

**Town of Bolton
PLANNING BOARD
MINUTES
Thursday December 16, 2010
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- Herb Koster, Henry Caldwell, John Gaddy, Donald Roessler, Chauncey Mason, Sandi Aldrich, Sue Wilson, Zoning Administrator Pamela Kenyon and Counsel Michael Muller

Absent- none

The meeting was called to order at 6:04pm.

Herb Koster asked if there were any changes or corrections to the October 21, 2010 minutes.

1. John Gaddy, pg 3, 4th paragraph, 2nd sentence should read as follows: “John Gaddy stated that with regard to the October 18th letter from the Lake George Waterkeeper, he states that perc tests were *not done* in the areas where the on-site waste water treatment facility is proposed and he feels that it does not meet the fill system requirements.”

RESOLUTION

Motion by Don Roessler to accept the October 21, 2010 minutes as corrected. Seconded by Sandi Aldrich. Henry Caldwell abstained. All Others in Favor. Motion Carried.

1) SPR10-22 KOLLAR, CHRISTOPHER & PHYLLIS. Represented by the Dock Doctors. Seek Type I Site Plan Review to construct a dock within 100’ of Lake George and a wetland. Section 186.15, Block 1, Lot 2, Zone LC45. Property Location: 3 Treasure Point. Subject to WCPB and APA review. Subject to SEQR.

Jeff Provost of the Dock Doctors represented the applicants. He stated that they received the permit from the LGPC with the condition that no motorized vessels are docked on the west side of the proposed dock. The applicant has 242’ of lake frontage with an existing non-conforming dock that will be removed with this proposal. The 2 docks that they are proposed are allowed by regulation and are completely compliant. The biggest issue on the property is the 60’ wide easement for beach use which is why the dock is pushed back 70’ from that property line. He stated that the dock is angled out and will not have 70’ in the easement line, which is the reason for the condition from the LGPC.

Henry Caldwell asked what the setback needs to be from the easement. Jeff Provost replied that there is no setback from the easement, but due to safety and this being a beach lot they conditioned the approval with prohibiting motorized boats in the area. Henry Caldwell asked if there were any other right of ways on the property. Jeff Provost

replied no not on this 242' of shoreline, but there may be some upland. He also indicated that no one is using this easement because it is all grown up and has large rocks and boulders.

Henry Caldwell asked if these will be crib docks. Jeff Provost replied no they will be pile supported docks. The piles will not extend above the dock, they will be wood clad with a wooden skirt so it will look like a dock.

Sandi Aldrich asked if there will be any lighting. Jeff Provost replied that he was not aware of any lighting plans for the docks.

Don Roessler asked if there was WC PB approval. Pam Kenyon replied that it was default approval due to a lack of quorum.

RESOLUTION

Motion by Don Roessler to accept SPR10-22 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 condition: 1) no motorized vessels are docked on the west side as required by the LGPC. 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.**

2) SPR10-19 MOWERY, BRUCE. Seeks Type II Site Plan Review for commercial boat storage not visible from the public right-of-way. Section 199.00, Block 1, Lot 20.31, Zone RR5. Property Location: 786 Wall Street. Subject to SEQR.

Bruce Mowery stated that he is proposing to store no more than 50 boats on his property. The area will is located on the back west corner of the property. There is an existing field, no disturbance is necessary and there is a natural screen in front of the area. He also plans to add some smaller trees to the area in the spring to keep the lower section filled. He stated that all of the boats will be winterized at a different location and brought to his property to be stored.

Henry Caldwell asked how he plans to hide this from the public right-of-way. Bruce Mowery stated that there is already a natural big screen along the property, he stated that it would be approximately 150-200' behind that.

Don Roessler asked if they will be making any improvements to the road. Bruce Mowery replied no they can access the area with what exists now.

Sandi Aldrich asked if he had his permit from the LGPC. Bruce Mowery replied that the application is in but the LGPC is waiting for the approval from the Town.

Don Roessler asked if there will be any lighting on the proposed site. Bruce Mowery replied no.

Sue Wilson asked if this would just be a seasonal operation and not a quick launch. Bruce Mowery replied that it will just be storage and no quick launch. He stated that there might be some trailers stored there in the summer. John Gaddy asked if this will be once in, once out deal. Bruce Mowery replied yes, they will only be stored in the winter any other services will be done by the local marinas off site. He stated that no repairs will occur on the property.

