

**Town of Bolton**  
**PLANNING BOARD MINUTES**  
**Thursday, July 13, 2023**  
**6:00 p.m.**  
**Town of Bolton Town Hall**

SEQR = State Environmental Quality Review  
PB = (Town of Bolton) Planning Board  
WCPS = Warren County Planning Staff  
APA = Adirondack Park Agency  
LGPC = Lake George Park Commission  
DEC = Dept. of Environmental Conservation

**Present:** Planning Board Members; Chairman Herb Koster, John Cushing, Kirk VanAuken, Sandi Aldrich, John Gaddy, David Smith, Gena Lindyberg, Director of Zoning & Planning - Joshua Westfall, AICP & Town Counsel – Brian Reichenbach

**Absent:**

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

Herb Koster asked if there were any changes or corrections to the June 15, 2023 minutes.

**RESOLUTION:**

**Motion by** Gena Lindyberg to approve the June 15, 2023 minutes as presented. **Seconded by** David Smith. **All in Favor. Motion Carried.**

**Regular Meeting**

1. **SPR 23-10 Levins.** Represented by Gavin Vuillaume, EDP. Applicant seeks Type II Site Plan Review for proposed construction of fifteen townhouse units and two single family homes. Zoning District RL.3. SBL: 140.00-1-53. Location: North Bolton Road. Subject to APA, WCPS, SEQRA and LWRP Review

Gavin Vuillaume, of EDP presented the following:

- They subdivided a 196 acre parcel back in February.
- This parcel is 75 acres and known as lot 3.
- They are proposing 15 town house units and 2 single family homes.
- They are proposing a single access large enough to provide room for emergency vehicles.
- They have provided maps showing the distances from the wetlands.
- They will only impact under 1/10 of an acre which is minimal.
- They will get feedback from the Army Corp. of Engineers.
- They would like to start the project in late fall if they receive approvals.
- He detailed the stormwater management that is proposed.
- They have provided copies of the building plans.
- They have staked out the road and cul-de-sac.

Gena Lindyberg inquired about building plans and Mr. Vuillaume replied that they were included in the packet.

David Smith asked if there would be any signage along the road for the development. Mr. Vuillaume replied that he did not believe they would. David Smith explained that they would need approval if they decided they wanted to.

John Cushing said it looked like the roadway and some of the buildings were in the wetlands or encroaching on them. Mr. Vuillaume depicted the wetlands and stated that they were at least 60' to 70' back from the wetlands. John Cushing stated that it seemed as though this was too close to the wetlands, and he did not like the road going through it. Mr. Vuillaume stated that they would be using a minimal amount of fill to cross the wetlands and they are proposing 3 culverts in order to make sure the drainage could adequately drain to the other side. John Cushing asked if the code was 100' from the wetlands. It is his opinion that they are encroaching too much on the wetlands, and he would like to have an environmental engineer look at the plans and give his opinion. Mr. Vuillaume stated that this was fine.

John Gaddy asked what they proposed for the roadways. Mr. Vuillaume replied gravel.

Gena Lindyberg asked if it was possible to move back 100' from the wetlands. Mr. Vuillaume stated that they could try to move them to be closer to the 100'.

Herb Koster stated that they are showing clearing for the stormwater mitigations within 5' to 10' of the wetlands and that does not bode well. Mr. Vuillaume stated they could try to get more, but that is the lowest part of the parcel. John Cushing stated he would like the Board to consider that this should be designed to meet maximum separation from the wetland. He said this is critical.

David Smith stated that it was hard to tell but by the topography it looked as though they could shift it. Mr. Vuillaume said he believes they could improve on it and get creative for the protection of the wetlands.

John Gaddy asked if they were able to coordinate trail development on this property with adjoining properties owned by NY State and the Land Conservancy. Mr. Vuillaume stated he was not able to get his hands on a map from them. He asked if they had a contact person. John Gaddy suggested the LGLC. Mr. Vuillaume said they could certainly make connections for this. Herb Koster stated that this was private property, and they get into liabilities which need to be covered.

Sandi Aldrich inquired about affordable housing. Mr. Levins stated that this was their goal and Mr. Vuillaume stated that they would be talking to Josh about this. He said they were definitely interested in this.

Gena Lindyberg asked about investigation of the wetlands. Mr. Vuillaume stated that there are no defined stream channels in the area they are crossing. He said he would get the Board better information on this. Herb Koster asked who laid out the wetlands. Mr. Vuillaume stated his wetland specialist flagged it. He stated that they would be submitting this to the APA after tonight's meeting for their review.

John Cushing commented that he believes the swamp ends up in the brook.

John Gaddy asked about consideration of sidewalks or pedestrian pathways. Mr. Levins stated that they did not plan on this, they were trying to keep it as natural as possible.

