

**Town of Bolton
PLANNING BOARD
MINUTES
Thursday October 15, 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, John Gaddy, Gena Lindyberg, Ann Marie Scheidegger, Sandi Aldrich, Chairman; Herb Koster, Kirk VanAuken, Director of Zoning & Planning; Richard Miller P.E. & Town Counsel; Michael Muller

Absent: Jessica Rubin

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

REGULAR MEETING

Herb Koster asked if there were any changes or corrections to the September 17, 2020 minutes.

RESOLUTION:

Motion by Gena Lindyberg to approve the September 17, 2020 minutes as presented. **Seconded by**, Sandi Aldrich. Kirk VanAuken, Herb Koster & Ann Marie Scheidegger abstained. **All others in Favor. Motion Carried.**

- 1. SPR20-09 JOSH BISHOP.** Represented by Andy Allison of AJA Architecture. Seeks Type II Site Plan Review for construction of new single family dwelling and guest cottage, installation of new septic system, well and stormwater management. Section 212.04, Block 2, Lot 3, Zone LC 25. Property location 16 Diamond Ridge Road. Subject to APA, SEQR, WCPA and LWRP review.
*** This item was tabled at the September 2020 meeting for additional information***

Andy Allison of AJA Architecture presented the following:

- They have now detached the garage from the main house and repositioned it to fit within the 120' bounding box.
- They have created a turnaround driveway in front of the residence to allow emergency vehicles to turn around.
- They increased the pull off area to allow a full size truck to pull over on the upper level.

John Cushing asked if the radius of the turnaround was large enough for a firetruck to turn around in. Mr. Allison replied that it was only sized for a large truck, not a fire truck due to the

grades. It is a private driveway, not the road. Matt Huntington stated it was a driveway coming off the subdivision road. This is not an actual roadway servicing this house. There is an easement through the property south of it that serves lot 12 & 6 in the subdivision. This is a driveway turnaround that would possibly allow for a larger SUV or ambulance. They have done the best that they can given the site and the fact that it is a residential driveway to provide access.

Sandi Aldrich stated that they were asking for approvals for a house that could not be accessed by a firetruck in case of an emergency. Mr. Huntington replied that this was part of an approved subdivision, and he detailed the easement and deed on the plans. It is his understanding that on a residential driveway, you do not have to provide access to turn a fire truck around. John Cushing said the point was, how would they get a firetruck there. He said the easement road was also for 2 other lots. Mr. Allison detailed the plans and showed where pull off would be on the easement road. Mr. Huntington detailed the roads and driveways on the site plan. John Gaddy said he did not believe that these other access roads were never presented to them in the original subdivision approvals. Mr. Huntington passed out the approval map. Sandi Aldrich asked how wide the existing gravel driveway was that crossed the neighbor's property and accessed the house was. Mr. Huntington replied approximately 12' wide. John Gaddy asked if the developer worked out easements with the landowners after they received subdivision approvals. Mr. Huntington replied that he would have no idea about that. Sandi Aldrich asked how far it was from the Diamond Ridge Road to the house. Mr. Allison replied that it was about 180'. She said that was a long way for a firetruck to reach. John Cushing explained how difficult it would be to put out a fire with these conditions. Mr. Huntington replied that he understood his concerns, but his client has no way to address these conditions on an existing easement and approved subdivision roadway. They are attempting to address these concerns, but they are constrained by the topography and previous approvals. Mr. Allison said these lots are not buildable if they are required to get a firetruck up there with the ability to turn around. The Board discussed the roads and the subdivision map amongst themselves. John Gaddy asked if the Board had to approve driveways. Atty. Muller replied that they usually do not approve driveways, NYS has regulations about access roads. He read some of them to the Board. He said Warren County enforces this code. Mr. Huntington said that this is a driveway, not a roadway so these regulations would not adhere to this. Atty. Muller stated if it was a driveway, the regulations would not apply to them. Mr. Allison said the applicant has tried to find ways to mitigate the hardship of the topography for the access. He detailed the plans as to where they could make some pull off areas. John Cushing asked how close the trees were to the access road. Mr. Allison detailed them on the plans. John Cushing discussed the issue of trees being close on the side of roads when trying to get to a fire.

John Gaddy asked if they received a variance for the height of the structure. Mr. Allison replied yes, for a skylight on the house.

John Gaddy asked about the note on the plans for stormwater detention area. Mr. Huntington said that it was grade limits to tie into existing grades at the ends of the disturbance areas.

John Gaddy inquired about a stone staircase on the plans. Mr. Huntington replied that it was.

Gena Lindyberg asked where they would be relocating the utility line. Mr. Huntington said that was a decision that was made in the field. Gena Lindyberg asked if this line was only for this site. Mr. Huntington replied yes.

