

Town of Bolton
PLANNING BOARD MINUTES
Thursday, October 13, 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; John Cushing, David Smith, John Gaddy, Kirk VanAuken, Sandi Aldrich, Gena Lindyberg, Acting Zoning & Planning Director - Joshua Westfall, AICP & Town Counsel – Mary Kissane

Absent:

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

Regular Meeting

Chairman Koster asked if there were any changes or corrections to the September 15, 2022 minutes.

RESOLUTION:

Motion by Sandi Aldrich to approve the September 15, 2022 minutes as presented. Seconded by Gena Lindyberg. All in Favor. Motion Carried.

John Gaddy stated that on page 14 of the September 15 minutes it reads “Bolton is being taken by someone going against every community encouragement”, and he would like to clarify his response to say that “Bolton is being taken advantage of by someone going against every recommendation for hillside development”.

- 1. SD21-02 Twin Bolton Residential Subdivision, Twin Bolton, LLC.** Represented by Studio A. Subdivision for six townhouses (two triplex units) and 15 single family lots. Section 186.06, Block 1, Lot 14.1 and Section 186.07, Block 1, Lot 13, Zone RM1.3 and RL3; Property Location: 4799 Lake Shore Drive. Subject to WCPA, SEQR and LWRP review. *Last reviewed 9-15-22*

Atty. Lapper stated they were here to start the SEQR which they have updated with the additional changes that were recommended by Josh Westfall and Atty. Reichenbach.

Atty. Reichenbach went through the SEQR form with the Board. The Board asked the applicant for clarification on some of the questions such as bedrock and transportation ingress

and egress. Mr. Anthony answered all questions and explained their answers on the SEQR form.

RESOLUTION:

Motion by David Smith to make a negative declaration for SD21-02 after establishing lead agency and going through the Full Environmental Impact Assessment form; Parts 1, 2 & 3, it is appropriate in the opinion of this lead agency to make a finding that the proposed action will result in no adverse environmental impacts and that any identified adverse environmental impacts will not be significant, or where identified, are sufficiently mitigated by virtue of the conditions imposed in granting preliminary approval. **Seconded by** Gena Lindyberg. John Cushing Opposed. **All others in Favor. Motion Carried.**

Motion by David Smith to accept SD21-02 as complete; having held a public hearing and having met the criteria set forth in the code and grant preliminary approval of the project as presented with the following conditions:

1. The road shall be completed as part of Phase 1. Coordination with local fire services on the design is required.
2. A water supply report and coordination with the Town Water Department is required.
3. An up-to-date maneuverability/ traffic report is required.
4. Site Plan Review and Stormwater Review will be required for each lot.
5. Continued required approval process by, and coordination with, NYSDEC on minor outstanding technical comments.
6. Continued required approval process by, and coordination with Town Planning and Zoning Staff on any technical comments.
7. Complete payment of engineering review fees prior to stamping.
8. Complete payment park land fees prior to the issuance of C.O.'s (Prior to final Town Inspection).
9. Any significant plan modifications will be required to go back before the Planning Board for approvals.
10. The creation of a Transportation Corporation (Sewer Disposal Corporation) and approval by Town Board, DEC and Department of Health is required prior to the stamping of plans.
11. An approved HOA agreement shall be established prior to any C.O.'s being issued.

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** Sandi Aldrich. John Cushing Opposed. **All others in Favor. Motion Carried.**

2. **SPR22-18 Beale/Audette.** Represented by EDP and Flynn Design Studio. Applicant seeks Type I Site Plan Approval and major stormwater review for the development of two multifamily dwellings (triplex units) on two lots (resulting from proposed SD22-02).

The resulting structures will share one access point from NYS 9N and be served by well water and private septic systems. Section 213.13, Block 1, Lot 33. Property Location: Lake Shore Drive. Zone: RCM 1.3. Subject to APA, WCPA, SEQR, LWRP review.

