

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 1 June, 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. All members present. Mr. Thompson is present via video conferencing and passes control of the meeting to Mr. Rafferty (Vice Chairman) who is physically present.

### Anderson, Tom/Lake Placid Lanes LLC (Case #1189)

Mr. Smith recuses himself.

Tom Anderson and Rob Kane present.

Notice to Neighbors: 33 notices sent to neighbor. 18 postcards returned and one returned as undeliverable. No written comments received and no public comments during meeting.

Mr. Anderson: no changes to the proposed project. One text message received regarding use of the backyard. Use will be addressed at a later date and submitted to the Board for review and approval. Describes the two signs proposed for the property.

Mr. Walton makes a motion to approve the signs, subject to the following condition:

- 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.

Mr. Genito seconds the motion.

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

Mr. Anderson/Mr. Kane: repeat their previously stated plan to install new garage doors, with windows, on the front of the building to introduce more natural lighting inside and give the impression of a larger space when opened (weather dependent). Business operations will not be extended outside the building when the garage doors are open.

The Board then discusses lighting and noise concerns in with regard to the garage doors. Noise may increase when the garage doors are open but the Chairman acknowledges it is an issue for Code enforcement. Lighting concerns are in regard to potential arcade game consoles and outside visibility of the 24-hr display of bright flashing lights.

Mr. Rafferty makes a motion to approve the proposed 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. Applicant shall present a design, for review and approval, to restrict the exterior visibility of interior lighting and game console displays during non-working hours. The Review Board shall retain continuing jurisdiction until one year after completion of the project, and during this period the Board may prescribe modifications to mitigate adverse impacts of the project's interior lighting and displays.
- c. 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.
- d. 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.
- 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 Department of Transportation, 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 #1189 closed.

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These minutes were reviewed by the Review Board on 6/15/2022. All members of the Board were present and unanimously approved the minutes as written.



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Richard Thompson, Chairman  
Review Board

<b>RECEIVED</b>	
Date:	<u>6/24/2022</u>
Town Clerk	<u>Samuel M. Suddler</u>
Date:	<u>6/30/2022</u>
Village Clerk	<u>Christa R. Esty</u>

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## REVIEW BOARD MEETING MINUTES 1 June, 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

### Bluebird Hotel (Case #1191)

Rory Randolph present as applicant's representative.

Mr. Rafferty: recaps the site visit conducted on 5/24/22. Mr. Walton and Ms. Yerkovich absent. The Board was shown three shades of gray for the upper levels of the hotel exterior and expressed a preference for the lighter shade (Benjamin Moore Nightfall #1596). Mr. Randolph also noted the small gable roofs planned on the west side of the building will be removed due to anticipated damage from falling ice.

Mr. Aliferis: notes the board also looked at tree removal on the lakeside (east side) of the hotel.

Mr. Randolph: the trees referred to by Mr. Aliferis are not on hotel property. There are no other changes beyond the removal of the small gable roofs. States a decision has not yet been made on the specific shade of gray for the exterior.

The Board states either of the three gray shade colors are acceptable and they also have no problem with removal of the small gable roofs on the west side.

Notice to Neighbors: 10 notices mailed; applicant did not bring green postcards. No public oral or written comments.

Mr. Walton makes a motion to approve the amended project as presented, 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 Department of Transportation, 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. Aliferis seconds the motion.

All members vote in favor. Mr. Bissell notes he is a partial owner of a neighboring hotel and is not recusing himself because he supports the project. The motion is approved 7-0.

Case #1191 closed.

These minutes were reviewed by the Review Board on 6/15/2022. All members of the Board were present and unanimously approved the minutes as written.

  
Richard Thompson, Chairman  
Review Board

<b>RECEIVED</b>
Date <u>6/24/2022</u>
Town Clerk <u>Laura Cantor Dudley</u>
Date <u>6/30/2022</u>
Village Clerk <u>Ann Talli Goff</u>

DEREK DOTY  
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523-2162  
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### REVIEW BOARD MEETING MINUTES 1 June, 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

#### High Peaks Resort (Case #1190)

Mr. Bissell recuses himself.

Lisa Lester and Mark Wheeler present as applicant's agents.

Ms. Lester: confirms no changes to the proposed new stairway from Main St to their hotel courtyard.

No public comments have been received and the Board has no further questions or concerns.

