

**Town of Bolton  
PLANNING BOARD  
MINUTES  
Thursday, March 23, 2006  
6:00 p.m.**

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

**Present:** Chairman Herb Koster, Sandi Aldrich, Henry Caldwell, John Gaddy, Chauncey Mason, Don Roessler, Susan Wilson, Zoning Administrator Pam Kenyon

**Absent:** Town Counsel Michael Muller

**PUBLIC HEARING:** None

**REGULAR MEETING:**

H. Koster opened the regular meeting at 6:05 pm by asking for corrections to the February 16, 2006 minutes.

S. Aldrich said on page 8, paragraph 5, first sentence should read, "S. Aldrich asked if there are any *intermittent streams* as there was a collection of water between Lots 1 and 2 when she walked the property."

**Motion by** Donald Roessler to approve the February 16, 2006 minutes as amended. **Seconded by** Susan Wilson. **All in favor (6). Abstained (1 – C. Mason was not present at that meeting.) Motion carried.**

*Note: Agenda Item 12 (SD04-08, Brandow, Edward, Trout Lake West) was heard last as the applicant wasn't present when this item was ready to be heard.*

1) **V06-07 PALAZZO, JAMES.** For the construction of a proposed 40 ft. x 30 ft. (excluding overhangs) utility structure, seek 1) use variance to allow an accessory structure without a principal, and 2) area variance for deficient front yard setbacks. 75 ft. is required from the edge of the right-of-way for Valley Woods Road: 44.4 ft. is proposed. Section 171.06, Block 1, Lot 22, Zone RL3. Property Location: Valley Woods Rd. Subject to WCPB REVIEW. Subject to SEQR. Recommendation only.

James Palazzo gave an overview and said (1) he was before the ZBA for the same parcel last year, (2) after several tries he couldn't locate the septic system on the parcel meeting setbacks from the stream and (3) he is proposing to build a utility building on that same piece of property.

J. Gaddy asked if all the presently stored materials will be moved to the new location and James Palazzo said yes. J. Gaddy asked if the applicant expects to have any lighting on the proposed structure and James Palazzo said yes, the only lighting needed is by the

front of the garage door as he will basically only be there once in the morning and once at night.

S. Aldrich asked about the location of the septic for the red house across the street as she believed it was on the piece of property being discussed and James Palazzo replied by saying no, that septic is on the same piece of property as the red house; on the left hand side.

H. Koster asked if the stormwater management pit will be a structure or a hole with stone in it and James Palazzo said he is going to dig a hole and put stone inside of it. H. Koster asked that the hole be lined with filter fabric to which James Palazzo agreed.

S. Aldrich asked if the proposed structure meets the setback from both streams (Finkle Brook and the one behind) and James Palazzo answered by saying he is not putting any septic system in there because he doesn't need any water. S. Aldrich said the building still needs to meet the setbacks and James Palazzo said the building does meet the setbacks.

D. Roessler asked the height of the proposed structure to its peak and P. Kenyon said it is 29'. D. Roessler asked what type of siding would be used on the proposed structure and James Palazzo said he would put stone up to windowsill height and then some kind of wood siding, possibly natural cedar color and earth tones.

No County impact.

**The PB found no concerns with Section 200-31A-D of the zoning ordinance and C1-C7 on the SEQR form.**

**Motion by Henry Caldwell to make a favorable recommendation to the ZBA with the condition that the stormwater pit and trench be lined with filter fabric. Seconded by Chauncey Mason. Sandi Aldrich opposed. All others in favor. Motion Carried.**

**2) SPR06-04 STRIEF, JEFFREY dba Happy Jacks.** Seeks Type II Site Plan Review for an advertising sign greater than 4 sq. ft. Approximately 7.14 sq. ft. is proposed. Section 171.15, Block 3, Lot 91, Zone GB5000. Property Location: 4950 Lakeshore Drive, known as Blueberry Basket / Ben & Jerry's. Subject to WCPB REVIEW. Subject to SEQR.

Jeffrey Strief gave an overview and said (1) last July he was before the Planning Board and was granted an approval for the existing Happy Jacks sign in its present location, (2) he is relocating his business to 4950 Lake Shore Drive.

S. Aldrich asked if the sign would have downward lighting. Jeffrey Strief said yes, it would be the same lighting as his current sign—arms that come out and down on each side with 40-watt bulbs. S. Wilson said she recalled a previous restriction that the lights would only be on during business hours and D. Roessler said he had the same

recollection. P. Kenyon said she doesn't remember that at all. Jeffrey Strief said that in the summer it is not his intention to leave the lights on if the business is not open.

S. Wilson asked if there is a second sign for this location as well and Jeffrey Strief said yes, there will be an additional sign above the door under four square feet in size in a similar style and it would be unlit.

No County Impact.

The PB found no concerns with Section 200-31A-D of the zoning ordinance and C1-C7 on the SEQR form.

**Motion by** Donald Roessler to accept the application as complete, waive a public hearing and grant approval as presented with the following condition; the lighting must be downward facing and shielded with low wattage bulbs used. 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) SPR06-09 BAKER, ARTHUR dba Lakeside Lodge & Grill.** Seeks Type II Site Plan Review for an advertising sign greater than 4 sq. ft. Specifically 21 sq. ft. is proposed. Section 171.19, Block 2, Lot 9. Zone GB5000. Property Location: 4934 Lakeshore Drive formerly known as "The House of Scotts". Subject to WCPB REVIEW. Subject to SEQR.

Eugene Baker, representing Arthur Baker dba Lakeside Lodge & Grill, gave an overview and said that the proposed sign would have a box with inlaid lighting, be made out of white birch branches and would be located on top of the covered walkway that was approved last month.

H. Koster asked if the sign would no longer be located on the tree and Eugene Baker said yes. H. Koster asked if the applicant would be using low-wattage rope lighting and Eugene Baker replied by saying (1) yes, it is 110 volts, but it is 5-watts per foot, but it is put on a dimmer and indirect lighting to keep the glare down and (2) the back of the sign will also be stained a brown color that will absorb quite a bit of the light. S. Wilson asked if the lights are constantly lit and Eugene Baker said yes, it is not a random pattern.

H. Caldwell asked if the sign on the south side of the building would come down and Eugene Baker said no, they are just going to change the wording on that sign.

H. Caldwell asked the size of the existing sign in the front and Eugene Baker said it is approximately 8 square feet. H. Koster asked if the size of the proposed sign is 20 square feet and Eugene Baker said yes, that would be the size of the whole structure—the sign and the enclosure.

