

**Town of Bolton
PLANNING BOARD
MINUTES
Thursday January 19, 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- Henry Caldwell, Donald Roessler, John Gaddy, Chauncey Mason, Sandi Aldrich, Kirk VanAuken, Gena Lindyberg, Zoning Administrator Pamela Kenyon and Counsel Michael Muller

Absent- Herb Koster

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

Henry Caldwell, acting as Chairman, thanked Sue Wilson for her 7 years of service to the PB. Sue always did a great job and came to the meetings well prepared and set a high standard for a Planning Board. He welcomed Gena Lindyberg who has taken Sue Wilson's place and new alternative board member Kirk VanAuken who sat in Herb Koster's absence.

Henry Caldwell asked if there were any corrections or changes to the November 17, 2011 minutes.

RESOLUTION:

Motion by Don Roessler to accept the November 17, 2011 minutes as written. **Seconded by** John Gaddy. Gena Lindyberg and Kirk VanAuken abstained. **All Others in Favor. Motion Carried.**

1) SPR11-27 JUMBO REALTY, INC (CAMP WALDEN). Represented by Peter Loyola. Seeks Type II Site Plan Review for a group camp. Specifically to construct a soccer field, three basketball courts, softball field, mountain boarding course, go-kart track and stormwater management structures. Several existing structures will be relocated during this process. Section 185.00, Block 1, Lot 32, Zones RCL3, LC25 & LC45. Property Location : 429 Trout Lake Road. Subject to WCPS review. Subject to SEQR. *NOTE: A major stormwater project will be required but has not yet been applied for.*

Peter Loyola stated that they have been before the PB over the past several years with improvements to the property. The last time they were before the board they relocated a ball field and reconfigured the soccer field. As Mark Bernstein started the program he realized that they needed additional area for a bigger and better softball field. In doing

that they started to recognize that there were ways to add more to the program and they created a different scenario for the camp. Peter Loyola stated that some of this is project re-development rather than construction. They have created a regulation sized soccer field with their proposal and added a mountain boarding area. He provided further details of the plan. They have a total clearing area of 3 acres as part of the 6 acres total disturbance which includes the redevelopment of the current fields and courts.

Peter Loyola stated that as they continue to develop these fields there is an understanding with the Town to utilize these fields for the school and that will continue to be their agreement.

Peter Loyola stated that they will be handling all of the stormwater on site. They have not submitted a stormwater application yet, but they have done a SWPP which has been submitted to Tom Nace for his review. They will be using a dry swale and using all the green infrastructure practices and new guidelines to be in compliance with the stormwater regulations.

Peter Loyola stated that they are asking the PB for a conditional approval pending approval of the stormwater. Pam Kenyon stated that she would not recommend conceptual approval prior to Tom Nace review of the stormwater plans.

Don Roessler stated that he is a little concerned with the go-kart track being a little close to the residential area. Peter Loyola stated that it is at least 100' away. He added that this is not a new program just a relocation of an existing program. Don Roessler asked if they limit their hours on the go-karts. Mark Bernstein stated that the carts only go 8-10mph and they only run during the day from 9-5. Don Roessler asked if they could add that in as a condition of approval. Mark Bernstein replied that he would not have a problem with that.

Mark Bernstein stated that everything laid out the way that he wanted it, but he had to relocate certain programs for the engineering to work with the least impact and for their program to run smoothly. He stated that there is not that much in the way of tree cutting. The total area of disturbance is 6 acres but it is not 6 acres of clear cutting.

Don Roessler asked if they planned any lights for the fields. Mark Bernstein replied that the lighting is already there for the soccer and tennis courts and they are not lighting the softball or new soccer fields. In the summer it is light late so they won't need it.

Henry Caldwell asked if they planned to put in an irrigation system for the fields. Mark Bernstein replied no, he just waters over night. Henry Caldwell asked if they were pumping out of Trout Lake. Mark Bernstein replied no they are using the well. Henry Caldwell stated that they need to be concerned with the type of fertilizers, herbicides and pesticides they use because it will eventually end up in the lake. Mark Bernstein stated that he is not sure about fertilizer use and could stand to be educated on it. Peter Loyola

stated that they used some organic fertilizers at the start up and they could do a recommendation on the biodegradable and organic fertilizer use. Mark Bernstein stated that he had all of the soils tested by Cornell Cooperative Extension and they all came back recommending adding the same thing. He stated that he will be mindful of the product that they use.

