

Town of Bolton
PLANNING BOARD MINUTES
Thursday, February 10, 2022
6:00 p.m.
Town of Bolton Town Hall

SEQR = State Environmental Quality Review
PB = (Town of Bolton) Planning Board
WCPS = Warren County Planning Staff
APA = Adirondack Park Agency
LGPC = Lake George Park Commission
DEC = Dept. of Environmental Conservation

Present: Chairman Herb Koster, Planning Board Members; David Smith, Kirk VanAuken, Sandi Aldrich, Gena Lindyberg, Zoning & Planning Director - Richard Miller, P.E; Town Planner - Joshua Westfall, AICP & Town Counsel – Brian Reichenbach & Mary Kissane

Absent: John Cushing & John Gaddy

The meeting was called to order at 6:00 p.m.

Chairman Koster asked if there were any changes or corrections to the January 27, 2022 minutes.

RESOLUTION:

Motion by Gena Lindyberg to approve the January 27, 2022 minutes as with the following correction Page 9, paragraph 2 should read as follows “*Gena Lindyberg asked that the septic for the property across the street be shown on the plans. Atty. Lapper stated that it should be on the plans, and he would look into it*”. **Seconded by** Kirk VanAuken. Sandi Aldrich abstained. **All others in Favor. Motion Carried.**

- 1. SPR 21-22 Lands of Berberian.** Represented by EDP. Applicant seeks site plan approval for the construction of a 6-bedroom single-family residential home totaling 5,000 sq. ft. +/-, to be located on approved Lot 2 (pursuant to Subdivision Application 21-06). On-site wastewater treatment system and stormwater management practices are proposed. Section 186.00, Block 1, Lot 1, Zone LC 25 and RL3. Property Location: 4409 Lake Shore Drive. Subject to WCPA, APA, SEQR and LWRP review. **Last reviewed November 18, 2021**

Gavin Vuillaume, R.L.A. of EDP presented the following:

- They have made a couple of tweaks to the site plan since they were last before the Board.
- They have received subdivision approval.
- This parcel is approximately 27 acres with frontage on Route 9N.
- Access will be from an easement on his cousins neighboring 254 acre property.
- He detailed the site plan to the Board.
- They have increased the circular turn around, mainly to accommodate access for fire vehicles.

- There are 2 rain gardens on either side of the property to capture the stormwater from both the building and the driveway.
- They have an area for a ball court or ice skating rink that they would develop in the future.
- Currently they are not proposing a pool.
- They have a small patio in the front of the building with a retaining wall.
- The retaining wall will not exceed the 6 foot limit.
- The driveway will remain as is, but they will be widened, and the base thickened to accommodate construction vehicles and fire apparatus.
- The existing stormwater for the driveway will be improved with small stormwater basins.
- They will have a garage near the bottom of the driveway in the future.

Ara Krafian, property owner presented the following:

- They have pulled the building in to conform with the code.
- This will be a 2 story home and less than 35' tall.
- There will be a basement under a portion of the home.
- He detailed the house on the plans.
- Building materials will be engineered wood for the siding with some areas of stone.
- The roof will be metal.

Sandi Aldrich asked what color the roof would be. Mr. Krafian replied black so it will blend into the scenery. They do not want to be visible.

Gena Lindyberg inquired about the height of the structure. Mr. Krafian stated it would be 34' right now, and it will stay under the 35'. Gena Lindyberg asked if that included the chimney. Mr. Krafian replied that it did not. Gena Lindyberg said that the APA included the chimney. Mr. Miller stated that they measured from the lowest point to peak of the roof. They do not include the chimney.

Sandi Aldrich inquired about the retaining wall in front. Mr. Miller said that the retaining wall was not part of the building. Mr. Krafian stated that the retaining wall was a separate structure about 15' from the patio and not holding it up.

Sandi Aldrich asked about a previously approved logging operation on the entire property and if the subdivision and building would affect this. Herb Koster stated he did not see why they would not be able to log the remaining property if they still had a valid permit and it had not been done yet.

Gena Lindyberg inquired about the stormwater basin being higher than the septic field. Mr. Vuillaume said this will be catching stormwater upgrade from the driveway and there was a 20' separation between them. Gena Lindyberg asked if it had been reviewed by the engineers. Mr. Miller said he would review it.

RESOLUTION:

Motion by David Smith to declare the Bolton Planning Board as lead agency for SPR21-22. Seconded by Sandi Aldrich. All in Favor. Motion Carried.

