

**Town of Bolton  
PLANNING BOARD  
MINUTES  
Thursday February 20, 2020  
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:** John Cushing, Gena Lindyberg, Jessica Rubin, John Gaddy, Ann Marie Scheidegger, Kirk VanAuken, Chairman Herb Koster Director of Zoning & Planning, Richard Miller P.E. and Atty. Michael Muller.

**Absent:** Sandi Aldrich

The meeting was called to order at 6:00pm.

**REGULAR MEETING**

Herb Koster asked if there were any changes or corrections to the December 12, 2019 minutes.

**RESOLUTION:**

**Motion by** Gena Lindyberg to approve the December 12, 2019 minutes as presented. **Seconded by,** John Cushing. Ann Marie Scheidegger abstained. **All others in Favor. Motion Carried.**

Herb Koster asked if there were any changes or corrections to the January 16, 2020 minutes.

**RESOLUTION:**

**Motion by** Gena Lindyberg to approve the January 16, 2020 minutes as presented. **Seconded by,** John Cushing. Ann Marie Scheidegger, Kurt VanAuken and Herb Koster abstained. **All others in Favor. Motion Carried.**

- 1. SPR19-16 FRAUENHOFER, WILLIAM AND HEATHER.** Represented by Studio A. Seeks Type II Site Plan Review to build a single-family dwelling on parcel designated as Section 141.00, Block 1, Lot 11.12, Zones RL3. Property Location: 5882 lake Shore Drive. Seeks Type II Site Plan Review for a major stormwater project to remove more than 15,000 square feet of vegetation. 32,670 square feet is proposed. Subject to SEQR, LWRP, WCPA, LGPC and APA review.

Jeff Anthony & Matt Huntington of Studio A presented the following:

- They were here last month and presented their plan.
- They did not have a sign off letter from the Town Engineer on the major stormwater, so the application was tabled.
- Since then, they have a letter stating that the stormwater engineering was ok with the exception that they needed to add one pipe and catch basin which they will do.

John Cushing asked if the path from the house to the dock would be marked on the plans as 5' only. Mr. Anthony replied yes, and they would not be taking down trees and it will be lined with mulch or wood chips.

John Cushing stated he had a problem with how close the fire pits were to lake. Mr. Anthony replied the northern one was something you would see if you were hiking in the Adirondacks, consisting of small stones in a circle on the bedrock for the husband and wife to use. The southern was a little more substantial but very natural. John Cushing asked how close to the lake they were. Mr. Anthony replied that the northern pit was approximately 10' to 15' from the lake and the other was about 35' from the lake. John Cushing asked if they really needed two fire pits down there. Mr. Anthony replied he did not.

Gena Lindyberg asked about the tree removal depicted on the plans. Mr. Anthony replied that they could look at them again, but they may have been diseased or dying.

John Gaddy inquired the lower pit and the clearing limits of disturbance. Mr. Huntington stated that it could certainly be adjusted. John Gaddy said he would like that because it becomes a pretty long clearing.

John Gaddy asked if the house could be constructed within the 20' limits beyond the footprint of the house. The dotted line on the plans showing the limits of disturbance goes pretty far beyond the house on the lake side. This is significant with the big elevation change. Mr. Anthony replied that on the lake side beyond the house is a stormwater practice and that is why it is shown there. Mr. Huntington said that there would be no reason that it could not be replanted within the berm area. The extent of the clearing simply to provide for the overflow to comply with the stormwater requirements for this development.

John Cushing inquired about stakes by the lake and asked if this was approximately where the dock was going to be placed. Mr. Anthony replied that he knew that the Dock Doctors had staked out a dock, however during the design phase, they moved the dock to the north about 20' to 30' north. He is not sure if the stakes are in the correct place.

Ann Marie Scheidegger inquired if the basement was walkout or not. Mr. Huntington replied that it was, and he believes the confusion was that at the time they did not have an actual door coming out of it.

John Cushing asked if the techno block steps and pavers were permeable. Mr. Anthony replied that they were, but the unit itself was not, it was the space between the units, and he detailed how they worked to the Board.