John Gaddy stated that the application indicates moving some structures. Peter Loyola stated that there are some small storage sheds that will be moved.

Henry Caldwell stated that the applicant has made quite an investment up there. Mark Bernstein stated that it has been but it is paying off and is a healthy camp now. Henry Caldwell stated that he appreciates that the applicant has offered use of the fields to the school. Mark Bernstein stated that he would like to see them use it. He stated that he would even be interested in doing another Town Day; they did one a few years ago and it was relatively successful.

John Gaddy asked how the clearing outside banks of the softball field will be stabilized. Peter Loyola stated that it will just be grass. They were not planning on any shrubs, just seed to re-establish. John Gaddy stated that he thought this was a low area and asked if there was a stream that came out through there. Peter Loyola stated that there are a couple of drainage ways in that area. He stated that they will be sure that it all gets stabilized. They have a retaining wall that they will be putting in and feel that they are far enough away from it that they will be able to keep it stabilized and not impact it.

Kirk VanAuken asked about the rip rap on the side of the ball fields. Peter Loyola stated that there is a little bit of a channel; and a wetland near the go-kart area. They are proposing a culvert that goes underneath the go-kart area which will be a diversion to that. They are proposing to have the water enter in a swale and have a culvert into the drainage way. Mark Bernstein stated that the stream is intermittent and only active during the spring.

Kirk VanAuken asked about the retaining wall on the one edge of the soccer field. He stated that it didn't seem that there was a need for it. Peter Loyola stated that the only reason for the retaining wall is because there is a mountain bike path that they want to preserve.

RESOLUTION

Motion by Don Roessler to table SPR11-27 pending further information. Seconded by Sandi Aldrich. All in Favor. Motion Carried.

- 2) **SPR11-28 GRAMEGNA, JOHN.** Seeks Type II Site Plan Review to amend SPR00-28 approved on October 12, 2000 for a bed and breakfast. Specifically to allow an additional bedroom and large gatherings/events for up to 125 people. Section 213.17, Block 1, Lot 9, Zone RCM1.3. Property Location: 3841 Lake Shore Drive, known as

Somewhere in Time Bed & Breakfast. Subject to WCPS review. Subject to SEQR.

John Gramegna stated that he has been building a nice resort on the property to contribute to the bed and breakfast. He is in the process of building a pavilion to hold weddings and events for up to 125 people; the use of that is what is being reviewed. He stated that a few months ago he received approval for the pavilion, and it addressed parking and stormwater aspects. John Gramegna stated that he is seeking to change his bed and breakfast from a 4 bedroom to a 5 bedroom; it is a 6 bedroom home already. Additionally he is seeking to have an understanding or permission to hold events on his property.

John Gramegna stated that he just received the LG Waterkeepers letter today. With regard to stormwater run-off, it has been addressed in the original plans. Last year there was a large problem at the bottom of Diamond Ridge Road. Some of the blame was put on him because he has a gravel driveway and the Diamond Ridge HOA felt as though his gravel driveway was part of the problem and clogged their drywell. He stated that since then he has paved the driveway there has been no further issue with run-off. Additionally he put gutters on the back of his house and the new carriage house which are both diverted to the north away from the driveway. He plans to have gutters on the back side of the pavilion as well and will run directly into rain gardens. He also has a coy pond with many plantings behind that and then his formal gardens. With all of that he does not feel that stormwater will be an issue.

John Gramegna stated that he has planted thousands of bulbs and a hundred different bushes and trees anticipating the color and beauty that the spring and summer will bring.

With regard to waste water, John Gramegna stated that he had already been looking into that. He wanted to put 2 handicap bathrooms in the pavilion itself. He has the building made already and plans are sitting idle in the Planning Office waiting for plumbing drawings. These bathrooms will tie directly into his new system for the carriage house that was put in by Tom Hutchins. He provided a letter from Tom Hutchins who discusses the adequacy of the waste water system for the pavilion. John Gramegna stated that he plans to use the facility approximately 16 times a year, for an event with approximately 125 people. Tom Hutchins indicated that there is no way to figure 125 people for 16 times a year because you figure the waste water for per day usage. If they were to use 125 people per day, he would need an outrageous sized system and that would not be practical on this property nor would it fit. Tom Hutchins suggested temporary facilities and he stated that he has already looked at temporary facilities. He has found a company that provides VIP toiletry, with flushing handles, hand washing facility and lighting for a very reasonable price. John Gramegna stated that he would like to contract someone to have 2 of these facilities in addition to the 2 handicapped bathrooms within the pavilion. Even though those facilities will be going to the new system, they shouldn't create too much of an impact based on the fact that they are handicapped and he will try to minimize the use to that.

