

SPECIAL MEETING  
BOLTON TOWN BOARD

March 9, 2022

Regular Meeting:

Supervisor: Ronald Conover  
Councilmember: Robert MacEwan (Absent)  
Councilmember: Brendan Murnane  
Councilmember: Wanda P. Cleavland  
Councilmember: Susan Wilson  
Town Clerk: Jodi Petteys  
Counsel: Brian Reichenbach (Absent)  
Director of Planning & Zoning: Richard Miller

Meeting Called to Order: 2:00PM.

Pledge: Councilmember Murnane

**Convene as Town of Bolton Board of Health**

**RESOLUTION #79**

Councilmember Cleavland moved, seconded by Councilmember Murnane to convene as the Town of Bolton Local Board of Health. **All in Favor. Motion Carried.**

**PUBLIC HEARINGS:**

Public Hearings: **SEPTIC VARIANCE** – Parcel ID# 200.14-1-10 – Schwerman; Property Location: Cotton Point Road

Public hearing regarding a variance sought for installation of a new septic system at the above referenced parcel. The existing site soil conditions and limited area available to the applicant demonstrate that neither a conventional wastewater system nor an enhanced treatment unit can be feasibly placed on the property and utilized in a safe and effective manner. It is proposed to install two 2,000 gallon holding tanks and alarm system. As Town Engineer I, Richard Miller P.E., would recommend approving the proposed new septic system.

In accordance with Resolution #186 set forth by the Town Board on September 1, 2009 Local Board of Health review is required for a septic system upgrade. The following variances are sought:

1. Horizontal separation from holding tank to Lake George, 50 feet required, 47 feet is proposed and was approved by the Zoning Board of Appeals on February 8, 2022.
2. Installation of two 2,000 gallon holding tanks and alarm system.

- Resolution to close the Public Hearing

### **RESOLUTION #80**

Councilmember Cleavland moved, seconded by Councilmember Murnane to close the Public Hearing. **All in Favor. Motion Carried.**

Dennis MacElroy of Environmental Design presented the following for the variance requests:

- This involves property on Cotton Point which is a peninsula shape with water on both sides.
- They believe it is timely to replace this system for the home that has been in his family for decades.
- The only solution in this area is holding tanks due to the proximity of the Lake.
- He was confused about the requirement of a variance from the ZBA in the new septic code.

Councilmember Wilson asked if this was on an individual lot. Mr. MacElroy said the Association has two parcels. The parcel they are looking at is the one facing the bay. They clarified the tax map# as being 200.14-1-10.

Councilmember Cleavland asked if there were any wells in the Association. Mr. MacElroy stated there was one well in the Association which he depicted on the plans.

Councilmember Wilson inquired about alarms and shutoff valves. Mr. MacElroy explained the different alarms and shutoffs.

- Resolution establishing Town of Bolton as Lead Agency.

### **RESOLUTION #81**

Councilmember Cleavland moved, seconded by Councilmember Murnane to declare the Bolton Town Board as Lead Agency under SEQRA for the proposed septic variances for Parcel ID#

200.14-1-10 – Schwerman; Property Location: Cotton Point Road. **All in Favor. Motion Carried.**

- Resolution regarding SEQRA & LWRP determinations.

SEQRA

1. Do any of the Board Members have concerns with any of the items listed 1 through 20 in Part 1, on the SEQRA Form as submitted by the applicant? No
2. Will the proposed action impact any of the items listed 1 through 11 in Part 2 of the SEQRA Form? No
3. Do the Board Members agree that this project will result in no adverse impacts on the environment; and therefore, an environmental impact statement need not be prepared?  
Yes

LWRP

Do any of the Board Members have concerns with any of the items listed in Part C., 1 through 3 of the LWRP Waterfront Assessment Form. No

Based upon the materials submitted and accepted as part of the record, our findings are as follows:

- A. The Applicant’s SEQRA & LWRP submissions, and our analysis of the issues presented, demonstrates that there are no significant environmental impacts or concerns, and it is hereby determined that the action to be taken is consistent with the Town of Bolton Local Waterfront Revitalization Program policies and standards.
- B. The applicant has provided clear and complete responses to issues recited in the SEQRA questionnaire and based upon all information reviewed by this lead agency in its SEQRA analysis, including a thorough “hard look” and consideration of the applicant’s entire submission, and upon all board and public comments received, it is appropriate in the opinion of this lead agency to make a finding that the proposed action will result in no adverse environmental impacts and that any identified adverse environmental impacts will not be significant, or where identified, are sufficiently mitigated by virtue of the conditions imposed in granting approval.

