

**Town of Bolton  
PLANNING BOARD  
MINUTES  
Thursday February 25, 2021  
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, Ann Marie Scheidegger, Gena Lindyberg, Chairman; Herb Koster, Kirk VanAuken, Director of Zoning & Planning; Richard Miller P.E. & Town Counsel; Michael Muller

**Absent:** Sandi Aldrich

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

**PUBLIC HEARING**

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 LWPR review.

Atty. Stephanie DiLallo Bitter and Zach Monroe of Winchip Design presented the following:

- They have compiled 6 lots to make a 33.5 acre project.
- This zone permits campgrounds with site plan review.
- They have proposed 104 sites which will be accommodated with water, sewer and electrical hookups.
- The applicant will be utilizing the existing structures.
- They will be constructing a 12' x 24' utility building for electric and a water chlorination system, 2 bath houses and a check in shack.
- Parking will be accommodated on each lot and they will have an area for overflow parking.
- She detailed the access points on the plans to the board.
- There are no lots being presented along the riverfront it will be mainly utilized for waterfront activities.
- Landscaping will be incorporated with this project along with 2 leafy type trees on each site for privacy.
- They are hoping to start this project right away and it will be phased.
- Lighting will be dark sky compliant.

- There will be policies and procedures for the campground.
- This campground will be seasonal only, there will not be year round campers.
- The roads are one way.
- They met with the fire department and they made some recommendations for access to the river.
- This project requires APA and DOH approvals.
- The sites will be 35' to 50' in width and 70' in length.

Ann Marie Scheidegger read a letter of support from Grace Gilbert of 908 East Schroon River Road.

No one commented from the public.

**RESOLUTION:**

**Motion by** Gena Lindyberg to close the Public Hearing for SPR20-14. **Seconded by** Kirk VanAuken. **All in Favor. Motion Carried.**

**REGULAR MEETING**

Herb Koster asked if there were any changes or corrections to the January 21, 2021 minutes.

**RESOLUTION:**

**Motion by** John Gaddy to approve the January 21, 2021 minutes as presented. **Seconded by** Gena Lindyberg. **All in Favor. Motion Carried.**

1. **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.

John Gaddy said this project was well planned out and very responsive to the Boards concerns. He asked if sites would be occupied by RV's year round if guests did yearly renewals. Mr. Larkin replied that they would be able to store them year round on their site, but in speaking with the Fire Chief, they electric would be shutoff on all of them. John Gaddy said this was a common practice at many campgrounds.

Gena Lindyberg said "well done" on the chlorination system.

John Cushing asked how far away from the river the septic and sites would be. Zach Monroe replied all sites were at least 150' from the mean high water mark and the wastewater system was well over 200'.

**RESOLUTION:**

**Motion by** John Gaddy to declare the Bolton Planning Board as lead agency for SPR20-14.  
**Seconded by** Gena Lindyberg. **All in Favor. Motion Carried.**

**Motion by** John Gaddy to accept SPR20-14 as complete; having held a 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 conditions:

1. The applicant is to disconnect the electricity to every site at the end of each season.
2. The October 26<sup>th</sup> and September 28<sup>th</sup> submission by Atty. Bitter of responses to Board requests are to be attached to the project plans and adhered to.

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

2. **SPR21-01 Bonnie View, LG LLC.** Represented by Studio A Landscape Architecture & Engineering, DPC. Seeks a conceptual review and advisory opinion from the Town Planning Board to demolish the existing hotel structures and to build a single family residence with a guest cottage, lakeside pavilion building, boathouse/recreation building and tennis court. Section 186.14 Block 1, Lot 52, 31; Zone RCH5000. Property Location: 4654 Lake Shore Drive. Subject to APA, WCPS and LWRP review.

Jeff Anthony of Studio A Landscape Architecture and Trevor Flynn of Esler and Tuck presented the following:

- They will be looking for 4 variances from the ZBA.
- They are looking for guidance right now from this Board.
- This idea is to remove 23 of the 25 existing structures.
- They are looking to create a single family residence, guest cottage, recreation building and small cabana on the lake shore.
- The proposed project will significantly reduce the intensity of use of the property and impervious surfaces.
- There are 3 existing non-compliant wastewater treatment systems on the site which will be replaced with an onsite fully compliant system.
- At this time the site does not have any stormwater management which they will be rectifying with a fully compliant stormwater management system.
- They have an extensive shoreline and they plan on restoring the vegetation to provide a buffer along the shoreline to protect the lake.
- Mr. Essler spoke on what they plan on using the property for.
- Mr. Flynn detailed the plans to the Board.
- He showed the structures that would be removed.
- The existing tennis court will stay.
- Their hope is to create a multigenerational family property.
- They would also be a proposed boathouse on an existing dock.
- The site lends itself well to the placement of the buildings.

