

**Town of Bolton  
PLANNING BOARD  
MINUTES  
Thursday September 19, 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-** Herb Koster, Henry Caldwell, Donald Roessler, Chauncey Mason, Sandi Aldrich, John Gaddy and Counsel Michael Muller.

**Absent-** Kirk VanAuken, Gena Lindyburg and Zoning Administrator Pamela Kenyon

The meeting was called to order at 6:02 pm.

**REGULAR MEETING**

Herb Koster asked if there were any changes or corrections to the August 22, 2013 minutes.

**RESOLUTION**

**Motion** by Henry Caldwell to amend the August 22, 2013 minutes on page 2 paragraph 3 to say “Lake George Waterkeeper, Chris Navitsky from the public, handed out and read his letter to the Board.” **Seconded** by Sandi Aldrich. **All in Favor. Motion Carried.**

- 1. SPR13-16 F.R. SMITH & SONS.** Represented by Chris Gabriels and Jarrett Engineers. Seeks Type II Site Plan Review for 1) Commercial boat storage not visible from the public right-of-way; and 2) a major stormwater project involving more than 15,000 square feet of land disturbance. 70,851 square feet is proposed. Section 171.00, Block 1, Lot 10, Zones **RR5** and LC45. Subject to PB, LGPC, WCPS, DEC and APA review. *Notes: See SPR87-08 approved by the PB on 4/30/87 for commercial boat storage. Wetlands exist on this parcel. See V13-28 associated with this project. To be heard only if a successful variance is granted.*

**\*\*\*\*\*TABLED TO OCTOBER 2013 MEETING\*\*\*\*\***

- 2. SPR13-25 BOLTON CENTRAL SCHOOL – PARENT TEACHER ORGANIZATION.** Represented by Melanie Persons. Seeks Type II Site Plan Review for an advertising sign greater than 4 square feet. Approximately 12 square feet is proposed. Section 171.15, Block 2, Lot 32, Zone GB5000 & RM1.3. Property Location: 26 Horicon Avenue. Subject to WCPS review. Subject to SEQR.

Melanie Persons presented the project stating they would like permission to hang their banner for their annual PTO Carnival fund raising event from the first week in August to the first week in September annually.

Donald Roessler asked if they would have any lighting on the signs. Mrs. Persons replied no.

Sandi Aldrich asked when the Carnival was held. Mrs. Persons replied that it was always the first weekend after Labor Day. Sandi Aldrich asked if they would want the sign to be up to that date. Mrs. Persons replied yes. Don Roessler asked if they wanted it for 6 weeks. Mrs. Persons replied yes.

No County Impact

**RESOLUTION:**

**Motion by Donald Roessler to declare the Bolton Planning Board as lead agency for SPR13-25. Seconded by John Gaddy. All in Favor. Motion Carried.**

**Motion by Donald Roessler to accept SPR13-25 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) The banner/sign be put up from August 1<sup>st</sup> to September 15<sup>th</sup> annually. 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.**

- 3. SPR13-26 PSC HOLDINGS, INC.** Represented by Paul Chambers. Seek Type II Site Plan Review for an accessory structure greater than 1,500 square feet of floor space. Approximately 3,890 square feet is proposed. Section 156.00, Block 2, Lot 5, Zone RM1.3 & RL3. Property Location: 253 Federal Hill Road. Subject to WCPS review. Subject to SEQR.

Paul Chambers presented his project explaining that he wanted to build a storage facility. Donald Roessler asked if this would be used as a commercial or private storage building. Mr. Chambers replied private.

Donald Roessler asked if there would be any outside lighting. Mr. Chambers replied yes, there would be two, one on the front entry door facing down and one on the back entry door facing down.

Donald Roessler asked what colors Mr. Chambers planned on using on the structure. Mr. Chambers replied they would be using a steel blue to match the existing house.

Donald Roessler stated that they had received a letter in support from Mr. Russell, neighbor to the project.

Don Roessler asked if they would be removing any trees, and if there was a buffer between the neighbor Mr. Russell. Mr. Chambers stated that they would not be removing any trees as the building was being placed where a previous structure had been. He also said that an approximate 6 ft wide buffer existed . Donald Roessler asked if that would be maintained. Mr. Chambers replied yes.

