

**Town of Bolton
PLANNING BOARD
MINUTES
Thursday August 20, 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, John Gaddy, Herb Koster, John Cushing, Kirk VanAuken, Henry Caldwell, Alternate Ann Marie Somma, Zoning Administrator Pamela Kenyon and Counsel Michael Muller.

Absent: Gena Lindyberg

The meeting was called to order at 6:03pm.

Herb Koster asked if there were any changes or corrections to the September 17, 2015 minutes.

RESOLUTION:

Motion by Sandi Aldrich to accept the September 17, 2015 minutes as presented. **Seconded by,** John Gaddy. Henry Caldwell & Ann Marie Somma abstained. **All others in Favor. Motion Carried.**

REGULAR MEETING

1. **V15-42 NIAZI, TARIQ.** Represented by Clyde LaForge. In accordance with Section 200-93 (other regulations applicable to Planned Unit Development), seeks area variance (PUD Amendment) to add stairs to existing deck. Section 157.05, Block1, Lot 88.24, Zone PUD. Property Location: 13 Fox Run - Lagoon Manor. Subject to WCPS, ZBA, PB, APA and TB review. Subject to SEQR. See V15-06 for approvals for the deck.

No one was present to represent this application so the Board tabled it to the end of the meeting.

RESOLUTION:

Motion by; John Gaddy to table item V15-42 until the end of the meeting. **Seconded by,** Henry Caldwell. **All in Favor. Motion Carried.**

Brad LaForge, representing Tariq Niazi presented the following:

- They are looking to add stairs to a deck they recently built.
- The owner decided he wanted stairs after the deck was built.

Atty. Muller stated that they received a variance from the ZBA on Tuesday for this.

Herb Koster stated he did not have any problems with the request.

John Cushing inquired about the direction of the other stairs on the neighboring decks. Mr. LaForge stated they go in all different directions. John Cushing asked if all the stair cases stay on the property owners individual lots. Mr. LaForge replied yes. Herb Koster stated that they all own the ground. Atty. Muller stated it is a common area.

RESOLUTION:

Motion by John Gaddy to recommend approval of the project as presented. Seconded by, Henry Caldwell. All in Favor. Motion Carried.

2. **SPR15-24 TWIN PINES INC.** Represented by Kurt Koskinen. Seeks Type II Site Plan Review for a stream crossing in the LC25 zone associated with a timber harvesting project. Section 170.00, Block 1, Lots 22.11 through 22.19, Zones RCL3 & LC25. Property Location: 520/525 Trout Lake Road. Subject to WCPS review. Subject to SEQR.

This item has been tabled at the applicant's request

3. **JUMBO REALTY LLC. (CAMP WALDEN).** Represented by Peter Loyola of CLA Site. As a condition of approval set forth by the Planning Board on September 18, 2014, seeks to discuss the Master Planting plan. The condition reads as follows: The applicant must implement the plan as presented with the addition of more screening and come back before the Board in one year's time for review. Section 185.00, Block 1, Lot 32, Zones RCL3, LC25 and LC45. Property Location: 429 Trout Lake Road.

Peter Loyola of CLA Site presented the following:

- They went through the Master Plan that was submitted last September 2014.
- He summarized the Master Plan to the Board.
- He stated over the last 8 years they have built a lot of individual projects.
- They have just finished up the lodge.
- The Arts & Crafts building has been approved by the Planning Board but has not been done at this time.
- They are under a general stormwater plan for the Master Plan of the overall site which was approved by Tom Nace.
- There has been an enormous amount of stormwater treatment that has gone into this site.
- He detailed all of the stormwater improvements.
- He detailed internal upgrades and future projects that they laid out last year, under the Master Plan.
- They now have a DOH approved sanitary system for the entire site.
- They have a plan through the DOH to renovate the existing cabins.

- This will be a significant upgrade to the sanitary system from what exists.
- They have significantly upgraded the whole water supply system, with a new chlorination system, distribution system, low flow fixtures etc.

John Gaddy asked where the water was coming from. Mr. Loyola detailed the 2 wells on the map.

Ann Marie Somma asked if they have an existing infirmary. Mr. Loyola stated that it was housed in the Lodge now.