- They are trying to reuse the existing driveway.
- They are hoping to keep many of the mature trees.
- Mr. Anthony stated they would be maintaining the existing driveway entrance on 9N.
- He detailed the changes to the driveway on the plans and the additional emergency access.
- They are landscaping the entire property.
- The lakeshore hillside area will be landscaped with woody vegetation to buffer the lake from runoff.
- They have stormwater mitigations that will handle all runoff for the entire site.
- The 3 lakeshore docks will remain.
- They will be resurfacing the existing lakeshore deck.
- They have received documentation from the LGPC on the boathouse.
- They will have significant buffer plantings to the north and south property lines.
- All exterior lighting will be dark sky compliant.
- Ms. Catellier explained the reduction of intensity of use for the property.
- Mr. Esler went over the architectural design of the plans.

John Gaddy said this was an excellent presentation.

Gena Lindyberg asked if they could move the recreation building to meet the zoning code. Mr. Flynn replied that they were rebuilding it in its existing setback. John Cushing asked why they won't wreck the 2 non-conforming buildings and move them back. Mr. Esler explained that they are repurposing existing non-conforming buildings in their existing footprints which is allowed in the code. Jeff Anthony stated the buildings have a direct use function directly to the water. The cabana is proximate to the beach and will have a restroom in it as it currently does now. The recreation building is proximate to the docks and will be connected to dock and boathouse. Mr. Flynn said it was important to note that both of these structures on the lake have failing septic systems and the client is reconstructing them in kind with an upgraded compliant system. John Cushing said they are dancing around the subject. Just move them back and make them more compliant. Mr. Esler stated that the direct answer is that the entire project is a bit of a balancing act. Rather than having 118' of house 50' from the water they have moved it 200' back from the water. The structures in question are a large part of the appeal of the property and would never be permitted again. Part of the balance is to have these functional utility buildings on the water. John Cushing said he had no issues with the main structure, the 2 most critical buildings on the property are the ones in question. He questions the proximity to the property line of the boathouse and recreation building along with the obstruction view to the neighbors. Mr. Esler stated that the view shed would not be impacted at Northward Ho by the boathouse or the structure. He said he spoke with Mr. Roessler and plans on working with them the best they can as a good neighbor, and it is not as invasive as they think. Herb Koster said that he also has concerns with the existing building in question and finds it offensive. Mr. Esler in that case, it has been offensive for the last 30 or 40 years and they will be cleaning it up considerably. John Cushing said to move the pavilion back another 20' to make it conforming does not seem like that big of an ask. He would like the recreation building to be moved back. Herb Koster stated that they would also be adding to the existing non-conforming building on the lake. Mr. Esler stated this was correct, but it would be away from the lake. He explained that the topography did not allow for the repositioning of the pavilion without turning it into a bunker in the hill. He said

they could either keep the recreation building as it is and try to pretty it up a little or actually try to improve it structurally and aesthetically. They have chosen the latter and hope they see the merits of this. This was a big appeal of the property and they have made a significant investment in purchasing this parcel and an even bigger investment in cleaning it up as opposed to developing the property into 12 condos and 3 single-family homes which would be permitted. Mr. Flynn stated that if the recreation building stays as is, the runoff from the roof currently goes directly toward the lake. The new structure is to mitigate the runoff behind the buildings. There has been a lot of thought put into the design to capture this.

Herb Koster asked if they would be putting a sundeck on the boathouse. Mr. Flynn replied that they would.

John Cushing inquired about the existing wastewater systems. Mr. Anthony explained that some of the tanks would be abandoned in place correctly and the others would be removed during construction. John Cushing asked about the environmental soil conditions of the existing systems. Mr. Anthony explained that they had a report done by CA Smith & Co. and they are assessing the recommendations now. John Cushing asked what they would be doing with any unexpected contaminates. Mr. Esler replied that they planned to remediate and remove them.

John Cushing said he had a concern with the amount of glass on the building. Mr. Esler stated they were looking to maximize the view and it will be non-reflective. He said they had made an adjustment and by lowering the structure to reduce the amount of glass.

