

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 July 6, 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
Darci Whitney, Code Enforcement Officer
David Wright, Code and Zoning Coordinator

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

Karl, Andre (Case #1198)

Andre Karl is present as the applicant.

The Board conducted a Site Visit on Tuesday, June 28 2022. Proposed building was flagged out with a 48'x96' footprint. There was a discussion about building height and future projects. The Board feels the proposed building will not be easily seen from the road.

Mr. Smith: Accessory structures are limited to 18' height in Town Residential District. What uses would this structure be used for other than storage?

Mr. Karl: Just personal storage.

There is a Board discussion about proposed building height in relation to Principal Structures vs. Accessory Structures. The Board also clarifies that the property is located in the "Town Residential" zoning district.

The applicant asks how he can be re-zoned into a "Gateway Corridor" zoning district.

Mr. Thompson informs Mr. Karl if he wishes to get the property district changed, he needs to petition the Town Board. The existing garage is a non-conforming structure due to height and also non-conforming use.

Notice to Neighbors: 6 notices mailed; 4 return-receipt cards were received. No written comment was received and no members of the public wish to speak on the matter.

Mr. Smith: This project is a Type II for SEQR, so no action is required.

Mr. Smith reads in part section 4.2.2(B)(1)(a) "*A building which is nonconforming as to height may be expanded as long as the expansion does not increase the maximum height of the building.*"

Mr. Walton: If he matches height of existing roofline, it would be fine then?

Mr. Smith: The Board can consider it.

Mr. Karl: Wishes to consider his options before moving forward

End of discussion for Case #1198.

These minutes were reviewed by the Review Board on August 3, 2022. Mr. Thompson moved to approve the minutes as written. Mr. Genito seconded the motion. All members voted in favor. The motion was approved 7-0.


Richard Thompson, Chairman
Review Board

RECEIVED	
Date:	8/16/2022
Town Clerk	James Lind Davelley
Date:	8/16/2022
Village Clerk	Christa A. Ertz

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REVIEW BOARD MEETING MINUTES July 6, 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
Darci Whitney, Code Enforcement Officer
David Wright, Code and Zoning Coordinator

Stewart's Shop (Case #1199)

Chuck Marshall is present as the representative for Stewart's Shop and is attending via GoToMeeting.

Mr. Thompson: Recaps application review from previous meeting on June 15, 2022. No Notice to Neighbors was requested. No changes to proposal were made.

Ms. Yerkovich makes a motion to approve the 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) 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. Bissell seconds the motion.

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

Case #1199 closed.

These minutes were reviewed by the Review Board on August 3, 2022. Mr. Thompson moved to approve the minutes as written. Mr. Genito seconded the motion. All members voted in favor. The motion was approved 7-0.



Richard Thompson, Chairman
Review Board

RECEIVED	
Date:	8/16/2022
Town Clerk	Paige C. Dudley
Date:	8/16/2022
Village Clerk	Christa R. Estby

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MEMBERS ABSENT

ALSO PRESENT

Tim Smith, Board Attorney
Mike Orticelle, Code Enforcement Officer
Darci Whitney, Code Enforcement Officer
David Wright, Code and Zoning Coordinator

Weibrecht, Andrew (Case #1200)

Andrew Weibrecht is present as the applicant.

Mr. Thompson: Tabular Summary is incorrect and needs to be updated to state North Lake Residential District. Walk-out on lower level facing Whiteface Mountain.

Ms. Yerkovich asks if property has any water frontage.

Mr. Weibrecht: This property has no water frontage.

Board discussion on the location of the site plan and septic system placement.

Mr. Weibrecht: Survey is from 2004 and wants to do a new survey for final location of septic system.

Mr. Thompson: How much tree clearing will be done?

Mr. Weibrecht: As selective as possible. Keeping as much cover as safely possible.

Mr. Thompson: Concern about Code stating to preserve trees 6" or greater as much as possible. Code does take into account tree removal for safety reasons.

The Board schedules a Site Visit for Tuesday July 12, 2022 at 4:00PM. The Board asks to have the 4 corners of the house to be staked out.

Discussion about need for APA permit or if they are non-jurisdictional.

Mr. Smith tells Mr. Weibrecht to submit a jif to the APA.

A Notice to Neighbors is scheduled for July 20, 2022.

End of discussion for Case #1200.

These minutes were reviewed by the Review Board on August 3, 2022. Mr. Thompson moved to approve the minutes as written. Mr. Genito seconded the motion. All members voted in favor. The motion was approved 7-0.


Richard Thompson, Chairman
Review Board

RECEIVED	
Date:	8/16/2022
Town Clerk	Jane Cort Dudley
Date:	8/16/2022
Village Clerk	Christa G. Esq

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REVIEW BOARD MEETING MINUTES July 6, 2022

MEMBERS PRESENT

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

MEMBERS ABSENT

ALSO PRESENT

Tim Smith, Board Attorney
Mike Orticelle, Code Enforcement Officer
Darci Whitney, Code Enforcement Officer
David Wright, Code and Zoning Coordinator

G&S Plumbing (Case #1201)

Robert Garrett and Eric Schulz are present as the applicants.

Mr. Garrett: Wish to downsize and trying to sell business. Aubuchon Hardware, across the street, is interested in leasing building for storage.

Wish to move existing sign to new location that is 2 properties down the same road at 24 Fawn Ridge Rd, Lake Placid, NY 12946.

There are no plans to modify the exterior of new building at this time.

The Board has no further questions at this time.

A Notice to Neighbors is scheduled for July 20, 2022

End of discussion for Case #1201.