S. Aldrich asked if the rope lighting would be visible and Eugene Baker said no, they are going to be inside a box—up and in--and added that there would be no additional lighting shining on the sign from the walls or board.

J. Gaddy asked if it is possible to reduce the size of the proposed sign and Eugene Baker said not really, because they propose to use real birch for the lettering so the sign needs to be this size to enable the lettering to be legible.

H. Caldwell asked if it is possible to reduce the size of the big sign on the south side of the building since it is barely visible and the proposed sign will be the primary sign. Arthur Baker said that they would go with whatever the Planning Board recommends. H. Caldwell asked if the sign on the south side is really critical to the business and Arthur Baker said no, absolutely not, but it is an existing sign that has nice exposure. H. Caldwell asked for the size of the existing south side sign and Eugene Baker said it is 64 square feet. H. Caldwell asked if the applicant would be willing to reduce the size of the south side sign to 32 square feet and Arthur Baker said that would be fine. P. Kenyon said that if the applicant is making a sign smaller, the applicant does not have to come back for site plan review.

No County impact with the condition that the application be reviewed to be sure it is consistent with the Town's Master Plan.

The PB found no concerns with Section 200-31A-D of the zoning ordinance and C1-C7 on the SEQR form.

**Motion by** Donald Roessler to accept the application as complete, waive a public hearing and grant approval as presented with the following conditions; 1) The existing sign on the south side be reduced to 32 sq. ft. maximum. 2) The lighting must be downward facing and shielded with low wattage bulbs used. This motion includes a SEQR analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented. **Seconded Sue Wilson. All in favor. Motion Carried.**

- 4) SPR06-10 LINDYBERG, JAN & GENA dba Adirondack Park Motel.** Seeks Type II Site Plan Review for an advertising sign greater than 4 sq. ft. Specifically 29 sq. ft. is proposed. Section 141.00, Block 1, Lot 20, Zone RCL3. Property Location: 5680 Lake Shore Drive. Subject to WCPB REVIEW. Subject to SEQR. *Note: the proposed sign replaces a 21 sq. ft. sign that presently exists in this location.*

Gena Lindyberg gave an overview and said that the proposed sign needs to be a certain size to fit into the two existing posts.

H. Koster asked if the 21 square feet is the total for all three existing signs and Gena Lindyberg said yes. H. Koster asked if the posts would remain where they are and Gena Lindyberg said yes.

J. Gaddy asked if the applicant is willing to try using sky caps that he will provide to her for the sign to reduce sky glow and Gena Lindyberg said yes, the only reason the lights are there are for safety and they are not on all night. J. Gaddy said (1) the Planning Board is concerned with lights and (2) the new Great Escape Hotel has a vast array of lights where the lighting element doesn't extend down below the shade—enabling the light to go down without a glare in your eyes. Gena Lindyberg said (1) she is very willing to do the experiment with sky caps and (2) the only other lighting would be on the boards down-facing on the sign to make the sign visible.

No County Impact with the recommendation that the sign be relocated to be solely on the applicant's property—not in the right-of-way—and that the sign be consistent with the Town's Master Plan.

P. Kenyon asked if the sign is in the right-of-way and Gena Lindyberg replied by saying (1) yes, it has been in the right-of-way for over 50 years and (2) the cost of moving the sign would be substantial. P. Kenyon said moving the sign was only a recommendation from the County—not a condition. H. Koster said the sign is sitting in a stone planter right now that would also have to be moved and Gena Lindyberg agreed.

J. Gaddy (1) said this is the second time it has been brought up by the County for the Planning Board to look at the sign in regard to the Master Plan, (2) the Sign Regulation of the Master Plan says, '...the Town currently limits the square footage of these signs to four square feet. There are however, no standards on the design and appearance of new signs proposed in Bolton. A revised consistent sign ordinance is needed in Bolton to preserve and enhance the rural character of the community to encourage the installation of appropriate advertising signs and harmonize the developments and neighborhoods in the signs in the area and to eliminate excessive unsightly competition with visual attention to advertising signs...' and (3) he thinks both the sign addressed in the last agenda item and this sign are improvements. H. Koster said the Town Ordinance doesn't limit the sign to 4 square feet, but states that anything over 4 square feet require site plan review.

J. Gaddy said he wouldn't want the shade experiment to be part of the motion, but he would like the applicant to follow-up on it and Gena Lindyberg said she would and they will also be adding the street number to the sign in an effort to help people figure out which direction they need to go when lost. H. Koster said sky caps can be added to the motion.

S. Aldrich asked for clarification on the other lighting the applicant proposes to put on the sign and Gena Lindyberg replied by saying that it would be on the corner aiming down so the sign can be read.

The PB found no concerns with Section 200-31A-D of the zoning ordinance and C1-C7 on the SEQR form.

**Motion by** Donald Roessler to accept the application as complete, waive a public hearing and grant approval as presented with the following condition; 1) The lighting must be downward facing and shielded with low wattage bulbs used. This does not include existing security lighting for which the applicant agreed to experiment with “sky caps” to be provided by John Gaddy. 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.**

5) **SPR06-05 POSTERARO, MARK.** Seeks Type II Site Plan Review for a proposed single-family dwelling in the GB5000 zone. Section 171.15, Block 1, Lot 53, Zone GB5000 & RM1.3. Property Location: 20 Stewart Avenue. Subject to WCPB REVIEW. Subject to SEQR. *Note: A variance is also required for deficient rear yard setback & density.*

Mark Posteraro gave an overview and said (1) the proposed building would have a 3-bay garage and would be moved forward 3’ further away from the rear setback and (2) the proposed building would also have an apartment upstairs for senior living.

D. Roessler asked if the applicant received the variance from the ZBA and Mark Posteraro said yes.

S. Aldrich asked if the proposed building meets the setback from the small stream that runs by Horicon Avenue. Mark Posteraro replied by saying yes, the minimum required setback is 50 ft. and the proposed building setback is 86’. S. Wilson asked if his property is on Town sewer and Mark Posteraro said yes, Town sewer and Town water.

No County impact.

The PB found no concerns with Section 200-31A-D of the zoning ordinance and C1-C7 on the SEQR form.