John Gramegna stated that he has ample parking and he plans to expand some of that area that he has outlined in pavement so it will be easily accessible.

Don Roessler asked when he anticipates using the facility. John Gramegna replied that he anticipates using the facility mostly May, June, September and October which seem to be the most popular months for weddings.

Henry Caldwell asked if he would bring in the temporary facilities or if they would be permanent fixture. John Gramegna stated that personally he would like to have them as permanent fixture on the back side of his garage or on the back of the 2 handicapped bathrooms he will be putting in. He stated that it is extremely inexpensive for the entire month and that includes servicing them weekly. He stated that he would like to use them to keep the strain off of the system that he already has. Don Roessler asked how many portables would be needed. John Gramegna replied 2. Warren County told him he needed 4 total bathrooms for the pavilion.

Pam Kenyon asked if Tom Hutchins contacted DOH or DEC to see if he would need any additional approvals or permits. John Gramegna replied no, he just asked him about the capability of what he has right now. All he could speak about was the system he put in. John Gramegna stated that there is system for the 6 bedroom house that seems to be in great working condition as well. Pam Kenyon stated that she would like to have either the applicant or Tom Hutchins call DOH to see if any other permits or approvals are necessary.

Don Roessler asked if Tom Hutchins knew the condition of the septic system for the bed and breakfast. Pam Kenyon stated that Tom Hutchins was not sure of the size. All that he indicates is that it seems to be functioning adequately. Sandi Aldrich asked if the new system is able to handle the 2 new bathrooms. Pam Kenyon replied that she does not know based upon the fact that it will be used for gatherings. Typically she does not get involved in commercial wastewater. Sandi Aldrich stated that she understands that the applicant would like to reserve the handicapped bathrooms for just handicap individuals; however she wonders how many people that aren't handicapped will use them anyway. John Gramegna stated that that he would put signs on them but there is no way to limit someone from using them. Tom Hutchins indicated that the system that he has would be able to handle 125 guests for a one day event every other week. However, he does not want to put that much stress on what he has and he hopes to never have a failing septic.

John Gaddy stated that the applicant had an approval last month and the representative indicated that the parking would be on the grassy areas. However tonight there was mention of paving some additional areas for parking and asked how much pavement was planned. John Gramegna replied that he was not sure how much but he does plan to have additional pavement in the future. It would be on the very west area of the property behind the garage. He would prefer to have people park on the pavement rather than

grass but it is a plan for the future.

Henry Caldwell stated that Pam Kenyon did raise the issue of holding a public hearing to allow neighbors an opportunity to comment on the application. He also asked if the Board would like to have the Town Engineer look at it as well. Sandi Aldrich stated that they also have to address a change of use.

Don Roessler stated that he has some serious concerns over the septic system and the additional usage from the 125 person facility and the extra bedroom in the house. He stated that he does not have a problem with the applicant using the VIP portable bathrooms as long as the DOH and Town are okay with it. John Gramegna stated that there is no way to tell what is in the ground unless they go out and dig it up. He has looked and there is no record of the old system. However it was designed for a 6 bedroom home and that is what it is.

John Gramegna stated that if the Board is concerned with the additional bathrooms going into the system he would be willing to scrap the handicapped bathrooms in the pavilion and make them all portable. He could put in 2 VIP handicap portable bathrooms in addition to the 2 VIP regular portable bathrooms.

John Gramegna stated that he has done his homework and continues to build a beautiful place in Diamond Point. He stated that his neighbors love him and everyone has commended him on the great job he has done to this property. He is adding to this community and by bringing in these events and having the bed and breakfast people will come to Town to spend their money. Additionally he stated that he is only hiring locals. He has done everything by the books since he has gotten here and has been open to whatever the town would like.

