

**Town of Bolton  
PLANNING BOARD  
MINUTES  
Thursday November 17, 2011  
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, Donald Roessler, John Gaddy, Chauncey Mason, Sandi Aldrich, Sue Wilson, Zoning Administrator Pamela Kenyon and Counsel Michael Muller

**Absent-** none

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

Herb Koster asked if there were any corrections or changes to the October 20, 2011 minutes.

1) Henry Caldwell stated on pages 6 and 11, resolutions for SD11-03 should read “Henry Caldwell *recused* himself”

**RESOLUTION**

**Motion by** Sue Wilson to accept the October 20, 2011 minutes as amended. **Seconded by** Sandi Aldrich. **All in Favor. Motion Carried.**

1. **SPR11-14 SIMONSON, RICHARD & VIVIAN.** Represented by Atty. Melissa Lescault. Seek Type II Site Plan Review to construct a single family dwelling in the LC45 zone. Section 186.18, Block 1, Lot 31, **Zone LC45 & RCH5000.** Property Location: Shallow Beach Road. No action taken by the WCPB as there was no quorum. Subject to SEQR.

Melissa Lescault stated that it has been a few months since they have been before the Town in which their original proposal had a different house location. At that meeting there was significant opposition, as there has been, with respect to this property and everyone recommended that they seek an alternative site. They have since gone back and relocated the house site just east of the cemetery. She stated that Tom Nace has reviewed their plans and found them to be in compliance and meeting all dimensional requirements. Dennis Dickinson had extensive dialogue with Nace Engineering and they have since signed off on the project.

Sandi Aldrich asked if they did test pits in the new area. Dennis Dickinson replied that they have done test pits all over the site and found good soils for the placement of the home and wastewater system. Sandi Aldrich asked if they have an area that is sufficient for stormwater. Dennis Dickinson replied yes. There is a letter from Chris Navitsky, however Dennis Dickinson stated that he thinks he misunderstood what they were doing. The systems are collecting the roof water that they will use that to water the lawn. The

weeping pipes are just barely below the surface. They have 27" to high ground water which is 3" more than they need for stormwater.

Sandi Aldrich asked if the neighbors have wells or Town water. Dennis Dickinson replied that they are all on Town water. Don Roessler asked why the applicants have chosen not to hook into the Town water line. Dennis Dickinson replied that it is due to the distance from the water line. He stated that the neighbors have water but he is not sure about the size of the line. Don Roessler stated that he also thought that it was prone to freezing.

Sandi Aldrich asked how visible it will be from the cemetery. Dennis Dickinson replied that the property is quite a bit lower than the cemetery and there is a lot of vegetation in between which is staying. Melissa Lescualt stated that the applicants will want the buffer as well.

## **RESOLUTIONS**

**Motion by Don Roessler to declare Bolton PB as lead agency for SPR11-14. Seconded by Sandi Aldrich. All in Favor. Motion Carried.**

**Motion by Don Roessler to accept SPR11-14 as complete, waive a public hearing, having met the criteria set forth in the code, grant final approval of the project 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 Sue Wilson. All in Favor. Motion Carried.**

**2. SPR11-25 MORGANTE, RICH.** Represented by Wallace Toscano. As a condition of approval set forth by the Zoning Board of Appeals on September 20, 2011 when approving V11-39 to demolish and a rebuild single family dwelling, seeks Type II Site Plan Review to review the plans. Section 171.15, Block 3, Lot 5, Zone GB5000. Property Location: 24 Hondah Loop. Subject to WCPB review. Subject to SEQR.

Wallace Toscano stated that in September they received a zoning variance to rebuild on a pre-existing non-conforming lot. He provided basic plans for the new home, including elevations. He stated that they are moving the building slightly south and off the property line by 3'. He stated that they are taking down the existing building and will rebuild the exactly same square footage of 938 sq. ft. The building will be clad in cedar shakes. He stated that they are before the PB because they propose stormwater management for the site. There will be a downspout on the northeast and southwest corners and flow into a drainage ditch. All of the water would then be diverted into the swale on the north side of the property. A silt fence will be in place during construction. The remaining areas of the site will be pervious surfaces with the existing gravel driveway, grass and additional landscaping.

Henry Caldwell asked what the construction schedule will be. Wallace Toscano replied that it will begin in the spring and it should be completed before the summer season. The applicant is a builder and once he starts he will put it up really fast. He also has some

ideas about using a pre-fabricated foundation which will go in very quickly.

Henry Caldwell asked if it would block anyone's views. Wallace Toscano replied no; that was the whole idea in the configuration of it. Henry Caldwell stated that it is very tight down there and he would suggest getting this done as quickly as possible. Wallace Toscano replied that the applicant is very interested in getting this completed so that they can use it this summer.

John Gaddy stated that he would like to see that any exterior lighting is downward facing and shielded. Wallace Toscano agreed that they would do so.

Sandi Aldrich asked if they considered a rain garden where the stormwater trench is located. Wallace Toscano stated that they had considered that. However the owner planned to redo the entire landscape so essentially the site will be a rain garden without a specific designation.

