

**Town of Bolton
PLANNING BOARD
MINUTES
Thursday May 20, 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, Kirk VanAuken, John Gaddy, Sandi Aldrich, Gena Lindyberg, Chairman; Herb Koster, Alternate; David Smith, Director of Zoning & Planning; Richard Miller P.E. & Town Counsel; Michael Muller

Absent:

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

REGULAR MEETING

Herb Koster asked if there were any changes or corrections to the April 22, 2021 minutes.

RESOLUTION:

Motion by Gena Lindyberg to approve the April 22, 2021 as presented with the following correction to page 4. It should read as follows; “*John Gaddy said that it seemed that they could move the concrete wash/dump location to south of the driveway to keep a buffer between County Route 11 and drive intersection*”. The meeting date should read April 22, 2021 not March 25, 2021. **Seconded by** Sandi Aldrich. **All in Favor. Motion Carried.**

- 1. For discussion and advice: Kimberly Dellis-** proposed mural project on the garage property located at the corner of Lake Shore Drive and Sagamore Rd., wall facing Tops Market parking area. Attached is the design proposal from the artist.

Ms. Dellis explained that she came up with an idea to paint a mural on the side of this building and the owners have agreed to allow this to come forward. They are here to see if anyone had questions about what they would be doing.

Herb Koster asked how large this mural would be and if there would be any advertising on it. Ms. Dellis said that it would cover the metal panel of the side of the building. She indicated that it would not be advertising, but they would be recognizing names of people making donations of \$500 or more.

Herb Koster asked Atty. Muller if the mural on the building for the Bear Cup with their name on it would be considered a sign. Atty. Muller replied that he would be inclined to advise the Zoning Administrator it was as sign if it had an advertising message such as the name of the business on it. To comply with the sign ordinance, it would need to be under 4 sq. ft.

John Gaddy said he appreciated that they came into discuss this, but was it required. Atty. Muller replied no. John Gaddy asked who decides what is an of mural and what is not. Atty. Muller replied the First Amendment of the United States Constitution.

Gena Lindyberg asked how long this mural will hold up without being maintained. Ms. Dellis stated she did not know and would need to consult the artist.

Sandi Aldrich asked if they had any sense of when they would be starting this project and how long it would take. Ms. Dellis replied that the artist would be starting on Memorial Day weekend by cleaning the wall and then start in June and be finished by July 1st.

Herb Koster said he did not have a problem with it at all, he just was nervous about what may come down the road. Atty. Muller replied that it is not an area that is regulated by zoning. Some municipalities have what is called a façade easement to have some say and participate in the choices along with provisions for maintenance.

Herb Koster asked if this Board could make a recommendation that the Town Board should discuss the issue of murals.

Sandi Aldrich asked if there would be any lighting on this mural. Ms. Dellis replied no.

- 2. SPR21-05 4934 Lake Shore Drive LLC.** Represented by the Environmental Design Partnership. Seeks to construct a commercial building that includes a 5,252 square foot restaurant and seven rental units on 0.33 acres with parking for 8 cars, public sewer and water and on-site stormwater management. Section 171.19 Block 2, Lot 9; Zone GB5000. Property Location: 4934 Lake Shore Drive. Subject to WCPS and LWRP review

Gavin Vuillaume RLA, of Environmental Design Partnership presented the following:

- The only remaining building is a small 2 story apartment building in the rear of the property.
- They would like to reconstruct the lodge and restaurant.
- They received the necessary variances from the ZBA.
- They have made some modifications to the original plan.
- The building is still maintaining the original setback from the street.
- The main access is the driveway to the north for the apartments and service vehicles.
- They will not be using the marina driveway.
- The restaurant is on the main first floor along with one rental unit.
- The other 6 units will be on the second floor.
- There will be no grilling or storage on the upper patios as per condition of the Zoning Board.

- He detailed the stormwater management to the Board.
- The lighting will be minimal and will be dark sky compliant.

Herb Koster asked if they would be using the basement commercially. Mr. Vuillaume replied no, not really. They would be using it for storage.

Gena Lindyberg inquired about the parking. Mr. Vuillaume replied that the parking was for the guests and the owners, not the employees.

Sandi Aldrich asked if the apartments would be short term rentals. Mr. Vuillaume replied yes.