Gena Lindyberg inquired about basements. Mr. Vuillaume stated they would not have basements.

Herb Koster asked about the change of grade for the unit across the road that is near the wetlands. Mr. Vuillaume stated that they will look to see if they can move it further away. He said that if they could tighten up right of way setbacks it would help them maintain some of the separations. Director of Planning and Zoning Josh Westfall stated that it would need a variance. Mr. Vuillaume said that they would look into this, and they will see what they can do.

Mr. Vuillaume said they will go back to the drawing board to address the comments and submit to the APA for a JIF.

John Gaddy stated that he would like all exterior lighting to be dark sky compliant and a construction schedule. Mr. Vuillaume said that was doable.

Herb Koster stated that they would like to see the triplex unit moved further away from the wetland. Mr. Vuillaume explained that they would just need to slide the road out, which they could do.

#### **RESOLUTION:**

**Motion by David Smith to table SPR23-10 for additional information. Seconded by Sandi Aldrich. All in Favor. Motion Carried.**

- 2. SPR22-28 Galeano Campground.** Represented by Brandon Ferguson, EDP. Applicant seeks Applicant seeks Type II Site Plan Approval for the construction of a four-site campground. Stormwater control measures and sewage disposal will also be considered and onsite. District RR10 and LC 25. SBL 123.00-2-1. Location: 193 Hendrick Road. Subject to APA, WCPS, SEQRA and LWRP Review.

*\*This Item was tabled at the applicant's request\**

- 3. SD23-03 Seamans.** Applicant seeks minor subdivision approval of 5.11 acres into conforming lots per §200-15. Zoning District RR5. SBL 199.06-1-1 Location: 4 Woodland Lane. Subject to APA, WCPS, SEQRA and LWRP Review. NOTE: Subject to ZBA approval of V23-16 (related to density for principal structure), being heard on July 11, 2023.

Andrea & Brett Seamans presented the following:

- They applied for a variance after being told that they could subdivide by Josh Westfall.
- They had it surveyed and submitted all the applications and plans and were told that it was an error.
- The purpose of this subdivision is to sell the bigger house with many stairs and build a more usable home for them to retire to.
- There would be minimal disturbance to the land.
- The APA inquiry showed no wetlands, and they meet all the setbacks for the structure.
- They have agreed to protect the trees in the buffer zone between properties and push the home forward in the building envelope, along with a privacy hedge at the back of the building envelope.

John Gaddy inquired about the neighboring properties. Dan Sheridan explained the location.

Herb Koster inquired about the missing contour lines on the subdivision maps. Josh Westfall stated that they require them.

Gena Lindyberg inquired about the road in the middle of the property. Mrs. Seamans explained that they owned it, but it was a right-of-way for the parcels in the back. Mr. Seamans stated that they would use this road to access the new parcel.

Herb Koster asked about the setbacks. Josh Westfall explained that the setback was 100' from the scenic corridor and 50' from the right-of-way road.

John Gaddy asked about the 50' easement and if it needed to be more specific. Herb Koster stated that it should have metes and bounds on it. Josh Westfall said that it was a mapped easement and was pretty set.

Gena Lindyberg asked if the shed like structure could be removed. Mr. Seamans replied yes, they would probably just take it down, it is just for firewood.

John Gaddy inquired about the easement. Josh Westfall stated this easement was mapped and deeded for all the properties. Sandi Aldrich stated that they could put metes and bounds on the right-of-way. John Cushing asked who maintained the road. Mr. Seamans stated that the rear property owners maintained it. Mrs. Seamans stated that they owned it and the property owners in the rear maintained it.

**RESOLUTION:**

**Motion by** John Cushing to declare the Bolton Planning Board as lead agency for SD23-03.  
**Seconded by** David Smith. **All in Favor. Motion Carried.**

**Motion by** John Cushing to accept SD23-03 as complete, waive a public hearing, and having met the criteria set forth in the code, convert to final plat and grant final approval of the project as presented with the following conditions:

1. Applicants must return to the Planning Board for Site Plan Review for the construction of the new home.
2. The Subdivision map must have 2' contours for elevation.

3. All exterior lighting must be downward facing and shielded.
4. The structure must be built at the very front of the building envelope.
5. There are to be no trees cut within the 50' rear setback.
6. A Hedge for screening purposes consisting of arborvitaes or other coniferous trees, that may provide for higher-level screening and view protection for rear properties is to be planted at the rear edge of the allowable clearing envelope.
7. No cutting of trees beyond the 20' building envelope in accordance with §200 of the zoning code.

This motion includes a SEQR & LWRP analysis and findings of no negative environmental impacts with all aspects favorable to the application as presented. **Seconded by David Smith. All in Favor. Motion Carried.**

The meeting was adjourned at 6:49 PM.

Minutes respectfully submitted by Kate Persons.