RESOLUTION

Motion by Don Roessler to accept SPR10-19 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 condition: 1) No boat repairs be done on site. This motion includes a SEQR analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented. **Seconded by** Sue Wilson. **All in Favor. Motion Carried.**

3) SPR10-20 WOLITARSKY, JAMES. Represented by Chris Gabriels. Seeks Type II Site Plan Review for a new land use within 250' of the Lake George shoreline, specifically to demolish and rebuild a boathouse. Section 141.00, Block 1, Lot 23, Zone RCL3. Property Location: 5664 Lake Shore Drive. Subject to WCPB review. Subject to SEQR.

RESOLUTION

Motion by Don Roessler to move application SPR10-20 to the end of the meeting. **Seconded by** John Gaddy. **All in Favor. Motion Carried.**

Chris Gabriels stated that the applicants are proposing to rebuild the existing dock and flat top boathouse. He stated that essentially they are replacing the structure in the same location and size but they will be putting a skirt roof on instead which will provide a little protection of the dock.

Henry Caldwell asked if they will be replacing the cribs as well. Chris Gabriels replied no they will just take them down to the water line and straighten them out.

Don Roessler asked if the deck on the top will be the same size. Chris Gabriels replied that it will be the same width but possibly a little longer.

Don Roessler asked if there was any lighting proposed. Chris Gabriels replied yes downward facing lighting to light the dock surface itself, but they have not discussed any lighting for the upper deck. He assumes that if they do add some lighting it would be traditional cap post lighting which is shielded.

Henry Caldwell asked if this would be done over the winter. Chris Gabriels replied yes.

RESOLUTION

Motion by Don Roessler to accept SPR10-20 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 condition: 1) any lighting 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 John Gaddy. All in Favor. Motion Carried.**

4) SPR10-21, GORDON, PAUL. Represented by Jeff Anthony of the LA Group. In accordance with Section 125.13C1 of the stormwater regulations, seeks Type II Site Plan Review for a major stormwater project to remove more than 15,000 sq. ft. of vegetation, 42,175 sq. ft. is proposed. Section 213.09, Block 1, Lot 11, Zone RM1.3. Property Location: 4044 Lake Shore Drive. Subject to WCPB review. Subject to SEQR.

Jeff Anthony introduced Mark Tabor of the LA Group who is representing the applicants. Mark Tabor indicated that there was a mistake on the agenda with regard to disturbance. He stated that the agenda indicating that they will be removing 42,000 sq. ft of vegetation. He stated that the amount removed will be quite a bit less, the site disturbance number is only about half an acre. This project makes use of the already disturbed area but increases it slightly.

Mark Tabor stated that they are proposing to demolish the existing dwelling and rebuild a new single family dwelling. The new home will be built in compliance with the local zoning code. They will be moving the structure back behind the 75' lakeshore setback. He stated that the structure will be roughly 3,900 sq. ft and under 35' in height, which is in compliance with the regulations. The new structure will also comply with the side yard setbacks as well. He stated that a good portion of the site is already disturbed and there is existing access coming off of Lakeshore Drive. There will be single attached garage as well as a detached garage. The driveway will remain partially in the same location for the upper portion and then swings around to provide adequate vehicular access and to manage a safe grade coming into the site.

Mark Tabor stated that currently there are no storm water controls existing on the site. Even though they are increasing the impervious area it is only slightly, roughly 1,000 sq. ft increase. The current site has roughly 10,000 sq. ft of impervious area and they are proposing 11,500 sq. ft. They are implementing storm water controls in the form of bio-filtration on either side of the property. They will be conveying storm water from the driveway area via a dry stream bed on both sides of the house. All storm water will be managed in accordance with the guidelines. The storm water will be treated in accordance with DEC water quality volume regulations, which is not required but something they propose to do with their design. Mark Tabor stated that they will be going from 10,000 sq. ft of impervious area that is untreated to 11,500 sq. ft that will be completely treated and managed. He stated that they are proposing significant vegetation in the corners near the shoreline as well as other buffering throughout the property. They also intend to remove some retaining walls and paving near the shoreline which will allow for better infiltration of the storm water.

