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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

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TODD ANTHONY
ASSESSOR
TEL: 523-1975
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TOWN COURT OFFICE
523-2141
MARK SCHACHNER
ATTORNEY FOR THE TOWN

Review Board Meeting Minutes December 21, 2022

MEMBERS PRESENT

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

MEMBERS ABSENT

Bill Walton

ALSO PRESENT

Bill Kissel, Board Attorney
Darci Whitney, Code Enforcement Officer
David Wright, Code and Zoning Coordinator

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

Mr. Thompson makes a note to the Board members of the updated Viewshed Overlay Zoning map provided to them this evening by Mr. Wright.

Scotts Cobble Nordic Center/Delaney, Brian (Case #1226) – Notice to Neighbors

Brian Delaney is present as the applicant.

Tim Smith has recused himself from this case.

Mr. Thompson states that this is a Notice to Neighbors meeting.

There were 13 notices sent, six returned, and two written comments.

Mr. Delaney updates the Board on any new information and states that he has received only positive feedback from the public.

Mr. Delaney demonstrates how the lights work stating that the motion sensor can see a person about 30ft away. Mr. Delaney also states that the lights have three settings; on, off, dimmed. If the lights are on dimmed, they are on all the time and get brighter when they detect motion.

Mr. Aliferis asks about the on/off setting.

Ms. Yerkovich asks if it's possible to have the lights off then on a dimmed setting.

Mr. Delaney states they are using the on/off setting and that if they lights are dimmed, they are on all the time. There is no way to make them dimmed with motion.

Mr. Thompson asks if the lights will be 30-50ft apart.

Mr. Delaney states that is correct.

Mr. Thompson asks if they are downward firing.

Mr. Delaney states that they shoot down and that his intention is not to disrupt anyone with the lights.

Mr. Aliferis asks about ambient light and asks if any is visible from the neighbor's property.

Mr. Delaney states that there are approximately five lights on that side of the property, which is the north side, and all the lights face downwards and towards the south.

Ms. Yerkovich asks how high the glare is from the lights.

Mr. Rafferty states that he went out at night and saw a few of the lights that have already been installed. States that the ambient light is minimal and asks if there is any direct light to the concerned neighbor's property.

Mr. Thompson states that Mr. Bissell used Google Earth to measure the distance between the applicant's lights and the closest neighbor's home. The satellite overview measures approximately 937ft from the closest light to the closest neighbor's home.

Mr. Thompson also states that there appears to be a large dense growth between the lights and the neighbor's home.

Mr. Thompson asks if there is any comments from the public present at the meeting.

Lee Wexler, neighbor who owns the closest property that is being discussed, stands up to make a comment.

Mr. Wexler states he could not stare at the light for very long when Mr. Delaney was demonstrating how they work.

Mr. Wexler states that his concern that he lives on a hill looking down at the golf course and the lights. States that we do not know what the effects of 400-500 lights would be. States that when a light shines down onto a white surface, which snow on cross country ski trails is, will still reflect upwards as well. Further states that because of the snow there will be a glare shining up at his property.

Mr. Wexler further expresses concern on how this will affect the view of the night sky and states that the property is in a rural community that can be viewed by other properties around the area. States that motion lights could be turned on by passing animals that live in the area.

Mr. Wexler also states that this is an entrepreneurial endeavor and that there is a potential of lots of people using the trails at one time, becoming a nuisance with lights going on and off all the time.

Mr. Wexler's final statement is a request that the Review Board conduct an environmental impact assessment before granting the lights approval.

Mr. Thompson thanks Mr. Wexler for his comments and asks if there are any other comments.

Mark Doering, a second neighboring property owner, stands up to make a comment.

Mr. Doering states that the possibility of "Full Moon Parties" should be addressed as neighboring properties were restricted from doing similar things. States that the hours of operation should be set to specific times. Further states that outdoor music should not be allowed, as neighboring properties were restricted from having outdoor music as well.

Mr. Doering states that the possibility of "Back Country" skiing was not previously address and is concerned with skiers venturing onto his property and not staying on the designated trails and areas. He is concerned about the liability issue on his property.

Mr. Thompson thanks Mr. Doering and asks if there are any further comments from the public.

Being no further comments Mr. Thompson closes the public comments portion of the meeting.

Mr. Thompson asks the Board members if they have any further questions or comments.

Mr. Bissell asks what the hours of operation would be.

Mr. Delaney states that they will be open from 9am-5pm and that this is a family fun facility. Further stating that there will be no outdoor music and no alcohol sold on the property. Also states that there will be no "Full Moon Parties" and that there may be a bonfire outside and may be open until 8pm on Friday and Saturday nights.

Mr. Thompson asks if there is any way to restrict entry to the trails when closed.