Motion by David Smith to accept SPR21-22 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 lower garage will need to come back for site plan review. 2) All lighting is to be dark sky compliant, downward facing and shielded. 3) Any drilling and blasting are to be done Monday – Friday, 8am to 5pm. No drilling or blasting on Saturday or Sunday. This motion includes a SEQR & LWRP analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented. Seconded by Kirk VanAuken. All in Favor. Motion Carried.

- 1. SPR22-01 Lake George Club.** Represented by Hutchins Engineering. Applicant seeks Site Plan Approval for the construction of a 60' x 80' maintenance building across NY 9N from the Lake George Club. Stormwater management practices are proposed. Section 213.09, Block 1, Lot 6. Zone RM 1.3. Property Location: 4000 Lake Shore Drive. Subject to WCPA, APA, SEQR and LWRP review.

This application was tabled for additional information

- 3. SPR22-02 Casazza Residence.** Represented by EDP. Applicant seeks Site Plan Approval for the construction of a single-family home with a three-car garage, decks, and patios. On-site stormwater and wastewater management practices are proposed. Section 212.04, Block 2, Lot 11. Zone LC 25. Property Location: Lot 7 Diamond Ridge Road. Subject to WCPA, APA, SEQR and LWRP review.

Chris Keil, R.L.A. of EDP presented the following:

- This is a 5 acre lot in the Diamond Ridge Subdivision.
- It is a relatively steep site.
- The house will sit back quite a bit.
- It was a challenge to get a suitable alignment for the driveway.
- The project includes stormwater management and a new wastewater system.
- The height of the house is 34' excluding the chimney.
- Overall, they have come up with a solution for the lot to handle development.

Gena Lindyberg asked if they had a planting plan. Mr. Keil replied, no. Gena Lindyberg asked if they would be replanting trees to replace the ones that were taken down. Mr. Keil stated he believed that was the plan, eventually. They are trying to figure out their view corridors. Gena Lindyberg inquired if there would be a filtered view. Mr. Keil replied yes, that was the goal.

Herb Koster questioned the 16% grade on the driveway. Mr. Keil said they struggled with that, there was an existing logging road and they played with many iterations to figure out what would be the best plan. It was very challenging. Herb Koster said it seemed as though they could get more of a switch back up there.

Gena Lindyberg asked if there was a turnaround spot for emergency vehicles. Mr. Keil replied yes and detailed it on the plans. Gena Lindyberg inquired about the width of the driveway. Mr. Keil stated it was 10' with 1' shoulders on each side. Gena Lindyberg asked if 10' is wide enough for a driveway. Herb Koster replied yes, a driveway is single lane. Sandi Aldrich asked if they would have enough room for snow removal. Mr. Keil stated he felt they were good in that aspect and detailed it on the plans.

Kirk VanAuken asked about the collection of runoff from the driveway. Mr. Keil replied that the driveway was cross pitched to collect in one area. Herb Koster stated they did not have any catch or drainage on the other side of the driveway. Mr. Keil said this was correct, it was all cross pitched. The idea is to vegetate and return to natural vegetation. They would probably need erosion control blankets etc. Stabilizing the slope would be a primary concern. Herb Koster recommended crown vetch as a great stabilizer for steep banks. Mr. Keil said they would look into it.

Kirk VanAuken asked about the foundation. Mr. Keil detailed it on the plans.

Herb Koster asked if there would be any blasting. Mr. Keil replied that he was not sure, but they would know more once they got going.

RESOLUTION:

Motion by Kirk VanAuken to declare the Bolton Planning Board as lead agency for SPR22-02. Seconded by Sandi Aldrich. All in Favor. Motion Carried.

Motion by Kirk VanAuken to accept SPR22-02 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) Any drilling and blasting is to be done Monday – Friday, 8am to 5pm. No drilling or blasting on Saturday or Sunday. 2) All lighting is to be downward facing and shielded. 3) A planting plan is submitted to the planning office and approved. 4) They must maintain filtered views screening the home from the lake. This motion includes a SEQR & LWRP analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented with the following conditions: **Seconded by Sandi Aldrich. All in Favor. Motion Carried.**

4. SPR 22-03 Larkin Residence. Applicant seeks Site Plan Approval for the construction of a 24'x 24' single-family cabin. On-site wastewater management is proposed. Section 199, Block 1, Lot 15. Zone LC 45. Property Location: Next to 539 Wall Street. Subject to WCPA, APA, SEQR and LWRP review.