Mark Tabor stated that they will have a new well and septic. He provided further details.

Herb Koster asked what the reason was for the removal of some mature trees along the north side of the property. Jeff Anthony stated that these tall stringy pine trees that could potentially fall on the house and it makes the homeowner nervous. He stated that the planting plan indicates that they will be replanting vegetation in that area to buffer the neighbor. Herb Koster stated that it is only proposing bushes and no trees. Jeff Anthony stated that the applicant is seeking to maintain some views of the lake.

Henry Caldwell asked what the construction schedule would be like. Mark Tabor stated that they would like to begin immediately and have the house ready by late spring, early summer.

Sandi Aldrich stated that with moving the house they would have to blast and asked how much blasting they anticipate. Mark Tabor replied that preliminary results indicate that they will need to make a cut of 3,000 cubic yards. He stated that most of the blasting will occur in one area. He stated that the material will be removed from the site and used locally. There was some discussion on limiting the blasting.

Sandi Aldrich asked if the retaining wall would be removed. Mark Tabor stated yes and further explained the details for removal. Sandi Aldrich asked if part of the sea wall will come out. Mark Tabor replied yes it will be lowered down about a foot in most areas to provide easier access to the water. He stated that it will still be above the mean high water level. There will also be a small sandy area by the water but it is not in the water or connection to the water.

Henry Caldwell asked if there will be any trees between the lake and the house. Mark Tabor replied no but they intend to have shrubs and plantings. Sandi Aldrich stated that she would like to have some trees between the house and the lake since it will basically be a wall of glass. Sandi Aldrich asked if the applicants have considered using non-reflective glass. Mark Tabor replied no, but he believes that the architect planned to use this type of glass which is standard practice especially on the lake. He stated that they could also make that a condition if the Board felt it were necessary. Sandi Aldrich stated that she would like to see some trees between the house and the lake and along the north property line. Mark Tabor stated that he does not see an issue with adding more trees along the property line. He stated that the plan does not show it but there is already significant trees along the property line.

Herb Koster asked if the applicant would be opposed to planting more trees in front of the house. Mark Tabor replied that he does not feel that they would be opposed to it but he is concerned with protecting his view to the lake, but that can be properly designed to accomplish both. Herb Koster stated that they are seeking to remove 26 mature trees and only proposing to replace 20. He stated that he would like to see 6 more trees planted in the front of the house. Mark Tabor stated that he does not see that being a problem for the applicant. There was further discussion of the planting plan. Herb Koster asked what size trees would be used as a replacement. Mark Tabor indicated that they will be using standard to the plan which is 2-3 inch diameter trees and approximately 12-15' tall.

Herb Koster stated that the application indicates that the trees will only be 8-10'. Mark Tabor stated that it depends on the type of tree that they use. He stated that he would at least match the size of the trees that was indicated on the plan.

Henry Caldwell asked about the exterior materials and colors for the house. Mark Tabor indicated that it would be wood in a beige color. John Gaddy stated that this is just storm water review, they should not be discussing house colors or materials used. Counsel Muller agreed.

Sandi Alrich asked if they could move the rain gardens away from the lake. Mark Tabor replied that it would be difficult to move them around. He stated that they are partially have to deal with space constraints in other areas. Additionally it is better to have them closer to the bottom of the property because it allows them to catch as much storm water run off as possible and filter it appropriately, including what is coming off the lawn. He stated that the storm water will be an infiltration system into the soil so there will be no discharge. He further explained the infiltration system. Mark Tabor stated that these are all accepted practices within the NYS DEC Guidelines. He stated that the bio-filtration is recognized as the best pollutant removal storm water management practice there is currently.

RESOLUTION

Motion by John Gaddy to accept SPR10-21 as complete, waive a public hearing and having found that it meets all the design requirements set forth in the code, grant final approval with the following condition: 1) an additional 6 trees will be planted and will match the 2-3" diameter caliber as specified on the plans, and 2) to restrict blasting, including preparation to only Monday through Friday from 8:00am through 5:00pm. This motion includes a SEQR analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented. **Seconded by** Don Roessler. **All in Favor. Motion Carried.**

The meeting was adjourned at 6:43pm.

Minutes respectfully submitted by Kristen MacEwan.