Don Roessler asked if the neighbors were in favor. Mary Owens stated that they are in full support of the project. With regard to construction schedule, Rod Owens stated that their association by-laws prohibit any exterior construction during July and August so the applicant is going to jump on it in early spring and hopefully be done by the end of June. Wallace Toscano stated that the proposed building is approximately 1,000 sq. ft; the applicant is used to building 5,000-6,000 sq. ft buildings in less than 3 months.

There was no WC impact.

## **RESOLUTIONS**

**Motion by Don Roessler to declare Bolton PB as lead agency for SPR11-25. Seconded by Henry Caldwell. All in Favor. Motion Carried.**

**Motion by Don Roessler to accept SPR11-25 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 exterior lighting is to be downward facing and shielded. This motion includes a SEQR analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented. Seconded by John Gaddy. All in Favor. Motion Carried.**

**3. SPR11-24 GRAMEGNA, JOHN.** Represented by Curtis Dybas. Seeks Type II Site Plan Review for an accessory structure (pavilion) greater than 1,500 square feet of floor space. Specifically 2,074 square feet is proposed. Section 213.17, Block 1, Lot 9, Zone RCM1.3. Property Location: 3841 Lake Shore Drive. Subject to WCPB review. Subject to SEQR.

Curt Dybas stated that they are proposing an outdoor, open air 2 story pavilion to be used for guests renting the house or as a wedding venue. The building is 2,074 sq. ft which

represents both floors and all stairways involved. The structure is open framed with heavy timber construction which is required by law for this type of use.

Henry Caldwell asked if they can accommodate all the potential cars for this type of use. Curt Dybas replied that he thinks that they can do more than what they indicated on their plans. He stated that there may be some areas that are questionable with regard to steepness, but there is approximately 4 acres of property that is involved. This is primarily going to be used for weddings which will be only a few hours of use and only one day.

Sandi Aldrich asked if there will be any lighting. Curt Dybas stated that he is not sure if there will be any exterior lighting on the structure but there will be lighting within it. John Gaddy stated that he spoke to the applicant this afternoon and raised this issue and the applicant did not seem to have a problem with providing downward facing, shielded lighting.

Herb Koster asked about the proposed easement to the amphitheater that is noted on the plan. Curt Dybas stated that he noted it on the plan but he is not sure where it came from, dates, etc. Pam Kenyon replied that the easement is no longer in use. It was there to be able to access the amphitheater which required them to go over the back lot. Plus there is a storage structure in the middle of it now.

There was no WC impact.

**Motion by Don Roessler to declare Bolton PB as lead agency for SPR11-24. Seconded by Sue Wilson. All in Favor. Motion Carried.**

**Motion by Don Roessler to accept SPR11-24 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 exterior lighting will 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. SD11-05 LOPRETO, JOHN & CLAIRE.** Represented by D.L. Dickinson Associates. Seeks to divide into 3 lots that parcel designated as Section 124.00, Block 1, Lot 14.1, Zones RL3 & LC45. Property Location: 555 New Vermont Road. Minor Subdivision. Sketch Plan Review. Subject to SEQR.

Dennis Dickinson stated that the applicants have lived here for some time and subdivided a piece of their land for their daughter and son-in-law a few years ago. They have over 100 acres and now seeking to subdivide their land into 3 lots. He stated that the property line is an existing road and with the exception of one little stretch you can drive your car up there. It is a deeded right-of-way and owned by both properties.

Dennis Dickinson stated that they are seeking to subdivide a 45 acre parcel in the 45 acre

zone at the top. It is nicely wooded and the applicants have done some light logging. There are a lot of level areas for a home and they have great access to the road. The only problem would be running power and utilities. They will retain lot 1 which currently has their house. They are looking to sell Lot 3 which is 45 acres and Lot 2, which is a 3 acre lot with road frontage, will be given to their son.

John Gaddy asked where they would propose to locate a house on Lot 3. Dennis Dickinson replied that there are several areas to choose from. He stated that he does not think they have lake views because it is relatively flat and they would be looking out at trees.

Herb Koster asked the Board if they wanted any further information on the plan. There were no further comments or suggestions. Sue Wilson asked if this will require site plan review. Pam Kenyon replied that anything in the LC45 zone will require site plan review. Dennis Dickinson stated that they would not be opposed if they conditioned Lot 2 as requiring site plan review as well.

## **RESOLUTIONS**

**Motion by John Gaddy to declare the Bolton PB as lead agency for SD11-05. Seconded by Don Roessler. All in Favor. Motion Carried.**

**Motion by John Gaddy to accept SD11-05 as complete, waive a public hearing, having met the criteria set forth in the code, approve the sketch plan as presented, convert it to final plat and approve the final plat with the following condition: 1) Site Plan Review is required for Lots 2 and 3 prior to any development or construction. 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.**

The meeting was adjourned at 6:47pm

Minutes respectfully submitted by Kristen MacEwan.