This application was tabled at the applicant's request

3. **SPR22-19 Laurie.** Represented by Studio A. Applicant seeks Type II Site Plan approval and major stormwater review for a single-family dwelling and associated improvements. The site will be served by well water and a private septic system. Section 212.04, Block 2, Lot 13. Property Location: Ridge Lane. Zone: LC25. Subject to APA, WCPA, SEQR, LWRP review.

Matt Huntington of Studio A presented the following:

- They are here for a major stormwater project.
- This is a 9.35 acre lot at the end of Diamond Ridge Road.
- Currently there is a roughed in access road that they plan to improve and use for the residence and detached garage.
- This project will include a 4 bedroom house, detached garage, an access driveway and onsite septic and well.
- The existing site is undeveloped.
- He detailed the proposed stormwater mitigations to the Board.
- The majority of soils on the site are excellent for infiltration.
- All of the proposed development is on the eastern side of the site close to the road.
- The proposed stormwater practices include three infiltration basins to capture and treat all the runoff from the house and garage.
- There is a stream on the north side of the site.
- They are proposing a permeable paver patio at the rear of the house.
- They will have a swale along the driveway to catch any runoff.
- The septic will be an enhanced NSF certified Presby system to use a smaller footprint.

John Cushing stated they have put a lot of fill in on the lot and he questions the water collecting off the hill in the back and running toward the creek. Mr. Huntington stated that there should be no change in this existing drainage pattern on the site even with the minor modifications. Any water coming off the hill will continue to make it way to this drain and head to the stream.

John Cushing asked about the clearing that has already occurred. Acting Director of Planning & Zoning stated that the code allows for clearing limits prior to construction.

Gena Lindyberg asked if there was a HOA and right-of-way for the road leading to the property. Mr. Laurie replied that there was.

Gena Lindyberg asked what the upper level of the garage would be used for. Mr. Huntington replied, storage.

Gena Lindyberg inquired about the basement. Mr. Huntington stated that the basement would be unfinished.

John Gaddy stated that all the exterior lighting would need to be downward facing and shielded.

RESOLUTION:

Motion by Kirk VanAuken to declare the Bolton Planning Board as lead agency for SPR21-19. Seconded by Sandi Aldrich. All in Favor. Motion Carried.

Motion by Kirk VanAuken to accept SPR21-19 as complete; waive a 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 exterior lighting shall be downward facing and shielded. There shall be no light trespass on adjacent properties or Diamond Ridge Lane as indicated on plans. 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 Gena Lindyberg. All in Favor. Motion Carried.

4. **SD21-09-Curri Estates.** Represented by Pietrzak & Pfau. Applicant seeks preliminary review for a major subdivision of a 26.25-acre lot into seven (7) conforming lots of various sizes ranging from 1.50 to 5.14 +/- acres. Section 156.00 Block 1 Lot 38.4. Zone RL3 and LC25. Property Location: Finkle Road (E. of Town Highway Garage). Subject to WCPA, APA, SEQR, LWRP and Major Stormwater review.
Last reviewed 1/27/2022.

This application was tabled at the applicant's request

5. **SD22-04 Lands of Campbell.** Applicant seeks minor Subdivision approval to subdivide one lot into two complying lots to be bisected by Padanaram Road. Proposed Lot 1, east of Padanaram Rd. will be 45.24 acres. Lot 2, west of Padanaram Rd. will total 56.55 acres. Section 91.00, Block 3, Lot 7. Property Location: Padanaram Rd. Zone: LC45. Subject to WCPA, SEQR, LWRP review.

Bill Campbell stated he bought the property in 1997 with a partner and his partner would like to sell his portion now so they would like to subdivide their property into two 25 acre lots with some acreage that he owns.

RESOLUTION:

Motion by John Cushing to declare the Bolton Planning Board as lead agency for SD22-04.
Seconded by John Gaddy. **All in Favor. Motion Carried.**

Motion by John Cushing to accept SD22-04 as complete, waive a public hearing, and having met the criteria set forth in the code, convert to final plat and grant final approval of the application as presented. 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 Sandi Aldrich. **All in Favor. Motion Carried.**

The meeting was adjourned at 7:01 PM.

Minutes respectfully submitted by Kate Persons.

DRAFT