

REGULAR MEETING
BOLTON TOWN BOARD

June 21, 2017

Regular Meeting:

Supervisor: Ronald Conover
Councilman: Robert MacEwan
Councilman: Tim Coon
Councilmember: Cheryl Bolton (absent)
Councilmember: Susan Wilson
Deputy Town Clerk: Rebecca Coon
Counsel: Michael Muller

Meeting Call to Order: 3:00 pm.

Pledge: Supervisor Conover

Motion to convene as the Town of Bolton Board of Health

RESOLUTION #165

Councilmember Coon moved, seconded by Councilmember MacEwan to convene as the Town of Bolton Board of Health. All in Favor. Motion Carried.

Public Hearing regarding septic system replacement application by Ross & Nancy Kelley. Located at 70 Coolidge Hill Road, parcel ID#213.13-1-17. Section 3.030 of the sanitary sewage disposal ordinance requires a 200' separation between the leach field and a down gradient well. 103' is proposed between the leach field and neighboring well.

Carl Schoder of Schoder River Associates presented the following:

- This is an older septic system that has started backing up with a partially blocked leach field.
- They have had a couple of difficulties with one being ground water at 30" which is not horrible as he can still get the 2' of separation.
- The real problem was the topography of the site, and the neighboring properties well.
- The issue is the neighbors well which is 103' away from the proposed septic system and 110' away from the existing system.
- The well was constructed after the septic system was in place.
- The well is down slope in path of surface drainage at a distance of less than 200'.
- They are proposing an enhanced treatment by using a Presby system to replace the existing septic in failure.
- He detailed a Presby system to the Board and explained how it would work.
- The new system is compliant and has been signed off on by the Town Engineer, Tom Nace.
- They have spoken with the neighbor for some general clarifications.

- The neighbor had noted that she had tested her well, and there were no issues.

Supervisor Conover asked if the old leach field was in similar distance from the well as the new one will be. Mr. Schoder replied that it would be.

Supervisor Conover read a letter of concerns from Mr. & Mrs. Briggs, neighboring property owners.

Councilmember Wilson stated that she had spoken with Mrs. Briggs and one of her concerns was the surface water and a stream that runs between the two houses. Mr. Schoder handed out an aerial photo and detailed it to the Board. Councilmember Coon stated that the whole area of Coolidge Hill flows downhill. Mr. Schoder stated that this system did flow toward the Briggs well. He will be diverting the water to the side before it reaches the neighboring property and he showed the Board on the plans how this would be accomplished. Councilmember Wilson asked if the surface water would be directed away from the well. Mr. Schoder stated the surface water is going to be diverted before it gets to the septic system. Supervisor Conover stated that no matter where you shifted the system, it would create another issue. Mr. Schoder replied that this was true.

Councilmember MacEwan asked if the well was properly cased. Mr. Schoder stated he could not swear to it, but it was a well that was drilled post 2004 and certainly should have casing if it was installed according to Department of Health regulations. His only concern was that the well was installed 100' from a septic system.

Supervisor Conover asked if the grade was established during excavation. Mr. Schoder explained that the grade is established where it is coming out of the house. Supervisor Conover stated that this was not a conventional system and asked how superior a Presby system was to a conventional system. Mr. Schoder replied that it was his opinion that it was quite superior and DOH allows for a 40% reduction in footprint if you are using a Presby system.

Supervisor Conover asked if the existing tank would be removed. Mr. Schoder stated that it would either be removed or crushed in place.

Mr. Schoder stated that there was a shallow well immediately adjacent to the septic system which you would not currently know was there. The applicant had hoped they could keep this well, but this is not going to happen. They will be digging up the well, filling it with gravel and abandoning it.

Councilmember Wilson asked if Mr. Schoder would be monitoring the installation and if there were any way the neighbors could be notified before construction begins. Mr. Schoder replied he would be monitoring the project and they would be beginning work within the next 2 weeks.