John Gaddy asked about the southerly fire pit and if they would be removing trees to get the 280 sq. ft. for it. Mr. Anthony replied that they would find 280 sq. ft where they would not be required to remove any trees over 3" in diameter and the surface will be random stone on grade and back from the lake a minimum of 35'. Herb Koster stated that basically it would not even be seen from the lake. John Gaddy asked if it would require a retaining wall. Mr. Anthony stated it would be field located and it may have some grading, but not much.

John Gaddy asked that Mr. Anthony attach the wording to the approvals for the conditions for the clearing for a view and maintaining. Mr. Anthony explained the process they went through for the APA and stated they would supply the town with the information. He said the views were recorded from looking out and looking in.

John Gaddy inquired about the SEQR form being checked of archeological concern. Mr. Anthony said they were on the DEC EAF mapper and it shows as yes, it is within the vicinity, not the site itself so they checked yes.

Gena Lindyberg asked if they would agree to the condition that they follow the APA guide for filtered views. Mr. Anthony replied yes, and he would email Mr. Miller the APA guidelines for the Board.

John Cushing said he would like to eliminate the northern fire pit and the path along the shoreline. He asked how far from the shoreline the path would be. Mr. Anthony replied that it varied and was about 10' to 15'. He said that there was a path there now that people have been walking now. Mr. Cushing asked if they were going to mulch it. Mr. Anthony replied that they would but no more than the depicted 5'. Herb Koster stated it was an advantage to keep the population in one area and not trampling down everything. John Cushing agreed but said he did not like it so close to the shore.

Herb Koster asked if they were willing to eliminate the northern fire pit from the plan. Mr. Anthony stated they were willing to eliminate it from the plan, but to be candid, the client wanted it there and he can foresee them putting it there in the future. Herb Koster stated that he could see this too. There are fire pits on all the islands on the lake. John Gaddy said they are still building the other one and if this one gets built as time goes on, they can't stop it. Mr. Anthony stated that by having it on the plans and approved the Board has some control over it.

Mr. Anthony stated they would need to go to the LGPC for the dock permit.

The Board discussed the conditions of approval they would like on the conditions of approval.

## **RESOLUTION:**

**Motion by** John Gaddy to declare the Bolton Planning Board as lead agency for SPR19-16.

**Seconded by,** Gena Lindyberg. **All in Favor. Motion Carried.**

**Motion by** John Gaddy to accept SPR19-16 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 with the following condition: 1. The formal fire pit to the north is to be eliminated from the plan. 2. The applicant is to pay close attention to minimizing any excessive clearing during the construction of the stormwater technics beyond the house and in the event that they exceed the 20' clearing limit, they must replant this area. 3. The applicant is to supply the town with the before and after photos and conditions submitted to the APA, as a reference for the town to have for the selective clearing process and future maintenance. It is hereby determined that the action to be taken is consistent with the Town of

Bolton Local Waterfront Revitalization Program policies and standards. **Seconded by Kurt VanAuken. All in Favor. Motion Carried.**

2. **SPR20-01 STRUZZIERI, THOMAS.** Represented by Chris Girard. To construct a U-shaped permanent pile dock/wharf with an open-sided sundeck structure. The existing PUD states that two docks/wharfs can be constructed on the westerly facing shore. One has been constructed. Seeks site plan review for modification of the PUD restriction by the Town of Bolton to allow installation of the second dock/wharf on the east side of Green Island. Section 171.16, Block 1, Lot 15. Zone PUD. Property Location: 16 North Island Drive. Subject to LWRP.

*~ APPLICATION TABLED TO THE MARCH 2020 MEETING ~*

3. **SPR20-02 DJMD BOLTON NY, LLC.** Represented by David McAvinney. To construct a tennis court requiring a ten (10) foot fence. Seeks site plan review for fence height of 10'. Section 156.20, Block 1, Lot 39. Zone RCM 1.3. Property Location: 5274 Lake Shore Drive. Subject to WCPS and LWRP.

*~ APPLICATION TABLED TO THE MARCH 2020 MEETING ~*

The meeting was adjourned at 6:35

Minutes respectfully submitted by Kate Persons.