Kirk VanAuken asked if they were now asking to add more campers. Mr. Loyola stated they were. When they put the Master Plan together they knew they would always have a provision to add more campers. When they put the Master Plan together, there was always the idea that they would need additional staff for the Admin. building. Kirk VanAuken said this plan is a little out of date then. Mr. Loyola agreed. He stated the only changes they are proposing was consolidating staff housing. They are proposing two more cabins for the additional campers on the Master Plan. Kirk VanAuken asked how many campers they have now. Mr. Loyola said 493 campers. Kirk VanAuken asked how many are proposed. Mr. Loyola said 545 campers was the maximum. Mr. Loyola said the idea is 18 buildings with campers and bunk staff. Once they finish up the boys HQ, the last building that will be associated with cabins and campers will be building #7 and then all they will need to do is start the renovations on the existing buildings. He stated 545 campers is the maximum they will ever want. Herb Koster asked the maximum staff was. Mr. Loyola stated 206. Herb Koster asked if they all resided on the property. Mr. Loyola replied yes and the most the camp could handle would be about 750 overall people per session. The activity space would not allow any more. Waterfront is not used by all the campers at the same time, there is probably a quarter to half of the campers that go to the waterfront, but they have to take turns. Regardless of the amount of kids, the beach is limited to the amount of people it can support at one time, so they need to take turns.

Kirk VanAuken asked about the traffic and the increase of it on the lake by adding more campers. Mr. Loyola stated he feels it will stay the same, as they can only handle so many at one time.

Mark Bernstein stated they can't continue to add anymore boats because of safety. 50 more campers do not mean more boats. Herb Koster asked if he meant power boats. Mr. Bernstein replied yes and they have a pontoon boat to get to the island, an emergency boat and a boat to teach sailing. Sandi Aldrich asked how many sailboats. Mr. Bernstein replied 8, and he does not believe there will be any increase due to safety. He stated they have canoes and paddle boats too.

John Cushing asked if they have had any accidents with the huge increase of campers. Mr. Bernstein stated that they have not had any at the waterfront, and he detailed the Red Cross plan they use to make sure each apparatus is safe. He explained all the different areas the campers can be involved in at the camp. John Cushing asked how many boats they could have on the lake at one time. Mr. Bernstein replied if they were considering all boats, he was not sure, but there was a fair amount. He stated that they were not allowed to go all over the lake they were usually

puttering around in their cove. Mr. Bernstein asked about complaints. Herb Koster stated he has not heard of any. Mr. Bernstein stated his business was keeping the kids safe. He stated safety is paramount on this site.

Kirk VanAuken asked about the plans for the old maintenance building on the Master Plan. Peter Loyola stated it was a mess that they are working on cleaning up and they are investigating if they can provide internal staff parking to relieve the congestion on Lamb Hill Road. He detailed the plans to the Board.

Mr. Bernstein stated the entire site lacked stormwater when he bought the camp, but is now up to date.

Mr. Bernstein stated they had changed all the lighting to downward facing and shielded on the whole site.

Mr. Loyola detailed the planting that has been done and what they hope to accomplish. He stated they will continue to plant and screen the site. He stated they would like to screen out the road and the parking lot.

Mr. Bernstein stated all the seepage pits will be taken off line as the buildings are renovated and updated.

Sandi Aldrich inquired if there were more plans to plant on the lakeside. Mr. Loyola stated they did not, they were planning on letting what they have planted grow up. He stated that it has always been wide open and they have not cut down much of anything on the waterfront. He stated that they had removed a little scrub vegetation on the one side. Sandi Aldrich stated that they have raised the lodge and there had not been anything that visible from the lake and it seems to be all low shrubs. He detailed the plantings to block the visibility of the lodge. He stated they are continuing to implement the plantings and explained the plants will grow up. Herb Koster inquired when they estimated on completing the planting plan. Mr. Bernstein replied this spring.

John Gaddy asked if the go-cart track was being lit at night. Mr. Bernstein replied no, none of his fields are lit up.

John Gaddy asked about the planting in front of the lodge and if they could add more to break up the overall mass of the large building. Mr. Loyola stated they could do that and he would look at it. John Gaddy explained that the neighbors across the lake may have concern with lighting at the lake.

Henry Caldwell asked if they were already showing planting in front of the lodge. Mr. Loyola replied yes and detailed it on the plans. He explained they would be finishing it up in the spring. Henry Caldwell stated that once the planting plan is implemented it will look better.

Henry Caldwell asked if they should have a Public Hearing on the Master Plan. Kirk VanAuken stated that there were discussions going on about how large the camp is becoming from the

neighbors. Mr. Bernstein stated this was all they were looking for, they would not be adding more.

Kirk VanAuken asked that they update the Master Plan so it is correct.

4. **SPR15-23 JUMBO REALTY, LLC. (CAMP WALDEN).** Represented by Peter Loyola of CLA Site. Seeks Type II Site Plan Review for a group camp. Specifically to convert the infirmary building into Boys HQ Cabin. Section 185.00, Block 1, Lot 32, Zone **RCL3**, LC25 and LC45. Property Location: 429 Trout Lake Road. Subject to WCPS review. Subject to SEQR.