Mr. Genito makes a motion a 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. 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 Department of Transportation, 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 members vote in favor. The motion is approved 6-0.

Case #1190 closed.

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These minutes were reviewed by the Review Board on 6/15/2022. All members of the Board were present and unanimously approved the minutes as written.

  
Richard Thompson, Chairman  
Review Board

<b>RECEIVED</b>	
Date:	<u>6/24/2022</u>
Town Clerk	<u>Jeanne G. Dondley</u>
Date:	<u>6/30/2022</u>
Village Clerk	<u>Amrita A. Singh</u>

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### REVIEW BOARD MEETING MINUTES 1 June, 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 Orticele, Code Enforcement Officer  
Terry Tubridy, Planning & Zoning Coordinator

#### Rhoades, Jamie/JCR Trust (Case #1149)

Jamie Rhoades present.

Mr. Rhoades is proposing to place a 12'x28' Amish-style shed on his lakefront property. The shed will hold a storage tank for his well and be equipped with a bathroom. The remaining space will be used as storage.

Mr. Aliferis: asks for clarification on the location of the shed.

Mr. Rhoades: presents a site plan and describes the shed's planned location. Also notes a well will be dug 10 ft from the property line.

The Board notes this is a modification to a prior approval and questions if a Notice to Neighbor hearing is necessary. Mr. Thompson notes the Board has previously reviewed this project and the shed, while new, is a minor addition to the planned construction of a single-family residence. All agree there is no need to notice the neighbors.



Mr. Bissell makes a motion to approve the modification, subject to the following conditions:

- e. 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.
- f. All other previous approvals for this case remain in effect.

Mr. Walton seconds the motion.

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

Case #1149 closed.

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These minutes were reviewed by the Review Board on 6/15/2022. All members of the Board were present and unanimously approved the minutes as written.



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Richard Thompson, Chairman  
Review Board

RECEIVED	
Date:	6/24/2022
Town Clerk	Juanita G. Casy
Date:	6/30/2022
Village Clerk	Juanita G. Casy

DEREK DOTY  
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## REVIEW BOARD MEETING MINUTES 1 June, 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

### Funk, Travis & Jill (Case #1197)

Jessica Hoffman present as applicants representative.

Ms. Hoffman: describes the proposed project as a 4-bedroom modern single-family residence in a Rural Countryside district. Window trim will be black, and clapboard siding color will be a mix of grey and cedar. Applicant's plan to eventually make this their primary residence. An application is also under review with the APA.

Mr. Aliferis: asks about tree clearing.

Ms. Hoffman: the location of the residence has been previously cleared.

Ms. Yerkovich: notes the large glass windows and asks how much interior lighting will be seen from the surrounding area.

Mr. Thompson: asks if the house will be visible from Adirondack Loj Rd. Concern echoed by Ms. Yerkovich.

Ms. Hoffman: states the planned building site should hide the majority of the house.

Mr. Genito: a site visit will show how hard it will be to see the house from Loj Rd or any other roadway.

Notice to neighbors hearing announced for 15 June.

Site visit scheduled for 7 June at 4:30 PM.

End of discussion for Case #1197.

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These minutes were reviewed by the Review Board on 6/15/2022. All members of the Board were present and unanimously approved the minutes as written.



Richard Thompson, Chairman  
Review Board

<b>RECEIVED</b>	
Date:	<u>6/24/2022</u>
Town Clerk	<u>Paige Cook/Duckley</u>
Date:	<u>6/30/2022</u>
Village Clerk	<u>Arinda R. O'Byrne</u>

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## REVIEW BOARD MEETING MINUTES 1 June, 2022

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### MEMBERS ABSENT

### ALSO PRESENT

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

### Board Business

### Minutes of 5/18/2022

Ms. Yerkovich recommends one change to the minutes for Case #1189 (Lake Placid Lanes).

Mr. Walton makes a motion to approve the minutes with Ms. Yerkovich's corrections.

Mr. Aliferis seconds the motion.

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

Meeting adjourns at 6:12 PM.

These minutes were reviewed by the Review Board on 6/15/2022. All members of the Board were present and unanimously approved the minutes as written.

  
Richard Thompson, Chairman  
Review Board

**RECEIVED**

Date 6/24/2022

Town Clerk Laurie C. Dudley

Date 6/30/2022

Village Clerk Wanda A. Esty