John Gaddy stated that he is interested in a condition for a maintenance plan for plantings to replace any trees that die. Mr. Huntington stated that some of the view cutting has already been created, but they could create a planting plan. Mr. Allison said anything that they plant will be dwarfed by the existing tree canopy. Mr. Allison replied that the applicant did not want to disturb any more than necessary and that is why they made the house long on the one side. They maybe can to focus on planting where they are putting in septic. He is not sure what they could put in that would help. Herb Koster said the only way they can stop the clearing that John Gaddy is talking about is having hefty fines, which we don't have.

Herb Koster inquired if a fire could be fought from the other structure. Mr. Allison said it was super steep and wooded. Mr. Allison asked about the validity of a dry hydrant. John Cushing explained some of the requirements for a hydrant. They again discussed ways to facilitate the firetrucks in the event of a fire at great length.

Ann Marie Scheidegger stated that while she appreciates the concerns for fire safety, they have met the requirements of the code. If they want to change this, they need to go to the Town Board and change the code. They have done the work to meet the regulations that have been laid out.

Herb Koster asked if the town would be liable if a fire occurred. Atty. Muller said no, they haven't endorsed or indemnified it. They are only approving this because it meets the local zoning code requirement. He wondered if the County would pick this up when they go to them. That is where the liability would lie. There are no requirements for a private driveway. Gena Lindyberg asked for clarification of a private driveway and private roadway. Atty. Muller explained that this was not super clear, but there are some clues to what decides this such as the number of residences accessed of from it.

Gena Lindyberg asked if they could put fire in a suppressant system. Mr. Allison said he probably could, but this is not required under the building code and they would also have to see if the well could handle it. Sandi Aldrich said she would feel better if a fire suppressant system was installed if it could be done.

John Gaddy inquired about the SEQRA form question #17 about stormwater discharge. Mr. Huntington detailed it on the site plan.

John Gaddy asked about the filtered view document they had submitted. Mr. Huntington stated that the filtered view had already been cut. They are not planning to cut anymore trees then absolutely necessary to build the house. John Gaddy stated his goal was to keep what exists there. Mr. Huntington stated that this was the intent.

RESOLUTION:

Motion by John Gaddy to declare the Bolton Planning Board as lead agency for SPR20-09. Seconded by, Kirk VanAuken. All in Favor. Motion Carried.

Motion by John Gaddy to accept SPR20-09 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 & LWRP analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented with the following condition:

- 1) All exterior lighting is to be dark sky compliant and downward facing and shielded.
- 2) All colors are to be dark on the lake side of the structures.
- 3) The applicant maintains all the clearing limits for the filtered views as approved.

Seconded by, Kirk VanAuken. **All in Favor. Motion Carried.**

2. **SPR20-13 DOUG JOHNSON.** Represented by Gary Hughes. Seeks Site Plan Review for demolition of a garage, re-construction of the garage incorporating an apartment and stormwater management. Section 171.15, Block 2, Lot 26, Zone RM1.3. Property location 42 Horicon Avenue. Subject to SEQR, WCPA and LWRP review.

This application was tabled for additional information

3. **SPR20-14 RICHARD LARKIN.** Represented by Stefanie DiLallo Bitter. Seeks Site Plan Review for construction of a new campground/RV park, installation of new septic system, well and stormwater management. Section 184.02, Block 2, Lot 6.1, 6.2, 6.4, 6.5, 6.6 and 6.7, Zone RR5. Property location 863 East Schroon River Road. Subject to APA, SEQR, WCPA and LWRP review.

Stefanie DiLallo Bitter presented the following:

- The project is along East Schroon River Road.
- There are 104 sites are contained within.
- The property currently is divided into 7 lots.
- 6 of the lots will be merged to create a 33.5 acre parcel.
- There is an existing home that will be maintained and used as the office for the campground.
- The only other construction for the project itself is for bath houses and a utility building for electricity and a water filtration system.
- Water and sewer will be installed.
- There are 3 access points along the road frontage.
- Landscaping is proposed along the frontage for aesthetics and privacy for the campers.
- All of the camp sites are located on the upper ground, which is flat and currently an open field.
- The lower field by the river is to remain for recreational activities.
- This is in the RR5 Zone where campgrounds are presented.
- Construction plans are ASAP.

John Gaddy asked if there were dump stations for the RV on site. Mr. Larkin stated that they have added a dump station for the construction phase, and he detailed its placement on the plans.

John Gaddy asked if the recreation area would be over the septic areas. Atty. Bitter replied the leach fields, yes.

Gena Lindyberg asked if they thought it would change the traffic on East Schroon River Road. Atty. Bitter replied yes at certain times and they would structure it so that the access points would be utilized in the capacity noted so it would not impair what is happening now.