Sandi Aldrich asked if the locust tree along the road would stay when they put in the driveway. Mr. Chambers replied yes.

Sandi Aldrich asked if the back door was a drive in drive out door. Mr. Chambers replied no it would be two entry doors.

Donald Roessler asked if there would be any water in the building and if the upstairs would be storage only. Mr. Chambers replied he had no plans for water at this time and the upstairs was storage only.

No County Impact

#### **RESOLUTION:**

**Motion by** Donald Roessler to declare the Bolton Planning Board as lead agency for SPR13-26. **Seconded by** John Gaddy. **All in Favor. Motion Carried.**

**Motion by** Donald Roessler to accept SPR13-26 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)All exterior 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** Sandi Aldrich. **All in Favor. Motion Carried.**

4. **SPR13-27 FOY, BUDDY JR. & JENNIFER.** Represented by Thomas Iacona. Seek Type II Site Plan Review for 1) to allow a 27 square foot advertising sign to remain in place and erect 3 additional advertising signs all greater than 4 square feet. 5.33 square feet, 11.66 square feet and 12 square feet are proposed; and 2) A change in use, specifically to convert a garage into a prep kitchen. Section 171.15, Block 3, Lot 73, Zone GB5000. Property Location: 15 Allen's Alley known as the Chateau on the Lake. Subject to WCPS review. Subject to SEQR. (five additional parking spaces will be required.)

Thomas Iacona presented the project and asked what the board would like him to cover first, the signage, or the garage.

John Gaddy stated he had gone to the property and he did not see a 27 sq. ft. sign.

Sandi Aldrich asked if this was a complete application as she did not have any maps showing where the additional 5 parking spaces were going to be. Herb Koster replied he did not either. Thomas Iacona replied he had not had the surveyor draw them in yet as he had questions to the need as the staff was not going to increase. Herb Koster asked where the 5 extra spots came from and if it was the Zoning Administrators decision. Town Counsel Michael Muller stated that yes it was, but he did not know the rationale behind it. Sandi Aldrich said she had spoken to Pamela Kenyon and she had informed her that it was due to the increase of the overall interior footage. Town Counsel Michael Muller replied if that was the case, she was correct as interior square footage does increase parking. He said although it does not increase manpower, it does increase square footage inside the building. Henry Caldwell stated he would like to see the old plans to see what they had approved. Tom Iacona put a copy on the board.

John Gaddy asked if a building was moved. Sandi Aldrich stated that it was supposed to be demolished. Mr. Iacona replied that it had never been mentioned that it would be demolished and he had a certificate of compliance to move it. He stated that the building has a sign on it to direct people to the site. John Gaddy if this building was moved down to the line of site at the end of the driveway. Mr. Iacona replied yes.

Sandi Aldrich asked if there were originally two small cottages along the north fence line. Mr. Iacona replied that there is still one. Sandi Aldrich stated that it was her understanding that one was to be totally removed and one was to stay. Mr. Iacona replied that there was never any mention of the structure being demolished only to be moved, and they have a certificate of compliance for it.

Mr. Iacona, showed stormwater on the plan and additional parking that he had drawn in. Henry Caldwell asked if the stormwater had already been approved. Mr. Iacona replied yes.

Donald Roessler asked if they were parking cars on top of stormwater. Mr. Iacona said yes.

Henry Caldwell asked if the parking was paved. Mr. Iacona stated that it was gravel at this time until a decision was made to pave it. He stated that they still had approved construction work to be done during the winter and spring.

Sandi Aldrich asked Town Counsel Michael Muller if he agreed with the need for 5 parking spaces does he require all 5. Mr. Iacona replied that he can pick up a few more spots, but he does not understand why they are needed if the staff has not increased. Sandi Aldrich replied that they were needed due to the increase of interior square footage. Town Counsel Michael Muller stated that the approved parking application had constraints on the required parking and they had used very detailed calculations. He stated that they had at least 2 meetings before the Board even saw it and they did meet the minimum requirements necessary. He reminded the Board that they had waived some of the buffer requirements in the approvals and if the plan comes up short, they need a variance for this requirement which this Board does not grant.