John Gaddy inquired about the amount of boats being stored at the docks, he said it looks like he has room for 12 to 18 boats. He asked if this would be a marina. Mr. Esler replied that it would never be a marina. He currently has 2 boats and he would like to add a sailboat. He will not be renting or letting friends use it for the season, but he does foresee his growing family adding kayaks, boats and jet skis to it in the future.

John Gaddy said he had some concern on the solid size of the boathouse and was interested in the encroachment to the neighbor of the south. He asked if the siding had to be solid to the south. Mr. Esler explained that it did not but that they had 8' to 10' glass garage doors to the north and south that would be generally open most of the season to allow for a view.

John Gaddy asked if there was any consideration in moving the boathouse further north. Mr. Flynn stated they had but the existing docks did not allow for this without modification and further approvals from the LGPC. They are actually pulling the docks back a bit.

Kirk VanAuken inquired about the wastewater system for the recreation building. Mr. Anthony explained the process they would be using. Kirk VanAuken said he hoped it would be a little more industrial. Mr. Anthony said they would be having their engineer working on this.

John Gaddy said he was impressed with the reduction of the impact on the property, the proposed landscaping down by the lake, the dealing with the inadequate wastewater system and the utilization of the property. He thinks it is a nice presentation. Kirk VanAuken agreed. Mr. Anthony stated they were speaking with Mr. Navitisky to get his input on the plans.

Gena Lindyberg asked if there would be any blasting. Mr. Flynn replied yes, and Mr. Esler stated they would be doing that post October and finishing in the spring.

3. **SPR21-02 Thomas and Alisa Teurniet.** Represented by Hutchins Engineering. Seeks to build a single family residence with attached garage. Major stormwater project approved by Town Engineer. Section 171.07 Block 1, Lot 50, Zone RL3. Property Location: Lot 1, Cobblestone Court. Subject to WCPS and LWRP review.

Lucas Dobie of Hutchins Engineering and Roy Green presented the following:

- Approval was giving for a similar project in 2009 for this lot.
- The new owner purchased the property in 2017.
- They desire to build a permanent year round residence.
- They believe this project fits nicely with the existing neighborhood.
- The layout is similar to what was approved in 2009.
- They have updated the stormwater plans which he explained.
- The eave lines will be guttered.
- Their goal is to start building this spring.

Gena Lindyberg asked what the source of water was. Mr. Dobie replied that it was municipal water.

John Gaddy stated his concerns was the clearing. He would have concerns with colors and lights for this project due to the view from the lake. Mr. Dobie said they have showed realistic clearing lines and he believes the lakeview will be filtered. He believes they will be using gray toned roof and siding.

John Gaddy inquired about plantings to shield the neighbor to the east. Mr. Dobie said that a flattened berm would allow for opportunities for plantings. John Gaddy said this would be good. The Board discussed the different trees that could be used. Mr. Dobie stated he would look into what would be best.

## **RESOLUTION:**

**Motion by** Kirk VanAuken to declare the Bolton Planning Board as lead agency for SPR21-02. **Seconded by** Gena Lindyberg. **All in Favor. Motion Carried.**

**Motion by** Kirk VanAuken to accept SPR21-02 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 conditions: 1) All exterior lighting is to be downward facing and shielded. 2) A native planting plan to favorable screen the neighbor to the east with a mixture of cedar & spruce type trees must be submitted to the Planning Office and approved. **Seconded by** Gena Lindyberg. **All in Favor. Motion Carried.**

4. **SPR21-03 Kari and Joseph Matteo.** Represented by Nick Zeglen. Seeks to build a single family residence with attached garage. Major stormwater project approved by Town Engineer. Section 212.04 Block 2, Lot 15, Zone LC25. Property Location: Diamond Ridge Road. Subject to WCPS and LWRP review.

Nick Zeglen of Environmental Design Partnership, LLP. presented the following:

- They are proposing a single-family dwelling with attached garage.
- This is part of a 1993 approved subdivision.
- This was submitted as a minor stormwater project last October, but due to the movement of the house it has been kicked up to a major stormwater project.
- They have updated the stormwater to accommodate this.

Gena Lindyberg asked about question 17-19 of the SEQR form and the discharge of stormwater on an adjacent property. Mr. Zeglen addressed the questions and said the runoff will be decreasing due to all the improvements/implements, and if there was any overflow it would go to the existing stream. This would be a huge reduction to what exists now. He detailed how this would work on the plans.

John Gaddy stated he would like to see dark sky compliant lighting on the exterior.

