

DEREK DOTY  
SUPERVISOR  
LAURIE C. DUDLEY  
TOWN CLERK/ TAX COLLECTOR  
523-2162  
RICHARD CUMMINGS  
EMILY KILBURN POLITI  
JASON LEON  
RICK PRESTON  
TOWN COUNCIL  
KENNETH PORTER  
SUPT OF HIGHWAYS  
523-9081  
CATHERINE EDMAN  
BUDGET OFFICER  
523-9517

# TOWN OF NORTH ELBA

2693 MAIN STREET  
LAKE PLACID, NEW YORK 12946  
phone: (518) 523-9516 fax: (518) 523-9569  
web: www.northelba.org



EUGENE MARTIN  
PARK DIST MGR  
523-2591  
MIKE ORTICELLE  
DARCI LAFAVE  
CODE ENFORCEMENT OFFICIALS  
523-9518  
TODD ANTHONY  
ASSESSOR  
TEL 523-1975  
FAX 523-9821  
TOWN COURT OFFICE  
523-2141  
MARK SCHACHNER  
ATTORNEY FOR THE TOWN

## REVIEW BOARD MEETING MINUTES February 2, 2022

### MEMBERS PRESENT

Rick Thompson  
Chip Bissell  
Bob Rafferty  
Dave Genito  
Peter Aliferis  
Laura Yerkovich

### MEMBERS ABSENT

Bill Walton

### ALSO PRESENT

Tim Smith, Board Attorney  
Mike Orticelle, Code Enforcement Officer  
Terry Tubridy, Planning & Zoning Coordinator

Mr. Thompson opens the meeting at 5:30 PM.

### Peterson, James & Jill (Case #1178)

Mr. Joe Garso, North Woods Engineering, and Mr. Alex Marklund, Viking Woodworking & Construction LLC, present as applicant's representatives.

Mr. Garso: describes the project as a 2-story cabin with a billiard room and bathroom on the first floor and sleeping space on the second floor. Utilities include septic connections to the existing community septic field, electric from the existing onsite drop, and water from the lake. A jurisdictional inquiry form has been submitted to the APA.

Mr. Aliferis: asks about the building on the far left of the drone photos.

Mr. Garso: it is the neighbor's house.

Mr. Thompson: asks how many trees will be removed for construction.

Mr. Garso: approximately 7-8 trees will be removed but depends on conditions during construction. Most of the trees are located in a 35-ft APA No-Cut zone.

The Board agrees the drone photographs are sufficient to forego a site visit.

A Notice to Neighbors hearing is directed for the next meeting on this case.

Mr. Smith: project is Type II for SEQR.

End of discussion for Case #1178.

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These minutes were reviewed by the Board on 2/16/2022. Mr. Thompson made a motion to approve the minutes as written. Mr. Walton seconded the motion. All members voted in favor. The motion was approved 7-0.



Richard Thompson, Chairman  
Review Board

|                 |                    |
|-----------------|--------------------|
| <b>RECEIVED</b> |                    |
| Date:           | 2/28/2022          |
| Town Clerk      | <i>[Signature]</i> |
| Date:           | 2/25/2022          |
| Village Clerk   | <i>[Signature]</i> |

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#### MEMBERS ABSENT

Bill Walton

#### ALSO PRESENT

Tim Smith, Board Attorney  
Mike Orticelle, Code Enforcement Officer  
Terry Tubridy, Planning & Zoning Coordinator

#### Peacock, Gregory (Case #1177)

Charlie Huffman present as applicant's representative.

Mr. Thompson: refers to Mr. Peacock's email agreeing to fix the portion of the parapet/façade wall outside the proposal for Case #1179.

Mr. Huffman: the parapet/façade work is not part of this proposal. My responsibility is to remodel the sunroom portion of the building and repair a failing porch support post. The proposed gables over the new windows will look similar to those on Aubuchon Hardware.

Mr. Bissell: asks about the gable roof pitch. Thinks 8/12 to 12/12 would look good.

Mr. Huffman: the roof pitch will be scaled to the building and should be around 6/12, but no less than 4/12, in pitch.