**Motion by** Henry Caldwell to accept the application as complete, waive a public hearing and grant approval 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**

6) **SPR06-06 FEDERAL HILL DEVELOPMENT, LLC.** Represented by Bill Peterson. As a condition of approval when approving the Christmas Tree Subdivision (SD00-10) on 11/16/00, seeks Type II Site Plan Review for vegetative cutting and a single-family-dwelling on lot 7. Section 156.00, Block 1, Lot 20.7, Zone RM1.3. Property Location: Federal Hill Rd. Subject to WCPB REVIEW. Subject to SEQR.

Bill Peterson, representing Federal Hill Development, LLC, gave an overview of the proposal and said (1) they propose a single-family dwelling that is approximately 2,400 square feet, (2) the proposed structure will be set back off the road about 150 feet and the

area will be re-vegetated out front and (3) the proposal meets all the setback requirements.

H. Caldwell asked if the only possible location on the lot for the stormwater basin is as shown, as it is right out front toward the road and Bill Peterson said yes, that is the lowest point on the lot. S. Aldrich said the ground is already very wet in that location and Bill Peterson replied by saying (1) it is only because there is no grading there, (2) he thinks it will percolate into the soil and (3) it only puddles up where there is a tree that has grown up and it is not graded so it can flow clearly down through there.

P. Kenyon said (1) that her concern is that back when this parcel was subdivided everyone knew it was wet in that area, but you couldn't do any deep test holes because it was frozen and (2) it was talked about and she did tell the applicant that deep test holes would be required in the spring. Bill Peterson replied by saying that (1) they agreed to do that and (2) there were test holes that went down 70 inches and there was no water at all, as shown on the subdivision map. H. Koster said that there is a separation the ordinance requires from the groundwater for stormwater management and he believes P. Kenyon's concern is the stormwater basin is right in the swale where the water is most of the year. P. Kenyon said (1) she would like to see a test hole there, because the ordinance says you need that 2' separation and (3) she spoke with Bill Peterson on this topic previously and he did agree they would do deep test holes before he does any work up there. H. Caldwell asked that it be made a condition of approval and P. Kenyon said yes.

From the public, Becky Coon asked what the plans are for the basement and Bill Peterson said they are proposing a poured concrete basement. Becky Coon asked if they plan on blasting and Bill Peterson replied by saying no—they won't do a basement if they have to blast, they would do a crawl space. Becky Coon asked if it would be stated that no blasting would be done and Bill Peterson answered by saying yes. Becky Coon asked if this is just for the one lot and Bill Peterson said yes.

H. Koster said he was sorry, but this is not a public hearing. Margaret Riley asked when she, as an adjacent property owner, would have a right to state her concerns to the Planning Board. H. Koster told Margaret Riley to go ahead with her concerns.

From the public, Margaret Riley, adjacent property owner, said (1) the Planning Board is obligated to look at the entire section of land, (2) Mr. Peterson's proposal about that once he removes vegetation and a big tree that is there, the natural water will run right through, is inaccurate—that is not the case, (3) she is concerned not only with this lot, but with what lies ahead in terms of stormwater, traffic flow, blasting, percolation testing, well-drilling, etc. and (4) she would like to see a stormwater management study done in the proposed area—there are many concerns. J. Gaddy replied by saying (1) he recalls when this subdivision was in the approval process, no one was looking forward to the subdivision, but it is part of an owner's right to be able to subdivide it, (2) it is a beautiful piece of property that the Planning Board is trying to do everything it can to maintain and (3) there is tremendous pressure on the area and the laws are such that this is a person's

legal right to develop it. Margaret Riley said (1) she is not arguing the applicant's rights and (2) the proposal is not consistent with the existing surrounding neighbors.

Becky Coon said that the Planning Board should be more concerned with tree cutting than lighting. H. Koster replied by saying (1) this is not a public hearing. Becky Coon asked when the public gets an opportunity to talk and voice its concerns and H. Koster said this is site plan review for a subdivision that was approved in 2000 and she is bringing up issues of re-designing this subdivision, which is not the proper forum. Becky Coon said no, she wanted to make sure that the conditions that are in there for blasting are considered. H. Koster said the applicant has stated he is willing to put blasting conditions in writing. J. Gaddy said (1) he would love some help from her and others regarding getting concerns heard on the topic of tree cutting in Town and (2) he is concerned with tree cutting as well, which is why he goes to the Town Board meetings and ZBA meetings to try to get his word in. H. Koster said they are dealing with a Type 2 site plan review.

P. Kenyon said that the Planning Board could have Tom Nace conduct a stormwater review at the applicant's expense and H. Koster said he agreed and he would like to have the applicant do a test hole to see if any separation exists.

Several individual back-and-forth discussions took place regarding the possibility of a public hearing on this item.

Bill Peterson asked what was done on Lot 4 for a stormwater management plan and H. Koster said he doesn't know because he doesn't have the plans in front of him. J. Gaddy said one apparent difference is that the grade is a lot different—lot 4 is fairly flat, but there is a big change in the gradient of the applicant's lot. H. Koster said the whole idea of stormwater management is that you don't see the water, but it gets dissipated in the soil. Bill Peterson said (1) he agreed to dig the test hole and if it has to be moved he'd come back before the Planning Board and (2) he would like to get approval tonight in order to move forward. H. Koster said (1) part of the subdivision approval was to come back for stormwater management and (2) there are a lot of concerns here, so the Planning Board would like the Town Engineer look at the applicant's design for stormwater management and in order to do that, this item needs to be put off to next month. Bill Peterson asked if he could do the test holes before then and H. Koster said yes, absolutely—you don't need approval for test holes and percolation tests.

S. Aldrich asked if the septic could be moved closer to the house to reduce the amount of clearing around the house and Bill Peterson responded by saying that the septic has to be 20' from the house, which is where it is laid out.

H. Koster said he was reading comments about the proposed hot tub and Bill Peterson said that there is no hot tub or a spa. H. Koster said the Planning Board is just trying to save the applicant some time.

**Motion by** John Gaddy to table the application pending additional information; 1) deep test holes for the stormwater controls and 2) approval of the stormwater plan by Town Engineer, Tom Nace, at the applicants expense. **Seconded by** Sue Wilson. **All in favor. Motion Carried.**

7) **SPR06-07 DAVIS, BARON.** Seeks Type II Site Plan Review for commercial boat storage in the RR5/10 & LC25 Zones. Section 185.00, Block 1, Lot 11, Zones RR5 & LC25. Property Location: Lamb Hill Road. Subject to SEQR

S. Aldrich asked if there are any streams on the piece of property or if it is visible from any roadway and Baron Davis said no to both.