Bill Larkin presented the following:

- They bought the property about 20 years ago to retire here.
- They are submitting plans for a small retirement home.
- The property is approximately 11 acres.
- There are about 2 buildable acres with the majority of the rest being wetlands.
- They are looking to put in a 150' driveway along with a septic system.
- He detailed the building plans.

Gena Lindyberg asked for the separation of the well and septic system. Mr. Larkin replied that it was 100'. He said the building site for the house is on the highest level of the property. They would be maintaining 10' of tree line between the road and the property. There will also be a shed at the end of the driveway. Herb Koster inquired about the shed. Mr. Larkin stated it would be a 12 x 12 structure. Herb Koster stated if it was over 100 sq. ft. it required a building permit. Mr. Larkin replied that he would keep it under 100 sq. ft. in that case. Sandi Aldrich stated that this includes the eaves. Mr. Larkin replied ok.

Gena Lindyberg asked if there was a stormwater plan. Mr. Larkin stated he had only shown grades and how they run. The elevation of the highest point is about level with Wall Street. Behind the house it drops off significantly to the wetlands.

Gena Lindyberg inquired if there would be a garage. Mr. Larkin replied, no.

Sandi Aldrich asked about exterior lighting. Mr. Larkin detailed it on the plan along with the elevation views. He said the height of the roof elevation would be around 24'. He stated the exterior colors would be cranberry for the home, with green shutters and roof.

RESOLUTION:

Motion by David Smith to declare the Bolton Planning Board as lead agency for SPR22-03.

Seconded by Sandi Aldrich. All in Favor. Motion Carried.

Motion by David Smith to accept SPR22-03 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) All lighting is to be downward facing and shielded. This motion includes a SEQR & LWRP analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented with the following conditions: **Seconded by Kirk VanAuken. All in Favor. Motion Carried.**

5. **Referral from ZBA.** *ZBA Application V20-22 528 3rd Avenue Partners*. Represented by Studio A. Seeking area variances for one townhouse building with four townhouse units (Building A). Section 171.19, Block 1, Lot 75, Zone RM1.3. Property Location 25 Goodman Avenue. Subject to LWRP, WCPA, and SEQR review.

Requested Variances are as follows:

1. Overall density on the site for Buildings A: 1 principal building is allowed on the 0.69-acre site, 4 principal buildings are proposed;
2. Overall setbacks for Building A – front setback 50 feet is allowed, 4 feet is proposed; side setback 20 feet is allowed, 12 feet is proposed; shoreline setback 75 feet is allowed, 54 feet is proposed;
3. Individual units in Building A
 - a. Unit A-1 – Minimum lot area 1 acre (43,560SF) is required, 1080SF is proposed; Front setback 50 feet is allowed, 0 feet is proposed; side setbacks (each side) 20 feet is allowed, 0 feet is proposed; rear setback 20 feet is allowed, 0 feet is proposed; percent building cover 15% is allowed, 100% is proposed; Minimum lot width 125 feet is required, 24 feet is proposed; and minimum lot depth 150 feet is required, 45 feet is proposed.
 - b. Unit A-2 – Minimum lot area 1 acre (43,560SF) is required, 1080SF is proposed; Front setback 50 feet is allowed, 0 feet is proposed; side setbacks (each side) 20 feet is allowed, 0 feet is proposed; rear setback 20 feet is allowed, 0 feet is proposed; percent building cover 15% is allowed, 100% is proposed; Minimum lot width 125 feet is required, 24 feet is proposed; and minimum lot depth 150 feet is required, 45 feet is proposed.
 - c. Unit A-3 – Minimum lot area 1 acre (43,560SF) is required, 1080SF is proposed; Front setback 50 feet is allowed, 0 feet is proposed; side setbacks (each side) 20 feet is allowed, 0 feet is proposed; rear setback 20 feet is allowed, 0 feet is proposed; percent building cover 15% is allowed, 100% is proposed; Minimum lot width 125 feet is required, 24 feet is proposed; and minimum lot depth 150 feet is required, 45 feet is proposed.
 - d. Unit A-4 – Minimum lot area 1 acre (43,560SF) is required, 1080SF is proposed; Front setback 50 feet is allowed, 0 feet is proposed; side setbacks (each side) 20 feet is allowed, 0 feet is proposed; rear setback 20 feet is allowed, 0 feet is proposed; percent building cover 15% is allowed, 100% is proposed; Minimum lot width 125 feet is required, 24 feet is proposed.

Last reviewed October 10, 2021.

This application was tabled at the applicant's request

The meeting was adjourned at 6:57 p.m.

Minutes respectfully submitted by Kate Persons.