Ms. Yerkovich & Mr. Bissell: ask if Mr. Peacock is required to submit a drawing for the entire building for a Gateway Corridor project.

Mr. Thompson: the sketch plan is sufficient. Engineering drawings are not required.

Mr. Orticelle: this is a renovation project for an existing building. The Board is requiring the gable dormers and is not what the applicant submitted. The applicant is focused on repairing leaky windows. Plans for a building permit are more detailed than plans for a Review Board hearing. This project can be approved separately with the gable roof design or all as one with the gables and parapet/facade. Businesses will stand out with their signs; particularly the BBQ project. However, the Board should make all effort to avoid creating an undue financial hardship for an applicant.

Mr. Bissell: this is a Gateway Corridor district in a Viewshed Overlay and the Board has oversight authority. The Board makes more than suggestions when a new building is constructed or renovations are proposed for existing buildings.

Mr. Orticelle: the Board needs to carefully vet this according to Code. With regard to the other end of the building, some seating is proposed and there will be parking requirements. Please read the Code for those requirements and, if desired, request a seating plan. This project is mainly aesthetic and Mr. Peacock does not have to do any of the work to fix the windows or to improve the parapet/façade wall. He could decide to do nothing. We do not want to create a situation where we get nothing when we could have some improvements.

Mr. Thompson: the applicant has substantially met our desired changes and it can be left to the Bldg Dept to ensure the project is visually pleasing and satisfies our intentions. Expresses a desire to include Mr. Peacock's agreement to improve the parapet/façade wall with this project or the BBQ project.

Mr. Huffman: states he has no involvement or responsibility for the parapet/façade wall improvement.

Mr. Genito makes a motion to approve the project as proposed, subject to the following conditions:

- a. Original architectural and site design plans, including a gable dormer/roof design, are approved as submitted. Any and all changes or additions to the plans, specifications, materials, or engineering must be submitted in writing for further review and approval by the Review Board.
- b. This approval does not address or make any findings regarding applicable deed restrictions, covenants, or other title conditions. This approval does not excuse the applicant from obtaining all other necessary governmental approvals, including but not limited to the New York State Building Code, Adirondack Park Agency, New York State Department of Environmental Conservation, New York State Department of Health, and/or Army Corps of Engineers.
- c. Further, this review does not authorize any actual construction. Final plans, specifications, and construction documentation approval must be obtained through the Building Department.
- d. **NO** construction may commence without construction documents signed by the Code Enforcement Official.

Mr. Rafferty seconds the motion.  
All present members vote in favor. The motion is approved 6-0.

Case #1177 closed.

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These minutes were reviewed by the Board on 2/16/2022. Mr. Thompson made a motion to approve the minutes as written. Mr. Walton seconded the motion. All members voted in favor. The motion was approved 7-0.



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Richard Thompson, Chairman  
Review Board

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|-----------------|-----------------------|
| <b>RECEIVED</b> |                       |
| Date:           | <u>2/28/2022</u>      |
| Town Clerk      | <u>Jannet Bradley</u> |
| Date:           | <u>2/25/2022</u>      |
| Village Clerk   | <u>Anita Esby</u>     |

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## REVIEW BOARD MEETING MINUTES February 2, 2022

### MEMBERS PRESENT

Rick Thompson  
Chip Bissell  
Bob Rafferty  
Dave Genito  
Peter Aliferis  
Laura Yerkovich

### MEMBERS ABSENT

Bill Walton

### ALSO PRESENT

Tim Smith, Board Attorney  
Mike Orticelle, Code Enforcement Officer  
Terry Tubridy, Planning & Zoning Coordinator

### Gravatt, Jonathan & Meghan/West Shore BBQ (Case #1179)

Jonathan & Meghan Gravatt and Jessica McCluskey present.