#### **RESOLUTION:**

**Motion by** John Gaddy to declare the Bolton Planning Board as lead agency for SPR21-03.  
**Seconded by** Gena Lindyberg. **All in Favor. Motion Carried.**

**Motion by** John Gaddy to accept SPR21-03as 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 conditions: 1) All exterior lighting is to be downward facing and shielded. 2) The project is to be constructed as specified in the plans. **Seconded by** Gena Lindyberg. **All in Favor. Motion Carried.**

5. **SPR21-04 Robert O’Keefe.** Represented by AJA Architecture. Seeks to make alterations to exterior finishes, windows and doors. Add second floor addition consisting of a residential apartment over restaurant. Add covered patio extension and stairwell addition and green space. Section 171.15 Block 1, Lot 59, Zone RCH5000. Property Location: 4947 Lake Shore Drive. Subject to WCPS and LWRP review.

Andy Allison and Sarah Tuttle of AJA Architecture presented the following:

- This project received setback variances approvals at the February 23, 2021 meeting.
- This project mainly consists of a second story addition.
- There is a small addition to the north that contains the stairwell to get to the second floor.
- The main reason for the project is the beautification of the building itself.

- They also needed to clean up some of the circulation in the back of the restaurant to address some of the insurance concerns with exits.
- It is a conversion to the old apartment in the back to a new 4 bedroom apartment.
- The exterior architecture is designed to fit in with the residential/commercial feel of downtown.
- All the exterior lighting will be dark sky compliant.
- They are adding small gardens on the north side to pick up stormwater from the roof.

John Gaddy asked how big the green spaces were. Mr. Allison replied that they were approximately 8' x 6' and 8' x 4'.

Gena Lindyberg asked if they were proposing 1 apartment for both buildings. Mr. Allison stated that there is an existing apartment in the back that will have its own entrance and kitchen. The apartment being built over the existing restaurant will also have its own entrance and kitchen. He said the apartments are also connected by a connector door. Gena Lindyberg said the reason she is asking is that the town requires to parking spaces per apartment and they have only proposed 3. Mr. Allison said they were going back to the ZBA next month for a parking variance. He said they are waiting for a determination from the Director of Planning and Zoning to on whether it is considered 1 or 2 apartments.

Gena Lindyberg asked about the setbacks. Mr. Allison explained the setbacks were due to the pre-existing structure and that they would not be any more non-conforming than what is existing. Director of Planning and Zoning Richard Miller stated all but the parking variances had been granted at the ZBA meeting.

John Gaddy asked how handling of waste from the apartments and restaurant operation was going to be handled. He does not see any storage area for this. Mr. O'Keefe said that they are proposing a screened area behind the building. John Gaddy asked how that would be accessed. Mr. O'Keefe stated from the access road between the building and the townhall. John Gaddy asked how wide that area was. Mr. O'Keefe stated between 6' to 8'. He also said that there was a 4 bedroom apartment on the behind the restaurant and he has removed 2 of them.

John Gaddy asked about the plan for the upstairs balconies. He said the balcony on the west side seemed to be screened but the balcony on the east side was not. Mr. Allison said that the ZBA approved this and added restrictions on this. Director of Planning and Zoning Richard Miller stated they stipulated no storage or grilling up there. John Gaddy said he liked the idea of mixing residential and commercial, but he does not want to add to the commotion downtown. Mr. Allison said that the second story apartment was for his family. Mr. O'Keefe said it was for themselves.

Gena Lindyberg inquired about the parking. Mr. O'Keefe said that is what they are going back to the ZBA for. He said in his opinion it was a pre-existing 4 bedroom apartment and they will continue to have 4 bedrooms. They are asking for 2 spaces. Ann Marie Scheidegger said she is not clear here and asked if this was a 4 bedroom apartment or two 2 bedroom apartments. Director of Planning and Zoning Richard Miller tried to clarify this and said he was directed by the ZBA to make a determination as to whether or not this was 2 apartments. He said he would be discussing this with the Town Attorney. Mr. O'Keefe said he believes it is a 4 bedroom

apartment for one family. John Gaddy said if it is only 1 unit, he would like to know why they needed 2 decks. Atty. Miller said that there were 2 kitchens.

**RESOLUTION:**

**Motion by** Gena Lindyberg to table SPR21-04 for additional information. **Seconded by** John Gaddy. **All in Favor. Motion Carried.**

The meeting was adjourned at 8:13pm

Minutes respectfully submitted by Kate Persons.