Councilmember Wilson stated that there was an email from Angela Hirt and signed by Stephanie Wyand indicating that the septic and leach field were located 103' from her water well. Mr. Schoder stated it may be 103' to the corner of her property line, but not her well unless it is on

the property line. He does not believe this is the case. Even if it is, the well would not be within the direct path of drainage so the 100' is fine.

- Resolution establishing Town of Bolton as Lead Agency.

RESOLUTION #166

Councilmember Wilson moved, seconded by Councilmember MacEwan to declare the Bolton Town Board acting as the Board of Health as Lead Agency under SEQRA for the proposed Septic Variance by Ross & Nancy Kelley. Located at 70 Coolidge Hill Road, parcel ID#213.13-1-17. All in Favor. Motion Carried.

- Resolution regarding SEQRA Determination.

Councilmember Wilson asked the Board the following questions;

1. Do any of the Board Members have concerns with any of the items listed 1 through 20 in Part 1, on the SEQRA Form as submitted by the applicant? No
2. Will the proposed action impact any of the items listed 1 through 11 in Part 2 of the SEQRA Form? No
3. Do the Board Members agree that this project will result in no adverse impacts on the environment; and, therefore an environmental impact statement need not be prepared? Yes, this is an improvement.

Based upon the materials submitted and accepted as part of the record, our findings are as follows:

- A. The Applicant's SEQRA submission, and our analysis of the issues presented, demonstrates that there are no significant environmental impacts or concerns.
- B. The applicant has provided clear and complete responses to issues recited in the SEQRA questionnaire and based upon all information reviewed by this lead agency in its SEQRA analysis, including a thorough "hard look" and consideration of the applicant's entire submission, and upon all board and public comments received, it is appropriate in the opinion of this lead agency to make a finding that the proposed action will result in no adverse environmental impacts and that any identified adverse environmental impacts will not be significant, or where identified, are sufficiently mitigated by virtue of the conditions imposed in granting approval.

RESOLUTION #167

Councilmember Wilson moved, seconded by Councilmember Coon to make a negative declaration with regard to SEQRA for the septic variance application by Ross & Nancy Kelley. Located at 70 Coolidge Hill Road, parcel ID#213.13-1-17. All in Favor. Motion Carried.

Supervisor Conover stated that there was correspondence from the Town Engineer approving the installation and stating that it will be a substantial improvement of the existing failing septic system.

- Resolution regarding application by Ross & Nancy Kelley for septic system improvements located at 70 Coolidge Hill Road, parcel ID#213.13-1-17.

Councilmember Wilson stated the following:

Having declared the Town of Bolton Local Board of Health as Lead Agency, held a public hearing and made a Negative Declaration for the SEQRA Application, I make a motion to approve this variance application for the installation of a septic system as approved by Town Engineer Tom Nace.

RESOLUTION #168

Councilmember Wilson moved, seconded by Councilmember Coon to approve the septic variances for Ross & Nancy Kelley, located at 70 Coolidge Hill Road, parcel ID#213.13-1-17. All in favor. Motion Carried.

Motion to Reconvene as the Bolton Town Board

RESOLUTION #169

Councilmember MacEwan moved, seconded by Councilmember Coon to reconvene as the Bolton Town Board. All in Favor. Motion Carried.

Correspondence:

- Richard & Jean Briggs in regard to septic variance request at 70 Coolidge Hill Rd.
- Stephanie Wyand in regard to septic variance request at 70 Coolidge Hill Rd.

Supervisor Report:

- Lake George Triathlon Festival

New Business

- Resolution authorizing the modification to the 2017 General Fund Budget to reflect the Debt Service payment in the amount of \$20,000 for the initial loan repayment for the Cross Street Parking Lot Project to the UDAG/CDBG Account ending in 8848. Money to be transferred from Contingency (1990.4) to Debt Service (9780.6).