Wade Newman of CLA Site presented the following:

- This is the old infirmary building.
- They would like to convert it to a new boy's cabin.
- This will be sized to hold 32 people.
- The septic design is submitted to DOH.
- He detailed the new building on the plan.
- The majority of the expansion is in the footprint of the existing building.
- They will only be increasing 500 sq. ft. of impervious.
- They have incorporated a new stormwater system to handle this.
- This will be very little earthwork and disturbance.

Henry Caldwell asked about the sewage. Mr. Newman stated it would be taken care of in the onsite system.

Henry asked if they were going to remodel the building and not tear it down. Mr. Newman replied as much as they can.

Ann Marie Somma asked about the bed ratio to the bathrooms and if it was the same as other buildings. Mr. Newman replied it was.

John Gaddy asked if the lighting would be downward facing and shielded. Mr. Newman replied yes.

Sandi Aldrich stated that if there was going to be over 500 campers now, her concern is the congestion. She asked what the lakeshore frontage was. Mr. Bernstein stated he believed it 300' to 290'. Kirk VanAuken stated that Warren County GIS says that it is 240'. Mr. Bernstein stated he would need to look into that because he thought it was closer to 300'. She asked if the campers each had two opportunities to go the lake each day as it stated on their website. Mr. Bernstein replied that is correct, but the second one is optional. Sandi Aldrich stated this would mean that there is over 1000 bodies on less than 300' of lake shore per day. Mr. Bernstein stated not all at one time. Sandi Aldrich said it was from the time the sun comes up until the sun goes down. Mr. Bernstein replied the whole camp with staff is a little over 700, but yes, if she wants to add it that way. Sandi Aldrich stated that she is concerned with the congestion and what it is doing to the lake and perhaps the neighbors. Mr. Bernstein stated the closest neighbor is the Webb's and the other side is undeveloped. They stay within their cove. Sandi Aldrich asked about the riparian rights that go with the property lines. She detailed them on a map and said this

is all they are entitled to. Herb Koster stated they are entitled to use the whole lake. Sandi Aldrich asked even if it was in front of someone else's property. Herb Koster and Zoning Administrator, Pamela Kenyon said yes. Sandi Aldrich asked about the docks. Mr. Loyola stated the docks were within their riparian rights and detailed it to her on her plan. Herb Koster stated that moorings and swings have to be within the 20' offset. He stated that he is sure that some of the things are grandfathered in. Mr. Bernstein stated that the configuration has never changed. Kirk VanAuken stated that they had moored more sailboats differently this year. Mr. Bernstein agreed.

Kirk VanAuken stated he liked the idea of a Public Hearing. He stated that there are questions about the increased traffic on the lake and the impact to the neighbors on the lake.

Henry Caldwell stated they do need a Public Hearing on the infirmary building; they need it on the Master Plan. He stated this would let the neighbors know what is going on. Mr. Bernstein stated that they were holding an open house for the town in May and everyone could see what was going on.

Herb Koster asked if they held a Public Hearing on the building and encompass the Master Plan into this. Atty. Muller stated yes they could hold it and part of it could encompass SEQR. Mr. Bernstein stated that if the Board would like to put on a condition that no more camper buildings could be added, he would be fine with that.

John Gaddy asked if the Board could be liable for a claim of segmentation as they have been approached yearly for more building and he would like to avoid this. Atty. Muller stated that assuming that accusation is made, at this time it is moot as all statutes of limitation have expired. Prospectively they now need to address this issue and if they feel they can figure it out with public input they can move forward but if they feel as though they would like public input to make their decision then they should schedule a Public Hearing.

Henry Caldwell stated he would hate to make them wait a whole month to move forward with the infirmary. Atty. Muller stated this would be something he would need to discuss with the Board members. He believes some of the Board members are of the opinion that this project needs to have an analysis at this juncture on these facts. It needs to encompass the whole thing because they do not want to be accused of segmentation. They basically want to have the whole concept. It sounds as if the applicant is all ready to say what I am asking for is the whole thing.

Mr. Loyola stated that on one approach they would love to have the Board approve this project now, but he understands if they have to do a Public Hearing on this application along with the Master Plan and if they have no controversial public comment they can move forward on this application. Herb Koster stated that this is exactly what they are planning to do.

Atty. Muller told the Board that they should inform the applicant of anything they would like to see from them the next time they come before them. Kirk VanAuken stated he would like to have information on the effect of the increased road and lake traffic. The question will come up on the increase of the boat traffic from the facility. Atty. Muller stated that the applicant will need to give the Board what their boat inventory was. Kirk VanAuken agreed and stated they

should also have DOH numbers on the amount of people allowed at the lake at any given time along with the percentages of which activities are being utilized, along with the lot of numbers and duration of kids per day.

