

DEREK DOTY
SUPERVISOR
LAURIE C. DUDLEY
TOWN CLERK/ TAX COLLECTOR
523-2162
RICHARD CUMMINGS
EMILY KILBURN POLITI
JASON LEON
RICHARD 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 WHITNEY
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 March 2, 2022

MEMBERS PRESENT

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

MEMBERS ABSENT

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.

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

Jonathan & Meghan Gravatt present as applicants.

Mr. Thompson: reviews the proposed project for a take-out BBQ business. Asks about the request for Applicant to investigate a 90-degree reorientation of the smoker pavilion.

Mr. Gravatt: turning the pavilion does not work. It obscures the end of the building and creates an undesirable change in the traffic between the pavilion and the building.

Public hearing opened at 5:33 PM.

Public notice published in the Adirondack Daily Enterprise on 2/17/2022. Eight notices sent to neighbors within 200 ft and six postcards returned. No written comments received.

No public comments.

Public hearing closed at 5:35 PM.

A discussion of parking revealed 10 spots are provided and there are no issues as there is no inside seating and outside seating is limited to those waiting to pick-up their order.

Mr. Rafferty makes a motion to approve the project, subject to the following conditions:

- a. Architectural and site design plans 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. The Review Board will retain continuing jurisdiction over the exterior lighting plan and the wattage and shielding of lights, until one year after the improvements have been completed, and during this one-year period the Review Board may prescribe modifications if it sees fit to mitigate adverse impacts from the project's lighting.
- c. The Review Board will retain continuing jurisdiction over the planting plan aspects of the project, until one year after all plantings have been completed, and during this one-year period the Review Board may prescribe additional plantings if it sees fit to mitigate visual impacts. Plantings which do not survive shall be replaced in kind, whether before or after the one-year period.
- d. The Review Board will retain continuing jurisdiction over the stormwater management plan aspects of the project, until one year after improvements have been completed.
- e. 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.
- f. Further, this review does not authorize any actual construction. Final plans, specifications, and construction documentation approval must be obtained through the Building Department.
- g. **NO** construction may commence without construction documents signed by the Code Enforcement Official.

Mr. Walton seconds the motion.

All members vote in favor. The motion is approved 7-0.

Case #1179 closed.

These minutes were reviewed by the Board on 3/16/2022. Mr. Thompson made a motion to approve the minutes as written. Mr. Aliferis seconds the motion. All present members vote in favor (Mr. Walton absent). The motion is approved 6-0.

Richard Thompson, Chairman
Review Board

RECEIVED	
Date:	3/18/2022
Town Clerk	<i>Lauren P. D'Amico</i>
Date:	3/21/2022
Village Clerk	<i>Christina A. Esposito</i>

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MEMBERS PRESENT

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

MEMBERS ABSENT

ALSO PRESENT

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

McGraw, Jane (Case #1181)

Andrew Thompson, Cascade Builders, present as applicant's representative.

Ms. Yerkovich: recaps the Board's site visit of 2/22/2022. The footprint of the proposed pavilion was clearly staked out. Three trees have been identified for removal within a No-Cut zone and applicant is awaiting approval from the APA.

Mr. Thompson: confirms there have been no changes to the application since the site visit.

Notice to Neighbors: 10 notices sent to neighbors within 200 ft via certified mail. 2 postcard receipts returned. No written comments received.

Mary Shubert: asks about lighting as she lives across the lake channel and can see the house lighting from her property.

Mr. Thompson: lighting will be under the roof. No lighting will be placed on columns.

Mr. Rafferty: expresses the Board's concern about spark emissions from the chimney with regard to the pavilion's location in the wooded location.

Mr. Thompson: will present the spark emissions concern to the architect.

Mr. Orticelle: the building code addresses fire safety concerns.

Notice to Neighbors closed.