John Cushing asked the square footage on the old building and the number of rentals in the old building. Mr. Vuillaume 42% of the site was previously occupied, and it would increase to about 45%. He said this proposed building was approximately 13,900 sq. ft. He said that there were originally 6 in the main building which were renovated into 4 suites and the back building had 4 apartments. They went from 10 altogether in the old building and they are going down to 7.

John Gaddy said that he did not want the balconies to be a “New Orleans” style addition to Main Street.

John Cushing asked about some notes on the plans. Mr. Vuillaume stated that the entire back used to be paved and now they will be adding a green space there and along the south side which did not exist before. Before they did not have stormwater and now, they would have green landscape areas to infiltrate the stormwater.

John Cushing asked if the road to the south side of the building would remain the same width. Mr. Vuillaume replied that they did not own that road it was a private road for the marina and would stay as is.

Kirk VanAuken inquired about showing the proposed access easement for the driveway on the plot plan. Mr. Vuillaume replied yes there would be an actual easement for this.

John Gaddy asked if a granted easement is forever. Atty. Muller replied that it did, and they should make sure that they request a copy of it.

John Cushing asked about signage. Ms. Somma said she would have the signs in the original spots.

Sandi Aldrich asked when construction would be starting. Mr. Vuillaume said the main construction would be in the fall and winter and hopefully be finalized by May.

RESOLUTION:

Motion by John Gaddy to declare the Bolton Planning Board as lead agency for SPR21-05.
Seconded by Sandi Aldrich. **All in Favor. Motion Carried.**

Motion by John Gaddy to accept SPR21-05 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. All exterior lighting is to be dark sky compliant and downward facing and shielded.
2. The deeded easement is to be added into the plans.
3. The applicant must adhere to the Town of Bolton hours of operation conditions for construction 8:00AM to 5:00PM with no exterior work on Saturday and Sunday.

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

3. **SPR21-10 Serendipity Boutique.** Represented by Kelly O’Neil-Teer. Seeks to add new exterior sign to area above front door and replace store sign on post in front of store. Section 171.19 Block 1, Lot 84; Zone GB5000. Property Location: 4941 Lake Shore Drive. Subject to WCPS and LWRP review.

The applicant was not present.

John Gaddy asked if they were replacing 2 signs. Director of Zoning & Planning; Richard Miller stated they were looking to replace the sign on the building and the one hanging off the building. John Cushing asked if they were quite a bit bigger. Mr. Miller replied that he thought it was a little bigger. He believes there is enough existing advertising at this site. He can’t see adding another sign.

RESOLUTION:

Motion by Gena Lindyberg to table SPR21-10 until next month. **Seconded by** Sandi Aldrich. **All in Favor.** Motion Carried.

4. **SPR 21-11 Charles Metzger and Dana Frantz.** Represented by Studio A. Seeks to construct a single family residence with access driveway, on-site wastewater treatment system, on-site well and a major stormwater permit. Section 186.00, Block 1, Lot 4, Zone RL3; Property Location: Long View Lane. Subject to LWRP review.

Matt Huntington of Studio A Landscape Architecture & Engineering, DPC presented the following:

- This is a major stormwater project.
- There are no environmentally sensitive areas.
- They will be utilizing a gravel driveway.
- They will be bringing in some fill for the onsite septic system.
- He detailed the proposed stormwater mitigations to the Board.

Gena Lindyberg inquired who the property owner was to the east. Mr. Huntington was unsure.

Gena Lindyberg asked if there were any streams running through the property. Mr. Huntington replied no streams or drainage ways.

John Gaddy asked if this was the site of the house that burned down. Mr. Huntington said no. Sandi Aldrich stated she believes that this parcel came before the Board for development and it was never done.

The Board said they want applicants to start putting out the sheets showing the proposed sites for the meetings.

John Gaddy stated that any lighting is to be downward facing and shielded.

RESOLUTION:

Motion by John Gaddy to declare the Bolton Planning Board as lead agency for SPR21-11.
Seconded by Kurt VanAuken. **All in Favor. Motion Carried.**

Motion by John Gaddy to accept SPR21-11 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. All exterior lighting is to be dark sky compliant and downward facing and shielded.

Seconded by Sandi Aldrich. **All in Favor. Motion Carried.**

5. **SPR 21-12 David and Julie Martin.** Represented by Studio A. Seeks to construct a single family residence with access driveway, on-site wastewater treatment system, on-site well and stormwater management plan. Section 200.14, Block 1, Lot 2.5, Zone RM1.3 and LC45; Property Location: 8 Basin Shore Lane. Subject to WCPS and LWRP review.