S. Wilson asked if the applicant will be doing any boat repair and Baron Davis said no, there would be no repair or building of boats—just storage.

J. Gaddy asked if NYSDEC gets involved regarding the number of boats and P. Kenyon said she received a letter from the LGPC requiring a permit from the applicant for the boat storage. J. Gaddy asked if there are a certain number of boats that trips that and P. Kenyon said no, it is because the applicant's property is in the Lake George Basin.

S. Aldrich asked if that is unusual as opposed to the other boat storage facilities in the Town of Bolton and P. Kenyon replied by saying (1) this is the first time she has heard of this so she called Molly Gallagher—who she thought probably wasn't sure where the property was located and (2) Molly Gallagher told her that it is on the LGPC's books that a permit from them is required anytime there is a boat storage area in the Lake George watershed area. H. Koster asked if Molly Gallagher said this was a new rule or something they are just starting to review and P. Kenyon said no, Molly Gallagher said it is an existing rule—not a new rule.

Tom Davis, previous owner of the property, asked if Molly Gallagher's letter pertains to the buildings and P. Kenyon said it pertains to a marina—any time you have a marina and it seems the applicant is classified by the LGPC as a marina. H. Koster said (1) he doesn't consider boat storage a marina and (2) the Planning Board needs to follow through with its review and if the applicant has to deal with the LGPC, then that is what he'll have to do. Baron Davis said there would be no building at all.

S. Aldrich asked if it is correct that the area is already cleared and there would be no more clearing. Baron Davis said yes. J. Gaddy asked if the separation from the neighbor's property (Lynn Davis) is 60' and Baron Davis said yes.

The PB found no concerns with Section 200-31A-D of the zoning ordinance and C1-C7 on the SEQR form.

**Motion by** Sue Wilson to accept the application as complete, waive a public hearing and grant approval 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**

**8) SPR06-08 DAVIS, BARON.** Seeks Type II Site Plan Review for commercial boat storage in the RR5/10 & LC25 Zones. Section 184.04, Block 1, Lot 18, Zones RR5, RR10 & LC25. Property Location: 122 Lamb Hill Road. Subject to SEQR.

H. Koster asked if the clearing for this proposed boat storage area is 402' off Lamb Hill Road and Baron Davis said yes. S. Aldrich asked if there are any streams on this property and Baron Davis said no. H. Koster asked if the applicant would need a 16' wide road going in there and Baron Davis replied by saying that it is already there. D. Roessler asked if the area is already cleared and Baron Davis said yes. The maximum capacity on this parcel is 50 boats. D. Roessler asked how many acres the applicant has on this parcel and Baron Davis said 64 acres.

J. Gaddy said that one of the things in the regulations on the boat storage is that the applicant is supposed to double the setback on that and he would like to see the vegetation start growing up in order to start developing a buffer zone for separation in the future. Baron Davis said that is not a problem because there is plenty of room there.

The PB found no concerns with Section 200-31A-D of the zoning ordinance and C1-C7 on the SEQR form.

**Motion by Donald Roessler to accept the application as complete, waive a public hearing and grant approval as presented with the following conditions; 1) A maximum of 50 boats is allowed, 2) A 100 ft. setback is to be maintained on the east side of the property. This motion includes a SEQR analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented. Seconded John Gaddy. All in favor. Motion Carried.**

**9) SPR05-54 THE MICHAELS GROUP.** Represented by Tony Locascio of The Michaels Group. To amend previously approved plans approved by the Planning Board on 1/19/06, specifically to reconfigure the deck on the east side of the residence. Section 186.14, Block 1, Lot 89, Zone RCH5000. Property Location: Bluebird Way.

Matt Steves of VanDusen & Steves Land Surveyors, representing The Michaels Group, gave an overview and said (1) this proposal is for Lot 2 of the Bluebird Cottages subdivision and (2) the original proposal approved was for a deck on the east side, but the purchaser wants to have the deck wrap around slightly more to the south, still conforming to all setback requirements.

H. Koster asked if the proposed reconfigured deck fits within the building envelope and Matt Steves said yes. P. Kenyon agreed. S. Aldrich asked if the foundation is in the proper location and Matt Steves said yes. S. Aldrich asked if the proposed reconfigured

deck will extend over the ledge and Matt Steves said no, it will be right near the edge of it.

H. Koster asked if any application has been submitted for amended stormwater and P. Kenyon said no, she anticipates receipt of that by next Monday.

The PB found no concerns with Section 200-31A-D of the zoning ordinance and C1-C7 on the SEQR form.

**Motion by** Sue Wilson to accept the application as complete, waive a public hearing and approve the amended plans as presented. **Seconded by** Sandi Aldrich. **All in favor.**

**Motion Carried**

**10) SPR06-12 THE MICHAELS GROUP.** Represented by Matt Steves of VanDusen & Steves Land Surveyors & Tony Locascio of The Michaels Group. As part of subdivision (SD03-23) and stormwater (SPR04-03) approval granted for the Bluebird Cottages Subdivision on March 18, 2004, seeks Type II Site Plan Review for a Major stormwater project on lot 4, Section 186.14, Block 1, Lot 86, Zone RCH5000. Property Location: Bluebird Way. Subject to WCPB REVIEW. Subject to SEQR.

Matt Steves of VanDusen & Steves Land Surveyors, representing The Michaels Group, gave an overview and said (1) this proposal is for Lot 4 of the Bluebird Cottages subdivision and (2) regarding the Lake George Waterkeeper's comment regarding the request for existing stormwater measures to be in place being during the construction of the road be in place and they will comply and (3) these are all on slabs so there isn't any sump pit in the basement to pump out into the eave trench.

H. Koster asked if they had a hard time getting dissipation of the stormwater and Matt Steves said no, not with the trenches and he thinks the concern was down by the road. H. Koster said that the corner lot that borders where the problem was is where a lot of holes were being dug. Matt Steves said he wasn't present for the test pits, but he knows that Tom Nace was on site with an engineer from the LA Group. P. Kenyon said the only concern she heard about was by the curve on lot 5 and H. Koster said that's the one he's talking about, but that borders Lot 4 being reviewed now. Matt Steves said (1) he believes that was the one where the foundation was set low and (2) the rest of the foundations are being set higher.

No County impact.

The PB found no concerns with Section 200-31A-D of the zoning ordinance and C1-C7 on the SEQR form.

