

**Town of Bolton
PLANNING BOARD
MINUTES
Thursday January 22, 2015
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- Sandi Aldrich, Kirk VanAuken(6:35), John Gaddy, John Cushing, Gena Lindyberg, Ann Marie Somma, Zoning Administrator, Pamela Kenyon and Counsel Michael Muller.

Absent: Henry Caldwell & Herb Koster,

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

PUBLIC HEARING

1. **SPR14-23 PARROTTA, ROBERT.** Seeks Type II Site Plan Review to amend a condition of approval for SPR08-25 set forth by the Planning Board on November 20, 2008 for a marina. Specifically the condition reads as follows: There shall be no more than 12 rental boats. 25 rental boats are proposed. Section 171.11, Block 2, Lot 12, Zone RCM1.3. Property Location: 5102 Lake Shore Drive. Subject to WCPS and SEQR review. This item was tabled at the December 2014 meeting pending a public hearing.

Robert Parrotta stated the following:

- He is seeking to increase boat rentals from 12 to 25.
- He personally oversees all the rentals going in and out.
- He usually has 2 to 3 employees helping him.
- They don't offer 2 hour rentals which keeps the traffic down.
- He discussed the congestion in the bay and stated that there is no way to alleviate the traffic in Sawmill Bay.
- He stated that it is a 5mph zone in that area.
- He stated that the Town of Bolton is based on tourism and these renters bring more people into local businesses.
- He stated they would not be increasing any docks or moorings.
- He explained that he would be eliminating dock renters a few each year until he reached the number of rentals he desired.

Sandi Aldrich asked if he had dock space for 25 boats. Mr. Parrotta stated he had 23 and 3 moorings.

John Cushing asked if he was planning to bring the boats up and down from the hill in the meantime or just rent the boats that he supplies at the dock. Mr. Parrotta stated just the ones at

the dock, because he was not purchasing any yet. He stated he wanted to do approximately 3 this year. He stated that he has 3 renters that are not coming back so that works out perfect.

Peter Cossman neighbor to the south of the applicant stated that he understands that Mr. Parrotta is permitted to use this property for a marina, but they feel the Board should consider the comfort and convenience of the neighboring properties. He stated they have a dock just to the south of Mr. Parrotta's property that was built in 1898. He detailed his plans and photos to the Board and expressed his concerns and displeasure with the application. He stated that the testimony and the picture presented by Mr. Parrotta when he had originally went before the Lake George Park Commission was incorrect. Mr. Cossman expressed his displeasure in the fact that he had not been there to refute this. He expressed the unsafe conditions and inconvenience he felt this project would be to him and to his family.

Mr. Parrotta stated that his parents owned the property in 1958 and refuted Mr. Cossman's claims.

Atty. Muller read a letter from John Kruse of 4 Braley Point expressing his concerns about the project into the record.

John Cushing asked about the boat docks, and asked if they needed to be 10' or 20' off the line.

Gena Lindyberg asked that the Zoning Administrator get the proof that the docks were all where they should be.

Ann Marie Somma asked for drawings that showed all of the docks included on the adjacent property.

John Gaddy asked if they should expand the application showing both lots that would be used. Atty. Muller stated that it should and Mr. Parrotta will work with the Zoning Administrator to accomplish this.

Motion by Sandi Aldrich to keep the public hearing for SPR14-23 open. Seconded by John Cushing. All in favor. Motion carried.

Motion by Sandi Aldrich to table SPR14-23 until the February meeting for additional information. Seconded by Gena Lindyberg . All in Favor. Motion Carried.

REGULAR MEETING

John Gaddy asked if there were any changes or corrections to the December 18, 2014 minutes.

RESOLUTION:

Motion by Sandi Aldrich to accept the December 18, 2014 minutes as presented. Seconded by, John Cushing. Gena Lindyberg & Ann Marie Somma abstained. All others in Favor. Motion Carried.

1. **SPR14-23 PARROTTA, ROBERT.** Seeks Type II Site Plan Review to amend a condition of approval for SPR08-25 set forth by the Planning Board on November 20, 2008 for a marina. Specifically the condition reads as follows: There shall be no more than 12 rental boats. 25 rental boats are proposed. Section 171.11, Block 2, Lot 12, Zone RCM1.3. Property Location: 5102 Lake Shore Drive. Subject to WCPS and SEQR review. This item was tabled at the December 2014 meeting pending a public hearing.