Sandi Aldrich stated she had another concern with the fact that there were two trailers on the site when she was there, and the conditions of approval stated no trailers were to be stored on the

property. Mr. Iacona replied that one was a construction trailer and the other was for construction debris and they would be removed tomorrow. Town Counsel Michael Muller stated that there was a distinction between a garbage trailer and a construction trailer, which would be allowed. Sandi Aldrich replied that it was a garbage trailer. Donald Roessler stated that they would have to remove garbage from the site and the trailer would have to be there at some point. Sandi Aldrich agreed, but stated that it was stored there while they were closed and they had made a condition of approval that no trailers were to be stored on site.

Town Counsel Michael Muller stated that the Board could not give a variance. He asked if the applicant had a plan that showed 35 spaces. The Board replied no. Town Counsel Michael Muller said that this part of the application has to be tabled. Donald Roessler asked if they could move forward with the signs. Town Counsel Michael Muller replied yes, signage is a stand alone project.

Town Counsel Michael Muller stated he did not know how the applicant would be able to get required parking spots and he was not sure how it got to the Planning Board level, without first getting a variance, but this Board could not move forward with the parking segment.

Herb Koster asked if the Board would like to move forward on the signage part of the application.

No County Impact

#### **RESOLUTION:**

**Motion by** John Gaddy to table SPR13-27 pending more information on previous approvals, the signs, and a variance from the Zoning Board for parking. **Seconded by** Sandi Aldrich. Herb Koster and Donald Roessler opposed. **All others in Favor. Motion Carried.**

- 5. SPR13-28 MULLIGAN, JOSEPH.** To allow an addition/porch to remain, seeks Type I Site Plan Review for a land use within ¼ mile of the Schroon River and 150' of the Adirondack Northway. Section 155.00, Block 1, Lot 3, Zone RR10. Property Location: 1611 East Schroon River Road. Subject to WCPS and APA review. Subject to SEQ. R.

Mr. Mulligan explained to the Board that he was putting an addition on the cabin.

John Gaddy asked if there would be any lighting. Mr. Mulligan replied it would be minimal.

Mr. Mulligan stated he did not understand the issue with the Northway.

Herb Koster replied that the original building was non-conforming with A.P.A. rules for Northway setbacks, so anything added on were subject to A.P.A. approvals.

Mr. Mulligan inquired about septic. Town Counsel Michael Muller explained that when Mr. Mulligan is ready to place his septic system, as long it was designed to be compliant with the Town of Bolton Code, it would just be a permit from the Zoning Office. Herb Koster stated that Zoning Administrator Pamela Kenyon would be the one who would issue the septic permit, and not to do anything without a permit.

Sandi Aldrich inquired if the finished addition would be dark green throughout. Mr. Mulligan replied yes.

Donald Roessler asked how many feet off the road the building was. Mr. Mulligan replied the driveway was 200 ft to the building, and the closest point to the property line was about 65 ft. on the Northway side.

Donald Roessler inquired if the project was subject to A.P.A. review, did it affect the Board and could the Planning Board still be lead agency. Town Counsel Michael Muller replied that the A.P.A. could review but the Planning Board would be lead agency.

No County Impact

## **RESOLUTION**

**Motion by Donald Roessler to declare the Bolton Planning Board as lead agency for SPR13-28. Seconded by Sandi Aldrich. All in Favor. Motion Carried.**

**Motion by Donald Roessler to accept SPR13-28 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 condition: 1)All exterior 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 Sandi Aldrich. All in Favor. Motion Carried.**

Herb Koster asked Town Counsel Michael Muller if the Planning Board enforced A.P.A. rules. Town Counsel Michael Muller explained that the town rules were incorporated in the local land use ordinance which were A.P.A. rules. Herb Koster asked if that meant that the Town agreed to utilize the same rules as the A.P.A. Town Counsel Michael Muller replied yes.

Town Counsel Michael Muller stated that it is not a setback issue, but that any land use ordinance within the 150 feet of the Adirondack Northway in this particular zone was a Type I Site Plan Review requirement, so that is why he is before the Board.

The meeting was adjourned at 7:43pm.

Minutes respectfully submitted by Kate Persons.