RESOLUTION #170

Councilmember MacEwan moved, seconded by Councilmember Coon to authorize the modification to the 2017 General Fund Budget to reflect the Debt Service payment in the amount of \$20,000 for the initial loan repayment for the Cross Street Parking Lot Project to the UDAG/CDBG Account ending in 8848. Money to be transferred from Contingency (1990.4) to Debt Service (9780.6). All in Favor. Motion Carried.

- Resolution to authorize the development of a new parking area on Edgecomb Pond Road for access to Cat and Thomas Mountains.

Councilmember Wilson explained that the LGLC contacted the town with regard to setting up a parking area like the one at the Pinnacle. Apparently, many people are parking along Edgecomb Pond Road and blocking driveways. They have asked that a 60' x 90' area be created and the Zoning Administrator is working with the engineers to create a stormwater plan. She stated they would like to get this in as soon as possible before the season starts. Councilmember MacEwan asked exactly where it would be and Councilmember Wilson detailed it to him.

Councilmember Wilson stated it was a minor stormwater that could be approved by the Zoning Administrator.

Councilmember Coon asked who would be constructing this lot. Councilmember Wilson stated the town forces would be. She stated that the Highway Superintendent had been to the site with her, the Zoning Administrator, Warren County Soil & Water and the LGLC. Councilmember Coon asked if the Highway Department had agreed to do the project. Councilmember Wilson stated he seemed fine with it.

Supervisor Conover asked how many cars this would allow. Councilmember Wilson stated 17 to 18. She stated that DEC is beginning to have concerns with all the activity on these two mountains. Supervisor Conover stated she liked it. Councilmember Wilson suggested moving the bike rack from the Conservation Club to this area.

RESOLUTION #171

Councilmember MacEwan moved, seconded by Councilmember Coon to authorize the development of a new parking area by the Town of Bolton Highway Department on Edgecomb Pond Road for access to Cat and Thomas Mountains. All in Favor. Motion Carried.

- Resolution authorizing the Lake George Triathlon Festival to use the Bolton roadways September 2nd and 3rd.

RESOLUTION #172

Councilmember Coon moved, seconded by Councilmember MacEwan to authorize the Lake George Triathlon Festival to use the Bolton roadways September 2nd and 3rd. All in Favor. Motion Carried.

- Resolution appointing Megan Baker as a representative of the Town of Bolton to the Student Connection Board administered by the Village of Lake George.

Supervisor Conover stated that this was the Board that Mayor Blais has set up.

RESOLUTION #173

Councilmember Wilson moved, seconded by Councilmember Coon to appoint Megan Baker as a representative of the Town of Bolton to the Student Connection Board administered by the Village of Lake George. All in Favor. Motion Carried.

- Resolution to enter into executive session to discuss employment matters dealing with a particular Town of Bolton employee and contractual matters.

RESOLUTION #174

Councilmember MacEwan moved, seconded by Councilmember Wilson to enter into executive session to discuss employment matters dealing with a particular Town of Bolton employee and contractual matters. All in Favor. Motion Carried.

- Resolution to come out of executive session.

RESOLUTION #175

Councilmember MacEwan moved, seconded by Councilmember Coon to come out of executive session. All in Favor. Motion Carried.

- Resolution authorizing the Supervisor to terminate all contraction with David Decker of the Lake George Watershed Coalition.

RESOLUTION #176

Councilmember Wilson moved, seconded by Councilmember Coon to authorize the Supervisor to terminate all contraction with David Decker of the Lake George Watershed Coalition. All in Favor. Motion Carried.

- Resolution to enter into executive session to discuss employment matters dealing with a particular Town of Bolton employee

RESOLUTION #177

Councilmember MacEwan moved, seconded by Councilmember Coon to enter into executive session to discuss employment matters dealing with a particular Town of Bolton employee. All in Favor. Motion Carried.

No Action Taken

Adjourn: 4:00pm

Minutes respectfully submitted by:

Rebecca Coon
Deputy Town Clerk

Katie Persons
Minute Taker