Henry Caldwell stated that the PB appreciates him being very up front with everything but they need to work it out. Sandi Aldrich stated that she feels they need to have a public hearing. Don Roessler agreed and asked if they should have Tom Nace review the stormwater and septic prior to the hearing. Sandi Aldrich replied yes. Don Roessler stated that he would also like to see Pam Kenyon's comments addressed with regards to contacting DEC or DOH about the number of bathrooms. Pam Kenyon stated that Tom Nace will know.

RESOLUTION

Motion by Sandi Aldrich to hold a public hearing for SPR11-28 after the Town Engineer has reviewed stormwater and septic systems. **Seconded by** John Gaddy. **All in Favor.**
Motion Carried.

3) Asian Clam/Boat Washing Station Discussion

Henry Caldwell stated that he feels that the PB should make a recommendation to the TB

regarding a boat washing station at Norowal Marina. He stated that given the invasive species issue that continues to grow and he feels that Bolton Landing should take the lead in this effort with some kind of state-of-the-art boat washing facility. Don Roessler stated that Buzz Lamb has installed some sort of washing station next to Stewarts. Sandi Aldrich stated that it is just a gravel pit and they would like to see something much more. Henry Caldwell stated that there are state-of-the-art washing stations out there. He stated that he is not sure how they are going to go about doing this and more than likely there will be a fee involved, which could be a money maker, but they need to have some sort of way of certifying that the boats are clean going into the water.

John Gaddy stated that he believes this is how Lake Tahoe is resolving their Asian Clam issue in this manner. However they have to be concerned that there are 5 or 6 other spots in Town that are accessible to boats and he is unsure how they will be able to monitor all boats going into Lake George. He does feel that the Town should be a leader in this effort. Sandi Aldrich stated that they would have to have some sort of ticket or sticker system so once it is washed anyone can launch it. She added that not many marinas in town cater to the general public; most of them are just for their own customers. The only other site is LG Camping and that is only for small crafts.

Chris Navitsky stated that they went out to Tahoe to look at their program. It is expensive equipment because the species they are dealing with are coming in at the microscopic level. They are creatures that can come into your cooling water in the engine or the bilge water and survive as larvae and then get out into the lake. They will need some sophisticated and efficient cleaning material and equipment to clean those areas with efficiency and heat.

Chris Navitsky agrees that they will have to have a way to clearly know what boats are certified because if they put a sticker on it, how do you guarantee that the boat hasn't been in and out. In Tahoe, once a boat goes through their wash they have a band that goes on the around trailer and through the engine on the boat that shows the boat has been decontaminated and put on the trailer. Once that band is broken and it is launched it is launched clean, if it gets pulled out and put on the trailer it cannot get re-launched unless it is decontaminated again.

Kirk VanAuken asked if someone local just pulls their boat and puts it in storage for the winter will they have to rewash. Chris Navitsky replied that he is not sure but it is something they are working on. The Lake George Waterkeeper office is working on a report that they hope to have available in the next few weeks. He stated that it definitely an issue that they will have to deal with how to control it.

John Gaddy asked how much money Tahoe is spending on their eradication efforts. Chris Navitsky replied that they are spending 1 million a year and they are not very effective.

Zandy Gabriels stated that 3 years ago they looked into a boat washing station. By comparison, Buzz Lamb's wash station is limited to 10 boats a day. To do it with a little sophistication it can be very expensive in the magnitude of \$400,000-500,000; this is for equipment that would lift the boat off the trailer, which may not be necessary in the long term. The interesting thing about Asian Clams is that boat washing is different than for milfoil or zebra mussels; Asian Clams do not attach themselves to the outside of boats or trailers, they are in live bait buckets, bilge water or the live well. The boat washing may not protect them from this type of organism. However the boat washing would help with milfoil, pondweed and zebra mussels. Zandy Gabriels stated that they are not the only ones concerned with this, the LGPC is looking at this and the Marine Trades Association are hopefully looking at some state legislation. As for the cost of constructing a wash station, Norowal does not have that type of money and they have not approached the Town for that sum of money.

RESOLUTION

Motion by John Gaddy to recommend that the TB support the further investigation and endorsement of a state-of-the-art boat washing station to adequately defend against the invasive species that are effecting or could potentially effect Lake George and to act as a leader in the area for such efforts. **Seconded by** Don Roessler. **All in Favor. Motion Carried.**

The meeting was adjourned at 7:12pm.

Minutes respectfully submitted by Kristen MacEwan.