancement stated that there was Japanese Knotweed along the whole shoreline that they cleared up and they cleaned up the underbrush with a stormwater permit and a stormwater management plan to stabilize any soil. He stated they did not clear, they cleaned up the underbrush.

Sandi Aldrich asked if they were existing trees shown on the landscaping plan. Tom Hutchins replied there were both, the buffer areas were plantings and the trees along the shoreline were there. The two mulch areas are not there now they are post planting areas.

Henry Caldwell asked if the house was out of the flood plain. Mr. Hutchins replied yes.

Sandi Aldrich asked if stormwater coming off the driveway would affect the septic system. Mr. Hutchins replied that they had swales around the septic to take this into account.

John Gaddy asked what trees were proposed to be kept in the 75' setback area. Tom Hutchins replied all the existing trees were staying.

John Gaddy stated that the trees by the shore were pretty big trees. Mr. Kincaid replied they would be staying.

Sandi Aldrich asked about the colored ribbons. Mr. Kincaid replied that the red is 6' off the shore. The first set of yellow was 35' off the shore and the last set of yellow was 75' off the shore. He explained this was so he knew where he was to stay within the code.

John Gaddy commented on the knotweed that was removed along the shoreline as being an invasive species and he had heard that it was remove illegally. He stated he believes they are trying to remove knot weed throughout the whole town. Atty. Muller stated he had seen pictures and it was definitely Japanese Knotweed.

John Gaddy stated that one of the things he definitely does not want to see down there is a green lawn which seems to be a highly desirable goal to many lakeside properties. He would like to see a buffer where there is no lawn. He asked if the natural berm would be staying there. Barry Kincaid stated that several of the large pine trees are a concern to him.

John Gaddy asked about the downward and shielded lighting and would hope the applicant would tone it down on this home.

John Gaddy asked if the proposed dock was part of this application. Herb Koster replied that this Board did not review the docks. Pamela Kenyon replied that the LGPC had jurisdiction on everything on the lakeside of the mean high water mark.

Ann Marie asked where the stormwater infiltration was going to be located. Mr. Hutchins replied around the building and the driveway was permeable.

John Gaddy asked how the permeable roads were holding up. Mr. Hutchins has replied that he has used it a number of times, but it has not been down long enough to assess it, but it does need to be cleaned. Herb Koster asked how they cleaned it. Mr. Hutchins replied that they vacuum it. John Gaddy asked how well it works. Mr. Hutchins replied it is much better now. Ann Marie Somma asked if the black top drive was already in existence. Mr. Hutchins replied yes.

John Gaddy asked if there is a proposal for a lawn he did not want to see a lawn going straight down to the lake. Sandi Aldrich asked if he was thinking of a rain garden. Mr. Maschewski stated that the landscape beds stop the runoff to the lake. Mr. Maschewski stated that he could definitely add more plantings. John Gaddy stated that he would like to see plantings and that the lawn area be minimized.

RESOLUTION:

Motion by John Gaddy to declare the Bolton Planning Board as lead agency for SPR14-18. **Seconded by** Henry Caldwell. **All in Favor. Motion Carried.**

Motion by John Gaddy to accept SPR14-18 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 conditions: 1) Outdoor lighting is kept at a minimum and is to be downward facing and shielded; 2) the applicant must make every effort to reduce the lawn area closest to the lake and keep the existing trees as shown on the planting plan. 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 Lindyberg Abstained. **All others in Favor. Motion Carried.**

4. **SD14-04 ESTATE OF JOSEPH & DOROTHY SEMON (MARK SEMON, EXECUTOR).** Represented by Hutchins Engineering and VanDusen & Steves. Seeks to divide into 4 lots that parcel designated as Section 184.04, Block 1, Lot 9. Zone RR5. Property Location: 737 East Schroon River Road. Minor Subdivision. Sketch Plan Review. Subject to SEQR. See SPR14-19 associated with this project.
5. **SPR14-19 ESTATE OF JOSEPH & DOROTHY SEMON (MARK SEMON, EXECUTOR).** Represented by Hutchins Engineering and VanDusen & Steves. Seeks Type II Site Plan Review for a major stormwater project involving more than 15,000 square feet of land disturbance. 80,500 square feet is proposed. Section: 184.04, Block 1, Lot 9, Zone RR5. Property Location 737 East Schroon River Road. Subject to WCPS and SEQR review. See SD14-04 associated with this project.

