

**Town of Bolton
PLANNING BOARD
MINUTES
Thursday May 17, 2012
6:00 p.m.**

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

Present- Herb Koster, John Gaddy, Donald Roessler, Sandi Aldrich, Gena Lindyburg, Kirk VanAuken (as a non-voting member), Zoning Administrator Pamela Kenyon and Counsel Michael Muller

Absent- Chauncey Mason and Henry Caldwell

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

Herb Koster asked if there were any changes or corrections to the April 19, 2012 minutes.

RESOLUTION

Motion by Sandi Aldrich to approve the April 19, 2012 minutes as written. **Seconded by** Gena Lindyberg. Kirk VanAuken recused himself. **All Others in Favor. Motion Carried.**

1. **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 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. *NOTE: This item was tabled at the April 2012 meeting pending additional information*

Note: Kirk VanAuken voted on this application due to Henry Caldwell's previous recusals during the review of application SPR11-28.

Herb Koster stated that we were waiting to get information about the stormwater on the south side of the property. Pam Kenyon replied that Nace Engineering reviewed and found that it was not part of the subdivision stormwater management plan. The applicant also put stone in the crossover area and Nace Engineering found that satisfactory as well.

John Gaddy asked if the applicant has worked with the neighbor regarding a planting buffer. John Gramegna replied that he has spoken with the neighbor and the lights he was concerned about have been addressed with adjusting the angle and bulbs. Sandi Aldrich asked if he would be putting any additional plantings in. John Gramegna replied not at this time but if they need anything, they will put additional buffer in.

With regard to handicapped parking, John Gaddy stated that it seems that it has been

addressed. Pam Kenyon stated that they are working on that. John Gramegna stated that he provided pictures of the handicapped parking available. There are 2 spots by the guest cottage.

There was no Warren County action on this application.

RESOLUTION

Motion by Don Roessler to accept SPR11-28 as complete, waive a public hearing, and having met the criteria set forth in the code, grant final approval of the project as presented with the following conditions: 1) that any exterior lighting is downward facing and shielded and 2) that the applicant abides by the letter dated May 1, 2012 from Nace Engineering. 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. **V12-01 SAGBOLT, LLC.** Represented by Atty. Benjamin Pratt. In accordance with Section 200-93A (other regulations applicable to Planned Unit Developments), seeks area variance (PUD Amendment) to amend V11-23 to berth the Morgan at the dock extending from the north end of the former boat museum rather than parallel to the shore. Section 171.16, Block 1, Lot 16, Zone PUD. Property Location: 110 Sagamore Road. Subject to LC-LGRP, ZBA, PB, APA and TB review. Subject to SEQR. This portion of the application was tabled at the February meeting pending additional information.

Note: Item V12-01 was tabled at the applicant's request.

3. **SPR12-11 BOLTON CONSERVATION PARK.** Represented by Barry Kincaid. Seeks Type II Site Plan Review for two advertising signs greater than 4 square feet. Specifically one sign measures 14 square feet the other measures 13 square feet. Section 171.00, Block 1, Lot 9, Zone LC25 & RR5. Property location: 56 Edgecomb Pond Road. Subject to SEQR.

Sue Wilson stated that the Conservation Park Committee felt that it would be advantageous to put signs up at the park. They have had a lot of people, including local residents, ask what the building is. She stated that Barry Kincaid has designed two signs for the Conservation Park and Community Center. She gave a brief description of the signs. The sign on the south side of the building on the poles will be for the Conservation Park and one on the building itself above the door will read Community Center.

Don Roessler asked if the signs will be similar to one another. Sue Wilson replied yes but one is a little smaller. Gena Lindyberg asked if the signs would be lit. Sue Wilson replied no. However there is lighting in the foyer area of the building but that is all downward facing. They are hoping to have that lit all night long but the sign itself will not have any lighting.