Mr. & Mrs. Gravatt: the proposed project includes changing the use of, and remodeling, building space previously used by Speedy Spa Massage. The interior space will be remodeled for customer access to pick-up their food orders. A walk-in cooler will also be inside. Exterior work includes construction of a pavilion covering two smokers and remodeling of the parapet façade on the roof section above their business. Business will be seasonal, June to October, but may also open for large events. Smokers do not cook well in cold weather. With regard to smoke emissions, traditional Texas-style smokers used open-pit fires that created heavy smoke. New smokers are highly efficient with an insulated firebox using a small amount of wood which is fully combusted. Smoke emission may start out white but becomes blue and mostly transparent when smokers are at temperature.

Mr. Thompson: lived in Texas and smokers can create a large amount of smoke. Some jurisdictions required a smoke-limiting feature on smokers and some jurisdictions had no

restrictions and lots of smoke. Smoke is my main concern. Are there any Dept of Health concerns?

Mr. Gravatt: no.

A general discussion involved the possible reorientation of the smoke house pavilion to be placed parallel to the side of the building. Ms. McCluskey stated it was a possibility.

Mr. Aliferis: asks if parking is sufficient.

Mr. Gravatt: the business is take-out only and proposed parking is in accordance with our understanding of Code information received from the Bldg Dept.

Mr. Orticelle: urges Board members to read the Code on parking requirements.

Ms. McCluskey: the parapet façade wall will be finished with siding and paint color to match the building siding/color. Trim will be painted dark brown. The smoke house pavilion colors, including green asphalt roof shingles, will match the main building. The proposed railing on the porch provides a visual separation from the parking lot. Changes will be made to existing storage space to facilitate easier employee access.

Mr. Thompson: asks about signage.

Mr. Gravatt: we are in the early stages of design for signs.

Mr. Bissell: suggests modifying the parapet/façade wall to show a separation from the BBQ business and the other businesses in the building.

Mr. Thompson: concerned about the mass of the building but it would be helpful if some features were consistent for the entire building exterior. Refers to Mr. Peacock's email agreeing to a coordinated appearance for the parapet/façade wall and to finance the portion of the wall not within the scope of the BBQ business.

Mr. Bissell: it might not be a good idea to have the entire building look the same.

The Board engages in a discussion of possible or desirable design features for the building exterior.

Ms. McCluskey: offers to provide some exterior design options.

Mr. Gravatt: clarifies he is not responsible for any design or work beyond what has been presented for his business.

Mr. Smith: this is less than 4,000 sqft and is Type II for SEQR.

A public hearing is announced for this case's next meeting (expected on 3/2/22).

The Board decides no site visit is required.

End of discussion for Case #1179.

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These minutes were reviewed by the Board on 2/16/2022. Mr. Thompson made a motion to approve the minutes as written. Mr. Walton seconded the motion. All members voted in favor. The motion was approved 7-0.



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Richard Thompson, Chairman  
Review Board

|                 |                            |
|-----------------|----------------------------|
| <b>RECEIVED</b> |                            |
| Date:           | <u>2/28/2022</u>           |
| Town Clerk      | <u>Annellee A. Buckley</u> |
| Date:           | <u>2/25/2022</u>           |
| Village Clerk   | <u>Amelia Esq</u>          |



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Laura Yerkovich

### MEMBERS ABSENT

Bill Walton

### ALSO PRESENT

Tim Smith, Board Attorney  
Mike Orticelle, Code Enforcement Officer  
Terry Tubridy, Planning & Zoning Coordinator

### Board Business

#### Meeting Minutes of 2/2/2022

Mr. Thompson makes a motion to approve the minutes as written.  
Ms. Yerkovich seconds the motion.  
All present members vote in favor. The motion is approved 6-0.

Meeting adjourns at 6:35 PM.

These minutes were reviewed by the Board on 2/16/2022. Mr. Thompson made a motion to approve the minutes as written. Mr. Walton seconded the motion. All members voted in favor. The motion was approved 7-0.

Richard Thompson, Chairman  
Review Board

|                 |                  |
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| <b>RECEIVED</b> |                  |
| Date            | 2/28/2022        |
| Town Clerk      | Laurie C. Dudley |
| Date            | 2/25/2022        |
| Village Clerk   | Christa Eska     |