D. Roessler said (1) there is a consensus to approve this major stormwater project and (2) based upon the materials submitted and accepted as part of the record, the findings are as follows;

1. The project meets the design requirements and performance standards set forth in the code.
2. The project will not have an undue adverse impact regarding the criteria set forth in the code.
3. That the stormwater control measures proposed will function as designed and constitute the best possible methods feasible and practicable for the project site.
4. Adequate and sufficient provisions are presented as part of the plan to assure future function or responsibility in the event of failure.
5. The project will not contribute to flooding, siltation, or stream bank erosion and will not pollute Lake George, its tributaries or streams with run-off.

**Motion by** Donald Roessler to accept the application as complete, waive a public hearing and grant approval as presented with the following condition; 1) construction times are from 8:00 am to dusk Monday – Saturday and 9:00 am to dusk on Sundays from July 4<sup>th</sup> to Labor day. This motion includes a SEQR analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented.

**Seconded** Sandi Aldrich. **All in favor. Motion Carried.**

**11) SPR06-13 THE MICHAELS GROUP.** Represented by Matt Steves of VanDusen & Steves Land Surveyors & Tony Locascio of The Michaels Group. As part of subdivision (SD03-23) and stormwater (SPR04-03) approval granted for the Bluebird Cottages Subdivision on March 18, 2004, seeks Type II Site Plan Review for a Major stormwater project on lot 8, Section 186.14, Block 1, Lot 83, Zone RCH5000. Property Location: Bluebird Way. Subject to WCPB REVIEW. Subject to SEQR.

Matt Steves of VanDusen & Steves Land Surveyors, representing The Michaels Group, gave an overview and said (1) this proposal is for Lot 8 of the Bluebird Cottages subdivision, which is one of the largest lots of the subdivision and (2) this is on a slab, so there is no true basement and no use for any sump-pit in the basement above grade.

No County impact.

The PB found no concerns with Section 200-31A-D of the zoning ordinance and C1-C7 on the SEQR form.

John Gaddy said (1) there is a consensus to approve this major stormwater project and (2) based upon the materials submitted and accepted as part of the record, the findings are as follows;

1. The project meets the design requirements and performance standards set forth in the code.
2. The project will not have an undue adverse impact regarding the criteria set forth in the code.
3. That the stormwater control measures proposed will function as designed and constitute the best possible methods feasible and practicable for the project site.

4. Adequate and sufficient provisions are presented as part of the plan to assure future function or responsibility in the event of failure.
5. The project will not contribute to flooding, siltation, or stream bank erosion and will not pollute Lake George, its tributaries or streams with run-off.

**Motion by** John Gaddy to accept the application as complete, waive a public hearing and grant approval as presented with the following condition; 1) construction times are from 8:00 am to dusk Monday – Saturday and 9:00 am to dusk on Sundays from July 4<sup>th</sup> to Labor day. This motion includes a SEQR analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented.

**Seconded** Donald Roessler. **All in favor. Motion Carried.**

**12) SD06-02 NORTHWEST BAY FARM (Richard Kudlak)** Represented by Atty. Stefanie DiLallo Bitter of Bartlett, Pontiff, Stewart & Rhodes, PC. Seeks to divide into 2 lots those parcels designated as Section 141.00, Block 1, Lots 3.1 & LC25. Property Location: 5879 Lake Shore Drive. Minor Subdivision. Sketch Plan Review. Subject to SEQR.

Atty. Jonathan Lapper, Bartlett, Pontiff, Stewart & Rhodes, P.C., representing Northwest Bay Farm (Richard Kudlak), said that this is a two-lot subdivision which has lake lots that are dock lots only (non-building lots) and two non-lake lots that are conforming lots under the Town of Bolton ordinance that require a permit from the APA because one of the lots will have a permanent residence on it.

H. Caldwell asked if the land hooks have been approved and P. Kenyon said yes. H. Koster asked if the land hook that was previously approved is now being proposed to be cut in half and Atty. Lapper said yes, and added that there are already two existing docks—one for each parcel.

H. Caldwell said it seems like it would already be a done deal if you have two existing lake parcels and P. Kenyon said no, it is only one parcel at this time. Atty. Lapper responded by saying that the existing lake parcel is one parcel right now and that is the one they propose to split for dock purposes—not for building purposes. H. Caldwell said there is a land hook for Lot 1, but not for Lot 2. D. Roessler asked if it is accurate that the proposal is to split the lake-front property in half and give half the property to Lot 2 and P. Kenyon said yes, Lot 2 is proposed. H. Koster said his concern is with the APA's approval that this parcel could be subdivided into three lots and P. Kenyon said that the applicants were here two or three years ago and received approval for the 3-lot subdivision, but it was never filed.

Atty. Lapper said it could still be subdivided into three parcels and P. Kenyon said no, not with having two residences on a single lot, according to the APA. Atty. Lapper agreed. J. Gaddy asked if they anticipate a third land hook and P. Kenyon said no, they don't have the shore footage for it. Atty. Lapper said that is why it is only being split into two lots, because there can only be two lake lots. P. Kenyon said the applicants have

exactly what they need for two lots and asked if the applicants have heard anything from the APA. Atty. Lapper said the APA told them they are waiting on the Town.

S. Aldrich asked if the Planning Board is also approving the two house sites shown on the plan or just the subdivision and P. Kenyon said just the subdivision. H. Koster said the house sites are present just to show the Planning Board that it is feasible. H. Caldwell asked if the old farmhouse would remain and Atty. Lapper answered by saying he was uncertain of the applicant's intent.

H. Koster asked (1) in regard to splitting the lakefront, if four parcels currently exist and (2) if there is a shared driveway, because approval is needed from those already in there regarding there being an extra parcel in there now. Atty. Lapper said that his understanding is that it is just an easement that would run with the land. Matt Steves said that it is an easement. H. Koster asked if both of these proposed parcels would be given the same easement to the people on the southern end and Matt Steves replied by saying (1) yes, on the southerly end, (2) the northerly one stands on its own—nobody uses it to cross over and (3) the new parcel on the northerly end has its own driveway currently, so this won't be encumbered by the easement.

The PB found no concerns with Section 200-31A-D of the zoning ordinance and C1-C7 on the SEQR form.