Mr. Larkin stated that a large portion of the RV sites will be seasonal and once people are there they will be coming and going on their own schedule. You will not see a hoard of people coming in on Friday night and leaving on Sunday morning. Certainly, there will be more traffic but based on their study this is will be manageable and reasonable.

John Gaddy asked about the internal driveways. Atty. Muller stated that in the early discussions they talked about the nature of the large mobile home sites that would allow them to pull in and pull on through to pull out so as not to have to back out. Mr. Larkin stated that the width was 16' which allowed plenty of room for passing. He said he went to other campgrounds and they had 14' to 18'. He would ask that the Board look at it as a private driveway. Once these campers are parked, people would be walking around so it is not like there would be a traffic jam. Atty. Muller said that the Board could grant 16' as a waiver if they deem this adequate.

John Cushing asked if the 16' width was for the roadway between the trailers and around the whole park. Mr. Larkin replied that he believes so.

John Gaddy asked if some of the trailers would be parked there indefinitely. Mr. Larkin stated he wants to have a positive impact when this is done. If the Board wants to put restrictions on this, he is open to listening to what they are saying, but the reality is if they are only having 50% of seasonal the rest are in and out. John Gaddy said not necessarily restrictive, but he wonders what the market will be. Mr. Larkin said for his purposes, he does not want to have more than 50% of them seasonal because you make more money by the week. When you allow them to leave the campers there all year, it brings in more money to pay the taxes.

Sandi Aldrich said she appreciated all the landscaping along the roadway and asked if there were plans to plant between the sites to break it up. Mr. Larkin stated his goal was to plant 2 leaf bearing trees on every site for shade and screening. They do not want anything that will grow over 25'. He said they would have shrubbery around the bath houses too. Mr. Larkin stated the trees may not be on every site.

Gena Lindyberg asked where the list of neighboring properties was. Atty. Bitter stated she would supply it.

John Cushing inquired for the plans of adequate electricity. Mr. Larkin stated he has sought advice and they are proposing 3, 400 amp services and he detailed them on the plans. This should deter any brownouts.

John Gaddy asked about #16 on the SEQRA form pertaining to 100 year flood plain. Atty. Bitter stated she used the map to get the answer.

John Cushing asked what a chlorinator was for, and what precautions they would be used for storing the chlorine on site. Mr. Larkin said that everyone in NYS that has public water is required to chlorinate it. It is his intention to employ qualified people to handle this for the first couple of years until he and his staff become more knowledgeable about how to take care of this. He would have to check with the engineers to see how much chlorine would be stored onsite. He would like to think his system would be state of art and more compliant than any other site in New York State.

John Gaddy asked if he anticipated storing or selling propane. Mr. Larkin replied no.

Atty. Muller inquired about rules and regulations prohibiting year round residency. Atty. Bitter stated there would not be year round residency, but there would be year round transient motor homes stored there. Atty. Muller said he would like to see regulations on how this would be applied. Mr. Larkin said this was a seasonal business and water would be drained at the end of the year.

Ann Marie Somma stated that the road was in rough condition in some areas and she worries about the safety for them. Atty. Muller stated that the obligation is on the town.

John Gaddy asked if they would be calling for a Public Hearing.

John Gaddy said he will be looking for downward facing and shielded lighting that was dark sky compliant.

Sandi Aldrich said she would like to see a planting plan.

Kirk VanAuken asked what the lighting plan was. Mr. Larkin stated that the lighting on the bath houses and utility building and at the entrances was all they would need. They want to keep it as limited as possible.

John Gaddy asked about the proposed colors of siding and roofing. Atty. Bitter replied that they would be using more natural colors of a wooded nature.

John Gaddy asked how the internal driveways would be surfaced. Mr. Larkin stated that he was advised to use item #4 and they would not be paving the driveways. Kirk VanAuken said item #4 will create some dust. Mr. Larkin stated that he is prepared to add #1A stone to address this as needed.

Gena Lindyberg stated she would like the rules and regulations for seasonal occupancy to be submitted.

Herb Koster inquired if 16' was enough width. Mr. Larkin stated that most of them were one-way roads. He stated that they will have employees escorting the campers to the site, and they would be able to see if anything was coming before they started out. Herb Koster asked if they would all be recreational vehicles or if there would be trucks with trailers. Mr. Larkin stated that they would be taking anything. Herb Koster said that gets back to the point of the large trucks with mirrors not being able to pass each other on a 16' road. Mr. Larkin stated that it would not

make any difference if they were one-way roads. Herb Koster stated that the entrance roads were not one-way. Mr. Larkin stated that only the main entrance would have 2-way traffic, and he could show it wider. John Cushing said it should be 20' wide at the main entrance. Herb Koster asked how they would access the existing house/office. The parking spots shown will only allow for employee vehicle parking. Mr. Larkin replied that it is his understanding that most people reserve their spots before coming, therefore there is no need to stop at the office to check in. When a group is coming in, he will have them met at the main entrance by his staff, so they can be escorted to their site. After that, they can take care of checking in if necessary.