Tom Hutchins of Hutchins Engineering LLC presented the following

- The property is deeded into the name of 4 of Mrs. Semon's children.
- This property is located on East Schroon River Road.
- It is a 42 acre parcel bisected by East Schroon River Road.
- They would like a 4 lot subdivision and the parent piece will remain with the house on it.
- One lot will be across the road.
- This is jurisdictional to the A.P.A. due to some wetlands.
- Topography wise it is relatively flat until you get back by the river.
- The parcel on the other side is not as flat.
- They have shown potential house locations on each lot.
- The soils are dry and sandy.
- One lot will need a shallow trench system.

Mr. Semon stated the intent behind this was to allow the children to have a piece of the property. He has no intention to build a home at this time on his lot.

Mr. Hutchins stated this subdivision can be done in a compliant manner.

Herb Koster asked if the A.P.A. also has claim of ownership off the river and wanted to know if the Board had the right to declare themselves as lead agency. Atty. Muller replied they could. Mr. Hutchins asked if the A.P.A.'s review of jurisdictional projects took care of the SEQRA process. Atty. Muller replied that it usually does, but that they will do it here.

Mr. Hutchins stated that the Schroon River will make additional setbacks. Herb replied they can build on it but the A.P.A. had jurisdiction for ¼ of a mile.

The Zoning Administrator inquired if they would be using the same stormwater plans when they are getting permits, as the Board was approving. Mr. Hutchins replied yes, unless at the time the owner would like to do something vastly different then what is presented. The Zoning Administrator stated that because this was a major stormwater project, each lot would continue as a major stormwater project, so if they made any changes they would have to come back. Herb Koster stated that if they made any changes to the location of the homes on each of the lots they would need to come back too.

The Zoning Administrator stated that according to the code, they will have to come back for site plan review for each home and it will also need A.P.A. review at that time too.

RESOLUTION:

Motion by John Gaddy to declare the Bolton PB as lead agency for SD14-04 and SPR14-19. **Seconded by** Henry Caldwell. **All in Favor. Motion Carried.**

Motion by John Gaddy to accept SD14-04 as complete, waive the public hearing, having met the criteria set forth in the code, approve the sketch plan as presented, convert it to final plat and grant final approval of the project as presented with the following conditions; 1) The individual lots must return for Site Plan Review at the time of application for construction; 2) All lighting is to be downward facing and shielded. 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.**

Motion by John Gaddy to accept SPR14-19 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) the stormwater plans are in compliance with Bolton Regulations and will be reviewed by the Board at the Site Plan Review. This motion includes a SEQR analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented. **Seconded by**, Henry Caldwell. **All in Favor. Motion Carried.**

6. **SPR14-20 THE ELIZABETH ANN RAJESKI TRUST.** Represented by Winchip Engineering and Guy Williams. To demolish and rebuild single family dwelling, seeks Type II Site Plan Review for a major stormwater project

involving more than 15,000 square feet of land disturbance. 35,000 square feet is proposed. Section 213.05, Block 1, Lot 13, Zone RM1.3. Property Location: 4086 Lake Shore Drive. Subject to WCPS.

Guy Williams of C. Raymond Davis and Sons stated;

- The home presently on the lot is a non-conforming home with a detached garage.
- It encroaches on the setbacks.
- The new home would encroach less on the lake side setbacks.
- They were approved last night by the ZBA for the existing retaining wall on the lake side.
- The home will have downward shielded facing lighting.

Brett Winchip stated;

- He detailed the stormwater controls.
- In discussions with Nace Engineering it was decided that they were within 100' foot setback of the lake and it would do more harm than good to disturb the area.
- The septic is being replaced in the existing spot at the top of the lot.
- They are replacing the soils and raising the system significantly.

John Gaddy asked if the area below the retaining wall and pool would remain the same. He stated that he noticed that they had taken out trees. They stated the tree blew over and fell over onto the dock. John Gaddy asked if they would be doing the dock over. Mr. Winchip replied they would be repairing the dock, but that the walkway and retaining walls already existed.

John Gaddy asked if the stone outlet was a receiving area for any emergency overflow. Mr. Winchip replied if they had an emergency overflow the spreader would allow for the water flow to spread out and not be concentrated.

Henry Caldwell asked if they had a plan for the trees they were going to leave. Mr. Winchip stated that the only clearing would be for where the house was going. He said the lot was very strange it had a deeded 25' setback and the zoning setback was 20' and the existing house was somehow in the setback. He stated they pulled the new house back to meet that setback.