**Motion by** Donald Roessler to accept the application as a completed sketch plan, convert the sketch plan to final plat, waive the public hearing and grant final approval as presented on map dated 12/5/05. 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.**

**13) SD05-25 MCGURL, THOMAS.** Represented by Attys. Jonathan Lapper & Stefanie DiLallo Bitter of Bartlett, Pontiff, Stewart & Rhodes, PC, and Matt Steves of VanDusen & Steves Land Surveyors. Seeks to divide into 13 lots (12 building lots and 1 Homeowners Association lot) that parcel designated as 170.00-1-22.1. Zones RCL3, LC45 & LC25. Property Location: 520 Trout Lake Rd., known as Twin Pines Resort. Sketch Plan Review. Major Subdivision. Subject to SEQR. This item was last heard October 2005.

Atty. Jonathan Lapper, Bartlett, Pontiff, Stewart & Rhodes, P.C., representing Thomas McGurl, gave an overview and said (1) the detailed engineering has been completed, (2) they have reduced the number of lots from 17 to 12, (3) the road is being kept to an 11.3% grade, (3) the HOA will now just have lake access and three docks, (4) the wetland parcel will be tied into the existing parcel and (5) the Lake George Waterkeeper's letter was very complimentary regarding this proposal.

Matt Steves said (1) they reduced the plan to 12 lots, (2) the grade of the road is between 11.2% and 11.3% and (3) they have sent the proposal to NYSDEC and to NYS Historic Preservation for review.

Atty. Lapper said that Tom Hutchins has done preliminary design work for the stormwater drainage system for the roadway. Tom Hutchins, Hutchins Engineering, gave an overview of the conceptual stormwater management plan and said that the primary concern is the road, but he can accomplish it. Atty. Lapper said (1) this is an existing tourist resort that can accommodate up to 180 people on any given day in the summer, whereas this proposal is a much more minimal use of the land and (2) there would be clearing at the top of the road, but only what is necessary for the houses.

P. Kenyon asked if there are any wetlands down by the water on the lot the McGurls intend to keep the water and if the wetlands are shown on the map. Atty. Lapper said there are wetlands. Matt Steves said (1) that with the APA they are working toward determining wetland areas and (2) all of the wetlands would be retained on one lot. P. Kenyon asked if the large parcel shown was going to be HOA property and Atty. Lapper said no, that was talked about at one point, it will now be part of Tom and Mary Lou's parcel. S. Aldrich said Lot 1 is shown as 2.8 acres and Atty. Lapper replied by saying that is the existing lot area on the lake right now. Matt Steves said that Lot 1 would be much bigger and include the area on the north and the wetlands.

S. Aldrich asked if there are wetlands on the south end of the association property and Matt Steves said that research by the APA will be resumed in May. Atty. Lapper said that any changes would be shown on the permanent map. H. Koster said the proposal shows the minimal amount of shorefront allowed in RCL3, but much of this land is in LC25 and LC45, which has different requirements. P. Kenyon said it was discussed at the ZBA when the applicants applied for the variance and you do apply the section where the shoreline is located. In this case its in RCL3. Matt Steves said that where the lake frontage falls is the required distance along the shore for each additional lot, so because the lakefront is included in the RCL3 zone, the lakefront requirements are met with the proposed HOA area. H. Koster asked if the applicant would consider enlarging that, as it is at the absolute minimum and there is a possibility that part of the south end might be considered wetlands. Matt Steves said once they have that information they will review it. Atty. Lapper said (1) the issue is the distance to the structure that is on the site, (2) they will need to meet the setback and (3) that is certainly not set in stone and they will look at it.

H. Caldwell asked if the notations for Cat Mountain Road would be added to the map and Matt Steves said yes. S. Aldrich said that several years ago the McGurls divided off a one-acre lot for their son and used some of the density in the RCL3 to do that and asked if that was taken into consideration, when the calculations were done this time. Matt Steves said yes, the total density allows 20 lots and they have reduced it to 12.

D. Roessler asked if the existing cabins and tennis courts would be removed and Atty. Lapper said the tennis courts would stay with the existing lot. D. Roessler asked if the tennis courts would remain part of that lot and Matt Steves answered by saying (1) yes, the tennis courts would stay as part of that lot—not as association property—and all other

structures would be removed and (2) the only building that would remain would be the house on Lot 2. The recreation building will be converted to a single-family dwelling.

D. Roessler asked for the overall length of the road and Matt Steves said it would be about 2,900' and they would provide emergency turnarounds. D. Roessler asked what the road width would be and Matt Steves said (1) the width would be 50' for the right-of-way and (2) the road will be built to Town standards. H. Koster said that the Planning Board would like a little less than the Town standards on something this large. H. Koster asked if the road would be paved and Matt Steves said yes, they would do whatever the Town standards are and the Planning Board recommends. H. Koster said the Town ordinance calls for 24', but this would be limited to the 12 homes. D. Roessler said that 20' would be good for vehicles clearing the road in the winter. Matt Steves said that this will also go before the Town Engineer to be discussed.

D. Roessler said the Fire Dept. has been putting in dry hydrants in certain areas and S. Aldrich said there is a dry hydrant off of the lakeshore just around the corner. H. Koster asked if it is being suggested that it be extended up the hill and D. Roessler replied by saying (1) if there is a dry hydrant and water that close it should be adequate for a road that is 20' wide and (2) asked if the applicants would object to a hammerhead or a pull-off being added. Atty. Lapper said they are willing to do whatever the Planning Board wants—those would be ok. D. Roessler said he'd be happy to provide a copy of the maps to the Fire Chief for his recommendations. Matt Steves said that they would accommodate the Planning Board's request to add a pull-off for emergency vehicles. D. Roessler said a pull-off would also benefit the applicant when construction is taking place.

P. Kenyon acknowledged the receipt of correspondence from Caffry & Flowers, the LGA and the Lake George Waterkeeper.

S. Wilson asked if this is a major subdivision even though the agenda lists it as a minor subdivision and P. Kenyon said yes.

S. Aldrich said given the steep slopes and the size of the wetland, she would like to see a SEQR Long Form filled out. Atty. Lapper said they would provide that. S. Aldrich asked if the applicants have gone to the APA for jurisdictional review and Atty. Lapper said they just submitted the proposal to the APA. H. Koster asked if the applicant thinks that the APA will have the wetlands laid out by the next Planning Board meeting and Matt Steves said yes, that is what they are hoping and they will keep the Town informed.