Matt Huntington of Studio A Landscape Architecture & Engineering, DPC presented the following:

- This project is on Cotton Point Road.
- It is part of a previously approved 4 lot subdivision.
- This is the first lot on the subdivision.
- The house size has been reduced in size from what was approved.
- The driveway has been reduced about 200 sq. ft.
- They have reduced the square footage of what they are looking for from the approved plan.
- The septic and well will be located in the previously approved areas.

Herb Koster stated it was not visible from the lake. Sandi Aldrich asked if it was visible from 9N. Mr. Huntington replied that it was not.

Sandi Aldrich asked said they had discussed the driveway turn radiuses when the subdivision was approved and asked if they would remain the same. Mr. Huntington replied yes.

Gena Lindyberg inquired about the number of bedrooms and baths. Mr. Hunting said it was a maximum of 4 bedrooms which was originally approved, and he assumed 2 baths.

John Cushing asked for clarification of the septic easements. Mr. Huntington said they would only be doing what was approved on the original approved subdivision plan. They will not be doing anything outside the previously approved limits

RESOLUTION:

Motion by Kirk VanAuken to declare the Bolton Planning Board as lead agency for SPR21-12. **Seconded by** John Gaddy. **All in Favor. Motion Carried.**

Motion by Kirk VanAuken to accept SPR21-12 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. All exterior lighting is to be dark sky compliant and downward facing and shielded.

Seconded by Sandi Aldrich. **All in Favor. Motion Carried.**

6. **SPR 21-13 Antoni Milewski.** Represented by Studio A. Seeks to construct a single family residence with access driveway, on-site wastewater treatment system, on-site well and a major stormwater permit. Section 171.00, Block 1, Lot 11, Zone RR5; Property Location: Potter Hill Road. Subject to LWRP review.

Matt Huntington of Studio A Landscape Architecture & Engineering, DPC presented the following:

- The driveway was previously approved and is currently under construction.
- They are not changing any of the approved project plans with the exception of the house location.
- The proposed house is smaller than what was previously approved and will be moved slightly higher up the slope.
- He detailed the septic on the plans and showed the revisions.
- The house is a smaller footprint than what was previously approved, but they are keeping the approved stormwater mitigations.
- They will be placing a detached garage in the area that was a turnaround for the driveway.
- This is the same square footage of impervious area.

Sandi Aldrich asked if the detached garage being placed in the previously approved turnaround area would affect emergency access. Mr. Huntington stated they still had the same access with a similar turnaround area.

John Cushing asked if the road was going to be 15' wide. Mr. Huntington replied that he thought that it would be, but it had been previously approved, and they will be building it to the approved plans.

Sandi Aldrich stated that the silt fences and hay bales need to be addressed now, for erosion control. Mr. Huntington said they would.

John Cushing said he would like a hammerhead for the fire trucks.

John Gaddy said he would like dark colors for the home and dark sky compliant lighting. He would also like some vegetation planted to allow a view but block the home from the lake.

Director of Zoning & Planning; Richard Miller if he had looked at the stormwater controls and if they would work. He said he hoped it would be.

The Board discussed areas for a turnaround for emergency vehicles with the applicant to try and figure out if and where this might be created within 150' of the house. Mr. Milewski stated that he thinks there may be an area near the garage that would allow for this.

RESOLUTION:

Motion by John Cushing to declare the Bolton Planning Board as lead agency for SPR21-13.
Seconded by John Gaddy. **All in Favor. Motion Carried.**

Motion by John Cushing to accept SPR21-13 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. All exterior lighting is to be dark sky compliant and downward facing and shielded.
2. The house colors must be of a darker hue.
3. Work at providing a turnaround area for the emergency vehicles within 150' of the home.
4. Landscaping to break up the expanse of the house.
5. Dimensions on the site plan for the road and turnaround.

Seconded by Sandi Aldrich. **All in Favor. Motion Carried.**

SUBDIVISION APPLICATION

1. **SD21-02 Twin Bolton Residential Subdivision.** Represented by Studio A. Subdivision for six townhouses (two triplex units) and 15 single family lots. Section 186.6, Block 1, Lot 14 and Section 186.7, Block 1, Lot 13, Zone RM1.3 and RL3; Property Location: 4770 Lake Shore Drive. Subject to WCPS and LWRP review.

* This application was tabled to the June 2021 meeting*

The meeting was adjourned at 7:25PM

Minutes respectfully submitted by Kate Persons.