RESOLUTION

Motion by Don Roessler to accept SPR12-11 as complete, waive a public hearing, and having met the criteria set forth in the code, grant final approval of the project as presented with the following condition: 1) no additional lighting will be used for the signs. 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.**

4. **SPR12-12 THUNDERBIRD MOTEL.** Represented by Leonardo Chiriboga. For the placement of Jet Ski floating removable platforms to be located north of the swimming area, seeks Type II Site Plan Review for a land use within 250' of Lake George. Section 213.13, Block 1, Lot 55, Zone RCM1.3. Property Location: 3908 Lake Shore Drive. Subject to WCPS review. Subject to SEQR.

John Gaddy asked if this will increase the amount of Jet Ski traffic. Lenny Chiriboga replied no he is only permitted 2 jet skis. The platform will hold a total of 3 jet skis; 2 for guests and 1 for the guide. John Gaddy asked how the platform is anchored. Lenny Chiriboga replied that it is attached to the shoreline because otherwise it is considered a mooring. Don Roessler asked if the jet skis will be driven onto the floating platform. Lenny Chiriboga replied yes.

John Gaddy asked if guests bring jet skis with them. Lenny Chiriboga replied occasionally but it is not a lot. However, he prefers that they do not bring them because he tends to be the one that teaches them the laws of the lake and if anything goes wrong it falls on him.

Gena Lindyberg asked if this has been approved by the LGPC. Lenny Chiriboga replied that they have his application and he hopes to have approval next week. Gena Lindyberg asked if they should make that a condition approval. Pam Kenyon replied that it would not be necessary because she will not issue a permit until he receives LGPC approval. He cannot have the platform without LGPC approval.

RESOLUTION

Motion by Don Roessler to declare the Bolton Planning Board as lead agency for SPR12-12. **Seconded by** Sandi Aldrich. **All in Favor. Motion Carried.**

Motion by Don Roessler to accept SPR12-12 as complete, waive a public hearing, and 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** Sandi Aldrich. **All in Favor. Motion Carried.**

5. **SPR12-13 BAER, MARY.** Represented by Lynn Gollhofer. Seeks Type II Site Plan Review for an advertising sign greater than 4 square feet. Specifically 15 square feet is proposed. Section 186.14, Block 1, Lot 60.2, Zone RCH5000. Property Location: Lake Shore Drive – Mayfair Subdivision. Subject to WCPS review. Subject to SEQR.

Mary Baer stated that she was unsure of issue with the sign. Herb Koster replied that anything larger than 4 sq ft needs to be reviewed by the PB. Mary Baer stated that it is Lynn Gollhofer's sign to help sell the lots. They thought they needed something a little bigger to show her property. Mary Baer stated that they have had a larger sign than that on the property before and there are signs in the area that are bigger than this sign. She asked if there was an issue of where it was placed because she would like to place the sign at the entrance to her property. Pam Kenyon stated that her concern was the location of the sign and the size. She stated that the sign cannot be in the public right-of-way; it needs to be 25' from the centerline of 9N. Pam Kenyon stated that she would like to see it on the east side of the wall. Mary Baer replied that she would not have an issue with that. Herb Koster explained that if she wants the sign any closer to the road she would need to obtain a variance from the ZBA.

Sandi Aldrich asked if the applicant planned to light the sign. Mary Baer replied that there will not be any lighting for the sign.

There was no WC impact.

RESOLUTION

Motion by Don Roessler to declare the Bolton Planning Board as lead agency for SPR12-13. **Seconded by** John Gaddy. **All in Favor. Motion Carried.**

Motion by Don Roessler to accept SPR12-13 as complete, waive a public hearing, and having met the criteria set forth in the code, grant final approval of the project as presented with the following conditions: 1) that there be no lighting for the sign and 2) the sign will be placed no closer than 25' from the centerline of the road. 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. **SPR12-14 PUB ON 9 RESTAURANT.** Represented by Bob Schwab. Seeks Type II Site Plan Review for an advertising sign greater than 4 square feet. Specifically 16 square feet is proposed. Section 186.14, Block 1, Lot 3, Zone RCH5000. Property Location: 4571 Lake Shore Drive. Subject to WCPS review. Subject to SEQR.

Bob Schwab explained the details for the new sign. He stated that it is the exact same sign but larger with the addition of the wording "Great Food and Live Music" The sign will be in the exact location with the exact same lighting. The current lights are downward facing off the top of the barrel.