**Motion by** Donald Roessler to table the application pending additional information as follows; 1) consideration of additional shore frontage for Homeowners Assoc. 2) notations for Cat Mountain. 3) Pull-off to be provided between the contiguous lot lines of 3 and 4 (east side of proposed road). 4) Long environmental assessment form. 5) A 20 ft. roadway plus 2 ft. shoulders on each side. **Seconded by** Sandi Aldrich. **All in favor. Motion Carried.**

**14) SPR06-11 JUMBO REALTY INC. (Mark Bernstein)** Represented by the LA Group. Seeks Type II Site Plan Review for an accessory structure greater than 1,500 sq. ft. Specifically a 4100 sq. ft. arts & crafts building is proposed. Section 185.00, Block 1, Lot 32, Zones RCL3, LC25 & LC45. Property Location: 429 Trout Lake Rd. known as Camp Walden. Subject to WCPB REVIEW. Subject to SEQR.

Jeff Anthony, LA Group, representing JEHM Realty Inc. (Mark Bernstein), gave an overview and said (1) this is a site plan review for an accessory structure—a proposed arts and crafts building—to be used seasonally at Camp Walden, (2) they are going to infiltrate all the water at the drip lines around the proposed structure—the site is flat and (3) the building has a small bathroom in it—the septic system would be a free-standing unit.

S. Aldrich asked if the lighting on the building would be in the soffets and Jeff Anthony said yes, there are three entrances and those entrances on the side facing the boat storage building which will have roof covers over the entrance doors with a down-light in the ceiling of the roof covers that will shine down. S. Aldrich asked if that would be the only exterior lighting and Jeff Anthony said (1) yes, and noted that the buildings are seasonal—shut down for the winter months—so there is no activity from Labor Day to Memorial Day. S. Wilson asked if the lights would remain on, because it used to be they were turned off in the off-season, but they are lit currently. Jeff Anthony said they are doing a lot of work there now, which might explain the lighting being on currently.

S. Aldrich asked if the exterior colors on the new building would match what exists and Jeff Anthony said yes, it would be exactly like the boat storage building.

S. Aldrich said a small stream that comes down the north property line and asked its relation to this building. Jeff Anthony said (1) that stream is unclassified by the NYSDEC, so it is not subject to a setback requirement and (2) there is a hand-dug drainage ditch that develops into the drainage area in the ravine. H Koster said the contours come to a “V” in L1, so the stream is approximately 60’ from the north end of the building. S. Aldrich asked if the Planning Board doesn’t need to worry about the setbacks since it is an unclassified stream and H. Koster said yes. P. Kenyon said she thinks it may just be a drainage area and Jeff Anthony agreed.

J. Gaddy asked if there is a way to make toning down the lighting a condition for this. S. Wilson said that for the past 10 years the lights have been off for the off-season, but for this past year they have been on and it is very well lit at night year-round and it would be nicer if it wasn’t. P. Kenyon said it may be for safety reasons. Jeff Anthony said he would think the applicants would want some degree of security lighting, but in future expansion plans seasonal lighting can be addressed. K. Koster said that (1) movement security lighting sometimes becomes more annoying and distracting than continual light and (2) the Planning Board is interested in the lighting for this project.

No County impact.

The PB found no concerns with Section 200-31A-D of the zoning ordinance and C1-C7 on the SEQR form.

**Motion by** Donald Roessler to accept the application as complete, waive a public hearing and grant approval as presented with the following conditions; the lighting must be downward facing and shielded with low wattage bulbs used. This motion includes a SEQR analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented. The following recommendation was made: All lighting on the site be kept to a minimum in the off season. **Seconded by** Sandi Aldrich. **All in favor. Motion Carried.**

**15) SD04-06 JEHM HOLDING CORPORATION.** Represented by the LA Group. Seek to divide into 3 lots that parcel designated as Section 186.14, Block 1, Lot 20, Zone RL3. Property Location: Trout Lake Road. Minor Subdivision. Sketch Plan Review. Subject to SEQR.

Jeff Anthony, LA Group, representing JEHM Holding Corporation, gave an overview and said (1) they were here about a year ago and subdivided a parcel out of the property, (2) they have a letter from the APA that any wetlands on the property are not jurisdictional, (3) the map has one error on it—the property line should not be extended beyond the periphery of the lot that was subdivided out, which will be corrected on future maps and (4) they are proposing three lots with one common access drive—just a driveway, not a roadway.

H. Koster asked if it is a major subdivision since the Planning Board approved one lot last year and P. Kenyon said that makes four lots, so it is still a minor subdivision.

H. Caldwell asked how wide the drive would be and Jeff Anthony said that it is currently engineered at 15-16 feet, but the total right-of-way would be 50' in an attempt to keep it as low-keyed as possible unless directed differently. H. Caldwell said they applicants may have to make the hammerhead bigger to accommodate emergency vehicles and Jeff Anthony agreed.

H. Caldwell asked if the applicants found any right-of-ways regarding the existing 18" wooden waterline on this property and Jeff Anthony replied by saying no right-of-ways or easements were found.

S. Aldrich said on the Warren County GIS site, this property is shown as having an APA wetland that covers over half of Lot 3 and a good portion of Lot 2 along the stream. Jeff Anthony replied by saying that (1) it is a GIS map by the APA that is not accurate and (2) the APA field biologist walked the site after the applicants flagged wetlands and the agency determined they are not APA jurisdictional, but they are Army Corps jurisdictional. H. Koster said that the APA freely admits that their wetland map was done from aerial photography back in 1972 and that it is not accurate.

H. Koster asked if there is enough room to put a cul-de-sac instead of a hammerhead between Lots 2 and 3 and Jeff Anthony said yes, he would put it on the property line of Lots 2 and 3.

P. Kenyon asked if the roadway is being considered a round or share driveway and H. Koster said it would be a shared driveway. D. Roessler asked if there would be a Homeowners Association and Jeff Anthony said yes, just for the maintenance of the road, including the stormwater off the road. D. Roessler asked if the road would be paved and Jeff Anthony said they show gravel on the drawing, but it is up to the Planning Board's discretion.

**Motion by** Donald Roessler to table the application pending additional information as follows; 1) culdesac to be shown. 2) Homeowners association must be formed for maintenance of stormwater controls and the road. 3) The road is considered a shared drive way with a road width of 12 ft. plus 2 ft. shoulders on each side. 4) Major stormwater plan. **Seconded by** Sue Wilson. **All in favor. Motion Carried.**

**16) SD04-08 BRANDOW, EDWARD. Trout Lake West.** Represented by Rolf Ronning. Seeks to divide into 5 lots those parcels designated as Section 185.00. Block 1, Lots 30 & 31 and Section 185.00, Block 3, Lots 25, 26, 27, 28, 29, 30 & 31.1. Zone RCL3. Property Location: Trout Lake Road. Major Subdivision. Sketch Plan Review. Subject to SEQ. *NOTE: On February 16<sup>th</sup>, the Planning Board passed a resolution, whereby the above noted parcels were re-aggregated. A new number has not yet been assigned.*

Dennis Dickinson, surveyor engineer of the project, representing Edward Brandow (Trout Lake West), asked what stage the project is at and H. Koster said sketch plan review—it is re-aggregated now.