**RESOLUTION #82**

Councilmember Wilson moved, seconded by Councilmember Murnane to make a negative declaration with regard to SEQRA & LWRP for the installation of a new septic system, for Parcel ID# 200.14-1-10 – Schwerman; Property Location: Cotton Point Road. **All in Favor. Motion Carried.**

- Resolution for the proposed variances installation of a new septic system for Parcel ID# 200.14-1-10 – Schwerman; Property Location: Cotton Point Road.

### **RESOLUTION #83**

Councilmember Wilson moved, seconded by Councilmember Cleavland having declared the Bolton Town Board as Lead Agency and having held a public hearing and made a Negative Declaration for the SEQRA Application and a positive determination of consistency for the LWRP Application, I make a motion to approve this variance for the installation of two 2,000 gallon holding tanks on Parcel ID #200.14-1-10 as approved by Richard Miller, PE Director of Planning and Zoning with the following conditions:

1. There shall be no water treatment systems, garbage grinders or jacuzzi tubs installed in the structure.
2. All water fixtures shall be converted to low flow type within six months after installation of holding tanks.

**All in Favor. Motion Carried.**

## **Reconvene as the Bolton Town Board**

### **RESOLUTION #84**

Councilmember Murnane moved, seconded by Councilmember Cleavland to reconvene as the Bolton Town Board. **All in Favor. Motion Carried.**

Public in Attendance:

New Business:

- Resolution authorizing the Supervisor to obtain a municipal credit card for the Town of Bolton.

Supervisor Conover explained that they had been working with Warren County to move forward with this.

### **RESOLUTION #85**

Councilmember Murnane moved, seconded by Councilmember Wilson to authorize the

Supervisor to obtain a municipal credit card for the Town of Bolton. **All in Favor. Motion Carried.**

- Resolution to authorize the supervisor to acknowledge receipt of an auditor's inquiry letter and he is hereby directed to provide a signed reply to the certified public accounting firm of Marvin and Company P.C. confirming that the accounting firm's inquiry to the Town in furtherance of a 2021 audit of the Town of Bolton Local Development Corporation's that there remains due and owing an unpaid principal indebtedness owed to the Town in the amount of two million dollars with interest and further confirm that the principal and interest payments are deferred until such time that the Town Board deems them necessary.

**RESOLUTION #86**

Councilmember Cleavland moved, seconded by Councilmember Wilson to authorize the supervisor to acknowledge receipt of an auditor's inquiry letter and he is hereby directed to provide a signed reply to the certified public accounting firm of Marvin and Company P.C. confirming that the accounting firm's inquiry to the Town in furtherance of a 2021 audit of the Town of Bolton Local Development Corporation's that there remains due and owing an unpaid principal indebtedness owed to the Town in the amount of two million dollars with interest and further confirm that the principal and interest payments are deferred until such time that the Town Board deems them necessary. **All in Favor. Motion Carried.**

- Resolution authorizing the Supervisor to enter into contract with C.T. Male Associates for gas and groundwater monitoring testing for 2022 at the Bolton Landfill in an amount not to exceed \$5,108

**RESOLUTION #87**

Councilmember Murnane moved, seconded by Councilmember Wilson to authorize the Supervisor to enter into contract with C.T. Male Associates for gas and groundwater monitoring testing for 2022 at the Bolton Landfill in an amount not to exceed \$5,108. **All in Favor. Motion Carried.**

Adjourn

**RESOLUTION #88**

Councilmember Cleavland moved, seconded by Councilmember Murnane to Adjourn. **All in**

**Favor. Motion Carried.**

Meeting Closed: 2:20PM

Minutes respectfully submitted by:

Jodi Petteys  
Town Clerk

Katie Persons  
Minute Taker