Ann Marie Somma asked if they are looking at the whole project or what is in front of them now. Herb Koster stated the whole project. Ann Marie Somma stated that they are asking for a less than 6% increase than total number of campers. Atty. Muller stated that was absolutely right.

Mr. Bernstein stated that the swimming was spread over 8 periods. Mr. Loyola stated that they are using a base line with what they are operating with of 493 campers, so they are now looking at 52 more campers over the life of this.

Herb Koster asked the Board for a motion.

RESOLUTION:

Motion by Henry Caldwell to hold a Public Hearing on SPR15- 23, and to discuss the Master Plan at this time. **Seconded by**, Kirk VanAuken . **All in Favor. Motion Carried.**

5. **SPR15-26 SCHNEIDER, JOHN.** Seeks Type II site Plan Review for an advertising sign greater than four square feet. 5.25 square feet is proposed. Section 186.14, Block 1, Lot 25, Zone RCH5000. Property Location: 4591 Lake Shore Drive. Subject to WCPS review. Subject to SEQR. See SPR15-13 for roofed planter approval.

John Schneider presented the following:

- He is here for a professional office sign at the new planter.
- The sign will be double sided.
- It is wood with a gold paint inlay.
- It should conform with the previous signs at this location.

Herb Koster asked if there would be more signs under this sign as the office space is rented. Mr. Schneider replied yes.

Herb Koster asked if the sign hanging there now would be coming down. Mr. Schneider replied that it would.

Sandi Aldrich asked if there is any lighting in the proposed sign. Mr. Schneider replied no.

RESOLUTION:

Motion by Kirk VanAuken to declare the Bolton Planning Board as lead agency for SPR15-26. **Seconded by**, Sandi Aldrich. **All in Favor. Motion Carried.**

Motion by Kirk VanAuken to accept SPR15- 26 as complete; waive the Public Hearing, 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.**

6. **SPR15-25 LARKIN, RICHARD.** Represented by; Leonard Rosa. As a condition set forth by the Planning Board on September 18, 2014 when approving SPR14-21 to allow 2 transient mobile homes to be occupied outside a licensed mobile home court for more than 48 hours, seeks Planning Board review. Specifically, the condition reads as follows: The applicant must come back before the Board in one year's time for review. Section 184.02, Block 2, Lot 6.1, Zone RR5. Property Location: 863 East Schroon River Road. See V14-35 approved September 16, 2014 associated with this project.

Richard Larkin presented the following:

- Mr. Rosa would like to thank the Board for allowing the use of the premise with the RV's and they would like to continue.
- There have been no negative events or circumstances pertaining to this use.
- He hopes they will allow this to be continued.

Sandi Aldrich asked about the storage of the campers on the property. She believes the minutes stated that storage of these campers was not allowed. Mr. Larson stated that one camper leaves and he believes that they were allowed. He believes this might be a mistake in the minutes. After looking at the minutes Sandi Aldrich said that they read that one camper was being stored and the other would be leaving. She did not realize that there was only one staying.

Ann Marie Somma asked if he had received any complaints from the neighbors. Mr. Larsen stated he had not.

Henry Caldwell asked what the variance had been for. Atty. Muller replied that it was for the duration, as the code says it is not to exceed 10 days. Zoning Administrator, Pamela Kenyon explained that the applicant was granted a variance to exceed the 10 days but they were not given a time limit. She stated that the ZBA were treating the campers as guest cottages. Henry Caldwell asked if they could continue to do this on a yearly basis. Atty. Muller stated he and the Zoning Administrator had discussed this and the applicant was not limited to 10 days as per the code. Henry asked why it was back before them. Zoning Administrator, Pamela Kenyon replied this was a condition of approval that the Planning Board put on it to come back in one year. Mr. Larson stated he believed it was due to the Board's concern of noise, lighting etc.

Herb Koster stated he did not see any reason for this to come back every year. Ann Marie Somma stated that as she recalls it, the Board asked them to come back due to the septic being pumped elsewhere along with other concerns and they just wanted to make sure it all worked out. Mr. Larson stated they both pumped at the campground down the road.

Zoning Administrator, Pamela Kenyon stated that her office had not received any complaints.

RESOLUTION:

Motion by John Gaddy to declare the Bolton Planning Board as lead agency for SPR15-25.

Seconded by, Henry Caldwell. **All in Favor. Motion Carried.**

Motion by John Gaddy to accept SPR15- 25 as complete; waive the Public Hearing, 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, and the applicant does not need to come back before this Board unless directed by the Zoning Administrator. **Seconded by, Henry Caldwell. All in Favor. Motion Carried.**

The meeting was adjourned at 7:27.

Minutes respectfully submitted by Kate Persons.