Dennis Dickinson gave an overview and said (1) originally the Town considered this piece of property to be a stand-alone lot even though it is on both sides of the road, (2) since then, changes had come about and that determination was changed, leading to numerous responses on the numbering of the lots, (3) after receiving an APA permit, they have straightened out the lot numbering per the Town's request and (4) this property has previously been approved for an eight lot subdivision and the current proposal is for four lots.

H. Koster asked how Lot 5 will access the lake and Dennis Dickinson said that Lot 5 will come down the big driveway in Lot 1 which leads to an easement lot that has 15' of access. D. Roessler said at a previous meeting they asked for radiuses to be widened at the intersections and Dennis Dickinson agreed. H. Koster said a turnaround is needed and Dennis Dickinson said (1) there is a turnaround at the access previously discussed at the bend of the road and (2) you will be able to turn around at all the intersections. D. Roessler asked if it is possible to make the intersection on Lot 2 into a cul-de-sac and H. Koster said it is pretty steep there. Dennis Dickinson said it would be too tight there. Further discussion ensued on turnarounds, cul-de-sacs and hammerheads. D. Roessler

asked what the driving surface width would be and Rolf Ronning said 16' with 2' shoulders on each side. D. Roessler said that a turn-around can be added by Lot 3 where the driveway starts. H. Koster said there is a need for bigger radiuses at the right angle point and Dennis Dickinson agreed. H. Koster said the applicant should keep the drive at 16' with 2' shoulders totaling 20' on each side because of the tight radiuses and Dennis Dickinson said he'd prefer to have a 12' road with 2' shoulders on each side totaling 16'.

H. Koster said that he wants to see the change in contours on the road next time so they can see the limits of disturbance. Dennis Dickinson said last time he provided a map with limits of cutting and H. Koster said that he is not looking for limits of cutting—he is looking for revised contours. Dennis Dickinson approached the Planning Board bench to clarify map details. H. Koster said; that all of the drawings need to be made consistent.

Dennis Dickinson said (1) regarding the major stormwater plan, the NYSDEC has a different set of regulations and requirements than the Town and (2) the major stormwater basins shown are not recharge basins, but lined with clay. H. Koster asked if they are total retention and Dennis Dickinson said yes, in the bottom of them and (2) the remaining area in them is to accommodate different floods. H. Koster said that if only the bottom is, there will still be recharge from the bottom and Dennis Dickinson said no, the water is only in there for 24 hours, so a hundred-year storm would discharge within 24 hours so the stormwater would be minimal. H. Koster said (1) that he doesn't want to argue this—the Planning Board is just trying to save the applicant some time because the Planning Board tends to get blamed for holding the applicant up on this project and (2) this project has to satisfy Town Engineer Tom Nace. Dennis Dickinson said he moved the stormwater basins based on regulations and Tom Nace's recommendation. P. Kenyon said that the applicants haven't applied for major stormwater approvals yet and the applications need to be in by Monday. Dennis Dickinson said they have stormwater plans, but he is not sure if the application is filled out. P. Kenyon asked if the stormwater report is completed and Dennis Dickinson said yes.

Dennis Dickinson said (1) a lot of work has been done on the maps, (2) they are looking to move forward with the project and (3) this is nonsense. H. Koster said it is nonsense because there is no consistency here. Dennis Dickinson said they are looking to move forward and H. Koster said they can't move forward without consistent maps submitted.

P. Kenyon acknowledged the receipt of correspondence on this item from Caffry & Flowers.

**Motion by** Donald Roessler to table the application pending additional information as follows; 1) The change in contour lines to be shown darker to indicate clearing limits. 2) The road is to be 16 ft. wide plus 2 ft. shoulders on each side. 3) All drawings to be consistent; re-date maps, identify changes, revision dates, stormwater control locations, etc. 4) A turning radius of 40 ft. on the intersections. 5) A "K" turn-around is to be incorporated on lot 3. **Seconded by** Chauncey Mason. **All in favor. Motion Carried.**

**Other Business:**

## 1. Sign Ordinance:

H. Koster said the Planning Board received Ordinance #45 regarding a temporary sign ordinance for review. H. Caldwell said (1) he has a problem with the ordinance in regards to not being able to attach anything to a fence and (2) regarding personal sandwich boards, asked if 4 square feet is acceptable. S. Wilson asked if personal sandwich boards are considered temporary in proposed Ordinance #45. P. Kenyon said (1) she believes Town Counsel said no sandwich boards would be allowed and (2) her biggest concern right now is just with banners.

S. Aldrich asked why 24 square feet was chosen as the banner size for and P. Kenyon answered by saying that staff member Kate Persons measured existing banners in Town and based on that information the Planning Office came up with an average of 24 square feet for banners.

H. Caldwell said regarding #2, letter F, half of the shops in Bolton are in the right-of-way and P. Kenyon said she didn't think that item was appropriate in the ordinance and it should be revised. H. Caldwell also questioned number #2, letter G and P. Kenyon gave further insight to this item.

Suggested revisions to proposed Ordinance #45 were discussed by P. Kenyon and the Planning Board members and recorded by P. Kenyon.

**Motion by** Donald Roessler to send Ordinance #45 to the Town Board, as amended by P. Kenyon per the Planning Board's suggestions, for approval. **Seconded by** Sandi Aldrich. **All in favor. Motion carried.**

## 2. LGPC and the Coordination of Lead Agency:

H. Koster said that the LGPC sent a letter to him and him alone—not to the Town or to P. Kenyon—regarding the lead agency on stream corridors and (2) he needs a motion from the Planning Board to authorize P. Kenyon to complete and submit the paperwork for the Town of Bolton to be the lead agency on stream corridors.

**Motion by** Henry Caldwell to authorize P. Kenyon to fill out and submit the paperwork that accompanied the LGPC's letter to Herb Koster regarding coordination of lead agency on stream corridors. **Seconded by** Donald Roessler. **All in favor. Motion carried.**

Meeting adjourned at 10:33 pm.

Respectfully submitted by  
Jennifer Torebka  
Recording Secretary  
04/05/06