Mr. Thompson makes a motion to approve the project, subject to the following conditions:

- a. Architectural and site design plans 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. A chimney spark arrestor shall be installed in the fireplace.
- c. Tree cutting shall be limited to three trees identified during the site visit of 2/22/2022. Any plan for further tree cutting must be submitted in writing for further review and approval by the Review Board.
- d. The Review Board will retain continuing jurisdiction over the exterior lighting plan and the wattage and shielding of lights, until one year after the improvements have been completed, and during this one-year period the Review Board may prescribe modifications if it sees fit to mitigate adverse impacts from the project's lighting.
- e. The Review Board will retain continuing jurisdiction over the stormwater management plan aspects of the project, until one year after improvements have been completed.
- f. 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.
- g. Further, this review does not authorize any actual construction. Final plans, specifications, and construction documentation approval must be obtained through the Building Department.
- h. **NO** construction may commence without construction documents signed by the Code Enforcement Official.

Ms. Yerkovich seconds the motion.

All members vote in favor. The motion is approved 7-0.

Case #1181 closed.

These minutes were reviewed by the Board on 3/16/2022. Mr. Thompson made a motion to approve the minutes as written. Mr. Aliferis seconds the motion. All present members vote in favor (Mr. Walton absent). The motion is approved 6-0.



Richard Thompson, Chairman
Review Board

RECEIVED	
Date:	3/18/2022
Town Clerk	Paula Ant Budley
Date:	3/21/2022
Village Clerk	Antal Q. Esz

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REVIEW BOARD MEETING MINUTES March 2, 2022

MEMBERS PRESENT

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

MEMBERS ABSENT

ALSO PRESENT

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

Pamela Kazar/The Curious Otter (Case #1182)

Laura Walker of Laura's Custom Artwork present as applicant's representative.

Mr. Thompson: notes this is a new retail business located on Main St. in space previously used as the Green Goddess Market. Asks the Board to confirm if the proposed sign dimensions meet the Land Use Code. The Board confirms the dimensions are within the Code specifications.

Ms. Yerkovich: asks if the existing sign frame above the windows will remain and if any lighting is proposed.

Ms. Walker: the existing frame will be replaced by the new sign. Lighting was not included in the application but there are existing fixtures, oriented downward, located above the wall sign area.

Mr. Walton makes a motion to approve the sign, subject to the following conditions:

- a. Sign design plans 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. Any change in the existing lighting must be submitted in writing for further review and approval by the Review Board.

Mr. Genito seconds the motion.
All members vote in favor. The motion is approved 7-0.

Case #1182 closed.

These minutes were reviewed by the Board on 3/16/2022. Mr. Thompson made a motion to approve the minutes as written. Mr. Aliferis seconds the motion. All present members vote in favor (Mr. Walton absent). The motion is approved 6-0.



Richard Thompson, Chairman
Review Board

RECEIVED	
Date:	3/8/22
Town Clerk	<i>James M. Sullivan</i>
Date:	3/21/2022
Village Clerk	<i>Brita A. Esty</i>

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REVIEW BOARD MEETING MINUTES March 2, 2022

MEMBERS PRESENT

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

MEMBERS ABSENT

ALSO PRESENT

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

Board Business

Meeting Minutes of 2/16/2022

Ms. Yerkovich makes a motion to approve the minutes as written.
Mr. Thompson seconds the motion.
All members vote in favor. The motion is approved 7-0.


Mr. Orticelle: provides advice on Notice to Neighbor hearings. Notes the Short-Term Rental moratorium has been passed by the Town but is pending Village approval.

Mr. Smith: approval of Land Use Code revisions has been delayed.

Mr. Walton will be out of town and unavailable to participate in the Board meeting on 3/16/2022. He may be able to participate online for 4/6/2022. Mr. Genito may be unavailable on 3/16/2022 as well.

Meeting adjourns at 5:54 PM.

These minutes were reviewed by the Board on 3/16/2022. Mr. Thompson made a motion to approve the minutes as written. Mr. Aliferis seconds the motion. All present members vote in favor (Mr. Walton absent). The motion is approved 6-0.


Richard Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>3/18/2022</u>
Town Clerk	<u>James Patrick Dunne</u>
Date:	<u>3/21/2022</u>
Village Clerk	<u>Andrea L. Kelly</u>