John Cushing asked if traffic would be backed up if on the main road if there was someone trying to check in. Mr. Larkin detailed on the plans, where they have room to park people before they are escorted to site. Kirk VanAuken asked if they would have a gate house at the entrance. Mr. Larkin said they were not proposing one. John Gaddy asked who would meet the new arrivals then. Mr. Larkin replied that there would be people in that vicinity all the time. Ann Marie Scheidegger said that she can't imagine that they will not need a small structure at the entrance for someone to greet the people. Atty. Bitter said it may be worthy to have a small structure where someone could be at the entrance to greet the campers.

Atty. Muller suggested that the applicant look at the DOH regulations to make sure they meet all the criteria.

Ann Marie Scheidegger said she would like to see it put on the maps indicating that the roads are one-way. Mr. Larkin stated this could be done. Herb Koster said he thinks the 3 entrances should be at least 20' until it meets a one-way street.

Ann Marie Scheidegger asked if he was planning on any boat storage on the site. Mr. Larkin replied no.

John Cushing inquired about fire suppression. Mr. Larkin stated that fire extinguishers would be located at all buildings and the fire trucks could access the river. Mr. Larkin said he would be more than happy to talk with the fire department to show them this access area. Sandi Aldrich asked if this may be a good area to put a dry hydrant. Mr. Larkin said he would enjoy talking to them about it and let them make an assessment.

Kirk VanAuken asked if there would be a camp store. Mr. Larkin stated that they will be operating within the existing structures on the property if they do.

RESOLUTION:

Motion by Kirk VanAuken to declare the Bolton Planning Board as lead agency for SPR20-14. Seconded by, John Gaddy. All in Favor. Motion Carried.

Motion by Kirk VanAuken to table the application for additional information.

- 1) All exterior lighting is to be dark sky compliant and downward facing and shielded.
- 2) Trees noted on site.
- 3) List of the rules and regulations for seasonal rentals.
- 4) List of the neighbors.

- 5) Darker Adirondack colors on structures.
- 6) Waiver for a 16' roadway.
- 7) Regulations for chlorine storage.
- 8) All two way roads and entrances should be 20' until it meets a one-way street
- 9) A small structure at the entrance to greet and instruct new arrivals.
- 10) Roadways are marked one-way.
- 11) Consideration for the installation of a dry hydrant.
- 12) Meet all DOH Regulations for campgrounds.
- 13) Staging area for RV's at check in.
- 14) Dimensions of lots and roadways.

Seconded by, John Gaddy. All in Favor. Motion Carried.

- 4. SPR20-15 KURT JAEGER.** Represented by Charles Baker. Seeks Site Plan Review for construction of new single family dwelling, installation of new septic system, well and stormwater management. Section 139.00, Block 1, Lot 13.2, Zone RR10 and LC 25. Property location 413 County Route 11. Subject to APA, SEQR, WCPA and LWRP review.

Charles Baker of Environmental Design Partnership presented the following:

- The property was previously approved in 2008 and a driveway and stormwater was installed.
- The new owner would like to construct a slightly larger house in the same area that was previously approved.
- They are here for major stormwater.
- They have added a new drywell to capture the additional stormwater.
- They are seeking approvals for the construction of the home.

John Gaddy said that there is a 20' construction limit of disturbance outside the footprint. Mr. Baker detailed the area on the plans.

Sandi Aldrich asked if the house fits within the 125' building envelope. Director of Planning & Zoning Richard Miller, PE said it should fit.

John Gaddy asked if there was anymore anticipated clearing. Mr. Jager stated they had cleared the tall pines around the house. He was not logging the property.

John Gaddy stated that all exterior lighting is to be downward shaded and shielded. Mr. Jager stated the lighting would be downward facing and shielded and the house would be dark.

Herb Koster said that they would need to go more than 20' due to the contour.

RESOLUTION:

Motion by John Gaddy to declare the Bolton Planning Board as lead agency for SPR20-15.
Seconded by, Sandi Aldrich. **All in Favor. Motion Carried.**

Motion by John Gaddy to accept SPR20-15 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 & LWRP analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented with the following condition: 1) All exterior lighting is to be dark sky compliant and downward facing and shielded.

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

Motion by John Gaddy to accept the major stormwater project for SPR20-15 based upon the correspondence from Director of Planning and Zoning, Richard Miller PE. **Seconded by,** Sandi Aldrich. **All in Favor. Motion Carried.**

The meeting was adjourned at 8:22PM

Minutes respectfully submitted by Kate Persons.