Henry Caldwell stated he was concerned that there would not be any buffer between them and the neighbor if most of the trees were out of there. Mr. Williams stated that the neighbor's property on south side was heavily wooded. Henry Caldwell stated that this does not mean that they can use the neighbor's trees as their green space and he is concerned that they will not leave any trees up on the lot. Mr. Williams stated that anything to the north of the black top area was heavily wooded near the septic system. Henry Caldwell stated he was nervous that they would be removing the vegetation near the new house area.

Henry Caldwell asked if there would be any blasting and where. Mr. Winchip replied yes it would be right where the house footprint would be. Gena Lindyberg inquired what the

percentage of blasting was. Mr. Winchip replied approximately between a 1/3 and a 1/2. Gena Lindyberg asked how deep. Mr. Winchip replied a minimum of 7' to 8'.

Kirk VanAuken asked if the proposed pool was above or below ground. Mr. Williams stated that it would be recessed and they would be using the existing retaining wall.

Gena Lindyberg asked if they would be adding to the retaining wall. Mr. Williams replied yes.

Ann Marie Somma asked during in what month they proposed to blast. Mr. Williams replied in October. Henry Caldwell asked if this would be after Columbus Day. Mr. Williams replied in mid-October.

Henry Caldwell stated they should modify the proposed construction start times to 8 am. Mr. Williams agreed.

Henry Caldwell requested that they keep all the blasting debris on their property.

John Gaddy stated that they had specific drilling and blasting schedules. Atty. Muller stated that it was defined in the code.

Sandi Aldrich stated they should not move heavy equipment before 8 am either.

Henry Caldwell stated they did not have a planting plan at all and he believes they should show this. Mr. William replied that a lot of it would remain as existing, and he understood it as they had 20' around the home to clear.

Ann Marie Somma asked that they keep in mind that October is still peak season and they should be careful of people on the lake while blasting. She also inquired about stormwater runoff on a neighbor's property that the Lake George Waterkeeper stated could happen. Mr. Winchip stated that the stone wall would block some of it along with the rain gardens and retention areas.

Sandi Aldrich inquired about the lack of filtered view at the lake side and she would like to see some plantings done to help to filter the view from the lake. John Gaddy stated that it was bare rock down there and if they let the stuff come up naturally it would work better. Mr. Winchip stated that the contour of the house would require 60' trees to filter the view. John Gaddy stated if they don't go through and clear everything out they could get what they want over time. Henry Caldwell stated that there were no trees left in the southeast quadrant. Mr. Williams replied it was all ledge in that area, but they could try to plant something. Henry Caldwell stated that they needed to get trees started on the north and south sides. Mr. Williams stated that they would need to bring fill into plant. Henry Caldwell stated that they could bring in a planting plan for the Zoning Administrator to approve with the existing and proposed plantings.

Gena Lindyberg wanted clarification again on the blasting. Mr. Williams stated at least 1/3 to 1/2 of the basement and the garage area. Gena Lindyberg wanted this to be a part of the conditions of approval. Herb Koster stated this would be too hard to do. Mr. Williams stated that it should be to properly construct the foundation and the drainage. Gena Lindyberg stated she is asking for clarification on the blasting and would like an answer. Mr. Williams stated 5' around the perimeter of the basement and garage foundations.

RESOLUTION:

Motion by John Gaddy to declare the Bolton Planning Board as lead agency for SPR14-20. **Seconded by** Kirk VanAuken. **All in Favor. Motion Carried.**

Motion by John Gaddy to accept SPR14-20 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 conditions: 1) All exterior lighting is to downward facing and shielded; 2) A planting plan with special considerations to the north, south and east is to be submitted to the ZA within 30 days; 3) The blasting area is confined to no more than 5' outside the footprint of the basement and garage foundations; 4) Construction to only occur Monday – Friday 8am to 5pm; 5) Blasting & Drilling will only occur Monday – Friday 8am to 5pm. No work Saturday or Sunday, this includes the moving of construction equipment; 6) Drilling and Blasting shall not be done before October 15, 2014; 7) Demolition is not to start before October 1, 2014. 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.**

Mr. Williams inquired about inside work being done on the weekends, and the Board agreed as long as it did not disturb the neighbors.