This application was tabled during the Public Hearing

2. **SPR14-27 BOLTON LANDING MARINA, LLC.** Represented by Atty. Robert Sweeney. Seeks Type II Site Plan Review to amend SPR07-24 & SPR86-03 approval for a marina/dry stack facility. Specifically, to add an addition to the existing boat storage building to increase the storage capacity of an additional 56 boats. Section 171.19, Block 2, Lot 3, Zone GB5000. Property Location: 4932 Lake Shore Drive. Subject to WCPS and SEQR review. See V14-50 associated with this project. This item was tabled at the December 2014 meeting.

This item was tabled at the applicant's request

3. **SPR14-28 FENELON, DAVID & KIMBERLY.** Represented by Hutchins Engineering and Adirondack Designers and Builders. Seek Type II Site Plan Review for a major stormwater project involving more than 15,000 square feet of land disturbance. 30,600 square feet is proposed. Section 171.07, Block 1, Lot 62, Zone RL3. Property Location: Lot 10 of the Cobblestone Subdivision. Subject to WCPS review. Subject to SEQR.

Tom Hutchins of Hutchins Engineering presented the following:

- This lot is lot #10 on the west side of Cobblestone Court.
- They have improved their previously presented design.
- Mr. Hutchins detailed the maps and plans he brought with him to the Board.
- It is a 2.4 acre lot.
- There is a drainage ditch that bisects the lot.
- They have relocated the house 33' lower in elevation from what was previously presented.
- This is a single story 2400sq. ft. home.
- There is public water.
- They will be using an enhanced wastewater disposal system.
- There is a natural berm retention area to protect the driveway from stormwater and another that water is guttered and piped to.

John Gaddy asked to be shown where the utility box was located. Mr. Hutchins pointed it out and explained it was near the driveway.

Mr. Hutchins stated that there was a building for water reservation from the old site, which would be removed.

John Gaddy asked where the septic would be located. Mr. Hutchins replied it would be located in the front lawn.

Gena Lindyberg inquired if it was a stream on the map. Mr. Hutchins stated it was intermittent. He said according to DEC it was not a stream, but according to subdivision approval it was a drainage ditch in one area and then becomes a stream. Gena Lindyberg asked if the sewer will affect the stream. Mr. Hutchins replied that it was 36.23' from the ditch. He explained this was a higher quality system. John Gaddy asked if they had a location of the neighbors well. Mr. Hutchins replied that it was all public water. Gena Lindyberg stated the stream looked awfully close. Mr. Hutchins replied it was at least 40'. Gena Lindyberg asked if the system was a type that needed to be cleaned. Mr. Hutchins replied no, it is a sand filtration system, and the tank would need to be maintained. John Cushing asked if it was pumped. Mr. Hutchins said no it is gravity. John Cushing inquired about the life span of the system. Mr. Hutchins stated that no system lasts forever but they can be replaced in place and it would certainly be as much as or more than a conventional system. He stated it operates aerobically as opposed to anaerobically.

John Gaddy asked if the State or the Town would need to give approvals for this system. Mr. Hutchins replied that the Health Department was aware of it, and it would go back to the Health Department.

Gena Lindyberg asked if there would be any blasting and if the utilities would be buried. Mr. Hutchins stated that there would be no blasting and the lines would be buried.

Sandi Aldrich if there were any plans for vegetation in the catch basins. Mr. Hutchins replied that the intent is to maintain as much natural vegetation as they can.

John Gaddy stated it looked like they would be losing a lot of tree cover in the area where they would be making the improvement and he wanted to know if they had a proposed planting plan. Mr. Hutchins replied they had not done one yet, but they could certainly do one. John Gaddy asked if it would be feasible. Mr. Hutchins replied they could landscape and they were trying to maintain the wooded area between that area and the road.

John Cushing asked if the Health Department had done test samples for contaminants. Mr. Hutchins stated not to his knowledge, but they had been site.

John Cushing asked if there was a stormwater management maintenance agreement in effect. Mr. Hutchins stated that each property owner has a maintenance agreement with the Town of Bolton. John Cushing inquired why the subdivision did not have one. Mr. Hutchins replied that subdivision also had one too. He stated that they were filed with the County and certified every 5 years.

RESOLUTION:

Motion by Kirk VanAuken to declare the Bolton Planning Board as lead agency for SPR14-28. **Seconded by** Sandi Aldrich. All in Favor. Motion Carried.

Motion by Kirk VanAuken to approve the SEQRA short form for SPR14-28. 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.

Motion by Kirk VanAuken to accept SPR14-28 as complete, waive a public hearing, and having met the criteria set forth in the code, grant final approval of the project with the following conditions; 1. All lighting is to be downward facing and shielded. 2. A planting plan is to be submitted to the Zoning Administrator for approval. **Seconded by** Sandi Aldrich. All in Favor. Motion Carried.

The meeting was adjourned at 7:07.

Minutes respectfully submitted by Kate Persons.