These minutes were reviewed by the Review Board on August 3, 2022. Mr. Thompson moved to approve the minutes as written. Mr. Genito seconded the motion. All members voted in favor. The motion was approved 7-0.



Richard Thompson, Chairman
Review Board

RECEIVED	
Date:	8/16/2022
Town Clerk	Jennifer Dutton
Date:	8/16/2022
Village Clerk	Christa D'Agostino

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REVIEW BOARD MEETING MINUTES July 6, 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
Darci Whitney, Code Enforcement Officer
David Wright, Code and Zoning Coordinator

Aubuchon Hardware (Case # 1202)

Greg Moran is present as the representative of Aubuchon Hardware and is attending via GoToMeeting.

Mr. Thompson: Is the use of G&S's current building strictly for storage or for public use?

Mr. Moran: Building will be 100% used for storage with no public use or office use. No signage will be added. No modifications to exterior of building will be done.

Mr. Smith: The property is going from commercial use to commercial use. It is a Type II for SEQR, so no further action is required. A notice to neighbors is sufficient.

Mr. Thompson voices a concern that with G&S moving up the street this would add one additional commercial location to the area.

Mr. Bissell: Will there be any outside storage?

Mr. Moran: Yes, but no retail. Inside and outside storage. Moving everything that is stored outside of the Aubuchon Hardware store across the street to new outside storage. Stated there is currently white vinyl fencing on some of the property and is willing to continue new fencing around entire property.

Mr. Orticelle: Is there any plan for new lighting on the property?

Mr. Moran: Yes, only under your guidance. Motion activated lights.

Mr. Thompson: We need downward lighting.

Mr. Garrett: Wishes to explain existing lighting on structure. Lights currently on both corners of front of building. Already pointing downwards.

Site Visit scheduled for Tuesday July 12, 2022 at 5:00PM

Notice to Neighbors scheduled for July 20, 2022

Mr. Genito: What will be stored outside specifically? How much activity will there be on site? What time of day will there be activity?

Mr. Moran: Plan is to lower bulk merchandise currently stored around the existing store and improve the shopping experience. There will be at most a 24-day supply stored at this location.

End of discussion for Case #1202.

These minutes were reviewed by the Review Board on August 3, 2022. Mr. Thompson moved to approve the minutes as written. Mr. Genito seconded the motion. All members voted in favor. The motion was approved 7-0.


Richard Thompson, Chairman
Review Board

RECEIVED	
Date:	8/16/2022
Town Clerk	Laura Cantello
Date:	8/16/2022
Village Clerk	Mark A. Ghy

DEREK DOTY
SUPERVISOR
LAURIE C. DUDLEY
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REVIEW BOARD MEETING MINUTES July 6, 2022

MEMBERS PRESENT

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

MEMBERS ABSENT

ALSO PRESENT

Mike Orticelle, Code Enforcement Officer
Darci Whitney, Code Enforcement Officer
David Wright, Code and Zoning Coordinator

Lisa G's/Mishanec Michael (Case # 1203)

Mr. Smith recuses himself from this case.

Mike Mishanec is present as the applicant.

Expansion of a conditional use to add the existing second floor deck to the existing first-floor restaurant operation.

Mr. Mishanec: Wish to use new second floor deck as waiting area and to use the second-floor interior space for private events.

Mr. Thompson expresses concerns with lighting, noise, hours of operation, and live/piped in music.

Mr. Mishanec: Lighting will be on Stairs and under deck rails. The hours would be the same as restaurant (4-10pm Mon, Thurs) (12-10pm Fri, Sat, Sun). No music of any kind will be on the deck space.

Mr. Rafferty: Not much of a change of use.

Mr. Theodore Banks, a neighbor at 6132 Sentinel Rd, is concerned with parking in general and the possibility of increased customers parking on his property, without his permission.

A Notice to Neighbors is scheduled for July 20, 2022

End of discussion for Case #1203.

These minutes were reviewed by the Review Board on August 3, 2022. Mr. Thompson moved to approve the minutes as written. Mr. Genito seconded the motion. All members voted in favor. The motion was approved 7-0.


Richard Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>8/16/2022</u>
Town Clerk	<u>Laura Cantor</u>
Date:	<u>8/16/2022</u>
Village Clerk	<u>Armita A. Esty</u>

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Mike Orticelle, Code Enforcement Officer
Darci Whitney, Code Enforcement Officer
David Wright, Code and Zoning Coordinator

Board Business

Introduction of David Wright

Mr. Orticelle introduced David Wright as the new Code and Zoning Coordinator.

Craigwood

Food service wishes to expand dinner service and add acoustic music. Mr. Orticelle stated they need to submit an application to the review board.

ADK/Vermont Car Rentals

Mr. Orticelle stated they had put cars at the Lake Placid Airport. Mr. Orticelle informed them to remove the vehicles and advised them they need Town Board approval to lease space at the airport. Mr. Orticelle wished to inform the board that a signage request application may be coming in for this business.

Minutes of 6/15/2022

Mr. Walton makes a motion to approve minutes.
Mr. Thompson seconds the motion.
All members vote in favor. The minutes are approved 7-0

Meeting adjourns at 7:11 PM.

These minutes were reviewed by the Review Board on August 3, 2022. Mr. Thompson moved to approve the minutes as written. Mr. Genito seconded the motion. All members voted in favor. The motion was approved 7-0.



Richard Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>8/16/2022</u>
Town Clerk	<u>Laura C. Dudley</u>
Date:	<u>8/16/2022</u>
Village Clerk	<u>Amelia A. Esposito</u>