Pam Kenyon indicated that there was no WC impact with the condition to review the site line view. Don Roessler asked if the sign will be bigger than the barrel that already exists. Bob Schwab replied no. Gena Lindyberg asked if the sign was 25' from the centerline. Don Roessler stated that it appears to be. Herb Koster stated that it wouldn't matter, the barrel is pre-existing. Pam Kenyon stated that she does not have a problem with it.

RESOLUTION

Motion by Don Roessler to declare the Bolton Planning Board as lead agency for SPR12-14. Seconded by John Gaddy. All in Favor. Motion Carried.

Motion by Don Roessler to accept SPR12-14 as complete, waive a public hearing, and having met the criteria set forth in the code, grant final approval of the project as presented with the following condition: 1) that the lighting for the sign remain the same as exists now. 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.

7. SPR12-15 DINGMAN, BARRON. To allow swimming pool with decking, quanset huts and garage to remain in their present locations, seeks Type I Site Plan Review for a land use within ¼ mile of the Schroon River and 150' of the Northway. Section 184.02, Block 2, Lot 13, Zone RR5. Property Location: 894 East Schroon River Road. Subject to WCPS review. Subject to SEQR.

Herb Koster stated that per the APA letter and speaking with Pam Kenyon it seems that everything has been straightened out with this issue. Pam Kenyon replied that they are working on it. John Gaddy stated that the applicant still needs a minor stormwater permit. Pam Kenyon replied that the applicant now has his minor stormwater permit and she will be working with him on some of the last items that the APA is looking for. Sandi Aldrich asked if the applicant will be all set once he meets all of the APA requirements. Pam Kenyon replied that there are a few things that he needs to meet with Town requirements as well.

Herb Koster stated that their resolution is going to deal with leaving all of these buildings and the pool in the same position. Pam Kenyon stated that the applicant also knows that he has to get permission from the APA to leave the buildings there. She stated that the APA has already been to the site and have no issue with the buildings.

Richard Larkin neighboring property owner stated that when he purchased his property the applicant had a substantial amount of vegetation along the road which blocked any visibility from land which he has recently subdivided. According to some real estate agents, the applicant's clear cutting of his lot has devalued his lots substantially. With his subdivision he has to put up permanent structures and that have to meet certain codes per the APA. His concern is that the quanset huts are visible from the road and his lots. He is not opposed to him having them but had he left the vegetation they would not have

been visible. He asked the PB if they would give consideration to the clear cutting of vegetation with respect to his lots.

Barron Dingman stated that he did some excavating of his property; a lot of the trees had come down last summer. With regard to devaluation of his property it could go both ways. Mr. Larkin's property has a dilapidated barn that is falling into the road and there is storage of campers across from his property.

Sandi Aldrich stated that the APA is suggesting that the applicant terrace, with boulders, on the western side. Sandi Aldrich stated that the APA has also asked that he plant shrubbery and trees which should screen the huts and correct this situation with the neighbor.

Don Roessler asked how much clearing was done. Pam Kenyon replied that he cleared approximately 14,800 sq. ft. Don Roessler asked if there was a stormwater plan. Pam Kenyon replied that he has his minor stormwater permit. Don Roessler asked if there was a planting plan. Pam Kenyon replied no, it is not a Town requirement but he will do it as part of the APA permit. Herb Koster asked if they should be involved with the planting plan as well. Counsel Muller stated that they could make a condition but he would steer them away in this case since it will be an APA requirement and it will address the issue. Herb Koster stated that if the ZA feels that it is not addressed adequately it could come back to them for review.

Don Roessler asked if there was or would be any lighting for the pool. Barron Dingman replied no.

RESOLUTION

Motion by Don Roessler to declare the Bolton Planning Board as lead agency for SPR12-15. **Seconded by** John Gaddy. **All in Favor. Motion Carried.**

Motion by Don Roessler to accept SPR12-15 as complete, waive a public hearing, and 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 Sandi Aldrich. **All in Favor. Motion Carried.**

The meeting was adjourned 6:51pm.

Minutes respectfully submitted by Kristen MacEwan.