7. **SPR12-03 ADORNATO, MICHAEL & CELESTE.** Represented by Hutchins Engineering. To demolish and rebuilt single family dwelling, seek Type II Site Plan Review for a major stormwater project to remove more than 15,000 square feet of vegetation. 24,800 square feet is proposed. Section 213.05, Block 1, Lot 10, Zone RM1.3. Property Location: 4108 Lake Shore Drive. Subject to WCPS review. Subject to SEQR. At the Chairman's request, revisions to the stormwater controls approved by the Planning Board on March 22, 2012 are to be reviewed by the Planning Board.

Herb Koster stated that he wanted this to come back before the Board due to the problems at the site and he hopes they have gutters on the house now.

John Daniels property owner directly north of the Adornato property, stated that the design of the Adornato home would be a wonderful addition to the neighborhood. He stated that he had spent a lot of effort on the design, appearance, functionality and the protection of the lake when doing his home. He stated that they are proud of the way their property looks and that there has been quite a bit of runoff coming from the

neighbor's property and running in to his rain gardens. He explained that they have done extensive plantings designed to catch runoff from his property not his neighbors. He explained the neighbor's runoff has silted these rain gardens over many times and he would like it to be rectified and brought back to its original beautiful condition. He hopes the water is contained on the property that generates it and that attention to the natural appearance was just as effective as the containment. He stated that he would like to be consulted on this plan before it is implemented.

Tom Hutchins of Hutchins Engineering stated:

- They are aware of the site and there is a conflict with the way the actual building as constructed.
- He detailed the 2012 plan.
- There have been a number of different variations due to many entities putting their input into it.
- The foundation was constructed higher than needed for the grading plan.
- They have looked at a lot of options and they are open to suggestions. They are looking for a solution.
- He detailed the plantings and the stormwater plan they were presenting.

Herb Koster stated that the neighbor needs to be taken care of and he wants to insure that Mr. Hutchins will be back to remedy anything that may occur with this. Herb Koster stated that one of the main problems was no gutters on the huge home and the garage foundation was 3' to 5' higher than it should be. Mr. Hutchins stated another problem was the period of time when the power trench was open for 2 to 3 weeks and it rained every other day creating a bad situation.

Henry Caldwell stated most damage to the lake is done during the construction phase. He said the Planning Board should do more to ensure that there are not stormwater problems during this phase. Mr. Hutchins agreed and stated erosion too.

John Gaddy asked if the rain gardens were sufficiently sized to function as they should now that the gutters are on the house. Mr. Hutchins stated that the rain gardens were sized to work with the gutters that were supposed to be installed on the original plans, but the owners did not like gutters and that created the issue. He does not believe you will see that type of runoff in that area, now that the gutters are installed.

Ann Marie Somma asked if the rock walls depicted on the plan were already constructed. Mr. Hutchins replied they were not, right now it is a relatively stable slope, but its surface is un-stabilized. John Gaddy stated that it was all fill and eroded.

John J Daniels neighbor to the Adornato's stated that it was not the natural grade it was built up with fill. He stated it was raised quite a bit higher to the north side of the garage going down to the lake. Mr. Hutchins stated that he agreed with him. Herb Koster stated that it was shown this way on the plans.

Mr. Daniels stated that he would like to have some input into the materials used so it does not look like the side of a highway. Mr. Hutchins stated there would be an area where they need to use rock, but they are trying to make it look better by breaking it up with plantings.

Herb Koster asked Mr. Hutchins if his clients were going to work with Mr. Daniels on this project. Mr. Hutchins replied that he did believe they were. Mr. Daniels stated that the initial contact had been good and his impression was that their intent was to make sure he would be happy with the design and he looks forward to working with them. He stated that currently he is still getting runoff on to his property. Herb Koster stated he would like something to be put in place now. Mr. Hutchins stated that he would like the Board to relay to the Adornato's what they wanted as they do not listen to him. Gena Lindyberg stated that time of was of the essence. Henry Caldwell asked if they were in violation at this time. Atty. Muller replied yes because the site plan was not built as approved.

Mr. Daniels stated he would like the opportunity to look at the design and he would be available anytime they would like.

Henry Caldwell asked the Town Attorney how the Board should handle this. After much discussion between the Board, Zoning Administrator, Mr. Hutchins and the Town Attorney on how to handle this project, Atty. Muller suggested that the Board table SPR12-03 until next month contingent on an agreement between the neighbors.

RESOLUTION:

Motion by Henry Caldwell to table SPR12-03 until the September 18, 2014 meeting.
Seconded by Sandi Aldrich. **All in Favor. Motion Carried.**

The meeting was adjourned at 9:06 pm.

Minutes respectfully submitted by Kate Persons.