

**Town of Bolton  
PLANNING BOARD  
MINUTES  
Thursday January 17, 2013  
6:00 p.m.**

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

**Present-** Henry Caldwell, John Gaddy, Donald Roessler, Kirk VanAuken, Sandi Aldrich, Gena Lindyburg, Counsel Michael Muller and Zoning Administrator Pamela Kenyon

**Absent-** Herb Koster and Chauncey Mason

The meeting was called to order at 6:07 pm.

Henry Caldwell asked if there were any changes or corrections to the December 20, 2012 minutes.

**RESOLUTION**

**Motion by** John Gaddy to approve the December 20, 2012 minutes as written. **Seconded by** Gena Lindyburg. Don Roessler abstained. **All Others in Favor. Motion Carried.**

**1. SPR12-32 GRAMEGNA, JOHN.** Seeks Type II Site Plan Review to amend SPR11-28 approved on May 17, 2012 for large gatherings/events for up to 125 people. Specifically to revise the parking plan. 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.

Curt Dybas presented 2 potential parking plans. Plan A is for 43 spots on the southern side of the property and Plan B includes additional parking for up to 57 cars looping around on the northern part of the property. At the last meeting there were some issues on the original submission and he apologized that he relied on an old survey map to create the proposal. Since then the applicant has had the property resurveyed and revised the parking accordingly.

Curt Dybas stated that both parking plans have been created with minimal disturbance of trees; plan B will only require one large tree to be removed. It will all be permeable pavement like they are using on Beach Road in Lake George. All of the parking places are 10' x 20', however there may be a few that do not have a 20' back-up space. In Plan A parking, there are a few spaces that cannot get out because they are parked up against something, but those spaces could be used by staff parking since they would not be leaving until after events.

Curt Dybas stated that the parking on the lawn around the circle has a small stormwater retention device. This has not been changed since it was reviewed by Tom Nace who indicated his support of that area.

Henry Caldwell asked if the pervious pavement will replace the grass. Curt Dybas replied yes as will the 10 cars spaces across the road. Henry Caldwell asked for clarification of the staff parking. Curt Dybas provided more details.

Henry Caldwell asked if there was correspondence. Counsel Muller read the following correspondence:

1. Chris Navitsky, Lake George Waterkeeper, require submission of a proper storm water plan, determine if it requires major storm water, accurate site plan depicting current storm water controls and suggest a public hearing.
2. Alex Jeyschune, President of the Diamond Ridge HOA, in opposition to the proposed parking plan and asked for a public hearing.
3. Jane Bozone, Secretary, seeking public hearing and the applicant to address previous allegations.
4. Carol and Lawrence O'Connell, in opposition and seeks public hearing on the matter.

Don Roessler stated that he is concerned with parking spot 29 in Plan A because fire apparatus and emergency vehicles will have difficulty getting through that area. He is also concerned with parking spots 1-10 on the left side; the bank is very steep and the area is very tight which he feels is dangerous.

Henry Caldwell stated that there is a lot of public concern and asked if the Board would like to see a public hearing on this matter. The Board agreed that a public hearing would be necessary. Counsel Muller suggested providing any information to the applicant that might be lacking so that he can prepare for the public hearing.

John Gaddy stated that they have had both the Town engineer and the applicant's engineer sign off on the parking plan but yet it still doesn't work and people are parking on the road. Bob McNally explained that at the time the applicant applied for the additional 10 spots on the other side of the road due to the unexpected success of the business. People were parking on the road because they didn't know they couldn't and no one was there to control the parking. His proposal moves that parking and creates more parking so that will not happen again. The applicant understands the concerns of the neighbors and that is why he has hired someone to be managing all events and control what is going on.

Sandi Aldrich stated that Plan B has more disturbance and she would like to see a complete stormwater plan for both plans. Curt Dybas stated that he was not sure of the total land disturbance for each plan. Pam Kenyon stated that if it is over 15,000 sq. ft it will be considered a major stormwater project. Henry Caldwell stated the calculation will need to be made before the public hearing.

Sandi Aldrich stated that she would like the septic field for the main building to be shown on the map. If it is down slope from the parking areas, and she would like to know if there will be any impact on the septic system. Pam Kenyon replied that she would talk to Tom Nace about that concern.

Kurt VanAuken stated that he would like to see more information about the pervious pavement details

with regard to construction.

John Gaddy stated that he is not sure how to address a lot of the civil comments. Counsel Muller explained that he, Pam Kenyon, Sue Wilson and Herb Koster met to see how they were going to move forward with this application. Once they found that the applicant was submitting new plans with a survey to address past issues and proposed future use of the property. Herb Koster felt that it could be properly addressed in this forum. With regard to neighborhood complaints, Counsel Muller stated that the noise ordinance for Bolton is pretty weak and outdated and he is working to beef it up a bit for 2013. With regard to permission to use Diamond Ridge Road, Counsel Muller stated that he inspected the deeds and found that the applicant is not required to ask permission to use the road; he has access via right-of-way, so this is not an issue. With regard to intruding on and developing Lot 1 in the Diamond Ridge subdivision without permission, Counsel Muller stated that Pam Kenyon inspected it and gave the applicant instructions to fix it and the applicant has complied. With regard to the trailer being used as a residence in violation of the code, Counsel Muller stated that the applicant is not occupying the trailer so it is not an issue.

Bob McNally stated that the applicant has started to work on the stormwater plan but he is concerned that it won't be ready for the upcoming meeting. Pam Kenyon stated that she would need the information by February 7<sup>th</sup>. Bob McNally stated that the applicant has decided to move forward with Plan A so that they can work with stormwater for just one plan. Henry Caldwell questioned whether that provided enough parking. Curt Dybas stated that there are 11 staff spaces which would leave 32 spaces for guests. If you use the calculation of 4 people per car, per the Bolton Code, then they would have enough spaces. With regard to comments about spaces needed for delivery trucks; they would be delivering before the events and would not be taking up any spaces during events.

## **RESOLUTION**

**Motion by** John Gaddy to table V12-32 pending further information and set a public hearing for February 21, 2013 at 6pm. **Seconded by** Sandi Aldrich. **All in Favor. Motion Carried.**

Henry Caldwell stated that the Bolton Historical Society is planning an addition off the back of the museum and they want to have a public hearing in March to present it to the Board.

Counsel Muller stated that Bolton has always subjected themselves to the same protocol with regard to zoning process. Pam Kenyon stated that she would need to look at the code and setbacks and go from there. Counsel Muller stated that they would need to present the plan first and then they could move forward from there. Henry Caldwell stated that he will have the Historical Society make the presentation in February so they could do a public hearing in March.

The meeting was adjourned at 6:48pm.

Minutes respectfully submitted by Kristen MacEwan.