Mr. Delaney states there is not as the Town of North Elba plows the roadway and states that the intention of the lights is for locals to use the trails at any time. States that there will not be 100's of people on the trails at the same time.

Mr. Thompson states that the hours would be 9am-5pm with being open to 8pm some days.

Ms. Yerkovich asks if a skier to wear a headlamp in lieu of installing the motion lights.

Mr. Delaney agrees that could be possible.

Ms. Yerkovich states that they could encourage headlamps instead of using the lights.

Mr. Delaney states that headlamps are on for a longer amount of time. Further states that if the Wexler's see the lights, once they are installed, and have any issues with them they can be adjusted or removed from that portion of the trailway.

Mr. Thompson asks about a liability waiver for using public property.

Mr. Delaney states there is one already granted from the Town Board.

Mr. Thompson asks about liability and skiing after hours.

Mr. Delaney states there is no liability.

Mr. Genito asks how many lights are in open areas and how many are in the tree line.

Mr. Delaney states that the trail is a perimeter loop and that mostly all the lights will not be in fairways.

Mr. Aliferis states that there might be too much ambient light but does not know who could conduct a study and suggests the possibility of approving half the lights.

Mr. Aliferis also asks if the loop could be smaller, making it a 5K loop instead of a 10K loop.

Mr. Thompson asks Mr. Kissel if there is a SEQR obligation for this project.

Mr. Kissel states the Board always has to consider SEQR and cannot take action until SEQR is complete.

Mr. Kissel states there are three types of SEQR. Type I states you must complete the environmental quality review. Type II states you do not need to complete the environmental quality review and unlisted actions.

Mr. Kissel further states that any action that does not significantly impact the environment does not require a SEQR review.

Mr. Bissell states that if the ski center does not work out well this year and is not opened next year then there is no environmental impact.

Mr. Thompson states that the Review Board routinely maintains oversight on a projects lighting plan and states that they could put the lights at 6ft off the ground instead of 8-10ft.

Mr. Thompson further states that they Review Board could pull the approval at a later date. Also states that the Town Board approved the project with no conditions, as far as the Review Board is aware of.

Ms. Yerkovich states that Mount Van Hoevenberg does not light their trails.

Mr. Rafferty suggests that the Board members go and view the lights for themselves and states the lights are Dark Sky Compliant.

Mr. Bissell states that the Board could keep jurisdiction over the lighting for a year and approve the project.

Ms. Yerkovich agrees but is concerned about precedent.

Mr. Bissell states that every project is different and must be reviewed independently.

Mr. Thompson states that the beauty of the project is it is temporary.

Mr. Delaney states that they already have 95 youths signed up for the afterschool program.

Mr. Thompson states he would recommend jurisdiction over the lighting be maintained and perhaps the lights could be put 6ft from ground instead of 8ft.

Mr. Aliferis states that the current objection is still the reflection.

Mr. Bissell states that the benefit to the community is greater than the impact to a single neighbor.

Mr. Aliferis asks again about a smaller loop.

Mr. Bissell states that would create a denser use and the lights would be on more often.

Mr. Genito asks if the Board can approve and reevaluate in 30 days.

Mr. Delaney states that he is not marketing the night skiing to tourists and only wishes for this to be used for locals to ski at the end of their workdays.

Mr. Kissel reminds the Board that a SEQR determination is necessary and states that this could be a minor project if they vote in favor.

Mr. Thompson makes a motion to vote SEQR as a minor project with no further review.

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

Mr. Thompson makes a motion to approve the lighting application under the following conditions:

- a. 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.
- b. The premises shall not be used for access to any other parcel of land. A barrier must be constructed on any backcountry ski areas.
- c. The Review Board wishes to reevaluate the approval at the 30 and 60 day marks. Scheduled for the February 1st and March 1st meeting, respectively.

Mr. Rafferty seconds the motion.

All members present vote in favor. The motion is approved 6-0.

Case #1226 is closed.

These minutes were reviewed by the Review Board on January 4th, 2023. Mr. Thompson moved to approve the minutes as written. Mr. Bissell seconded the motion. Ms. Doering abstains from voting. All other members voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED

Date:

2/8/2023

Town Clerk:

Jaime Antone

Date:

3/1/2023

Village Clerk:

Anita G. Esty

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Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich

MEMBERS ABSENT

Bill Walton

ALSO PRESENT

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

Otters Lodge LLC (Case #1209) – Conditional Use/Architectural Review

Michael and Stacia Takach are present as the applicants.

Mr. Thompson recaps the application with the updated plans and notes a new public comment that was submitted the day of the meeting.

Mr. Thompson asks Mr. Takach if he submitted all of the documents that were requested at the previous meeting.

Mr. Takach states that an emailed list of all the required documents was requested of the Building Department and was denied.

Mr. Thompson asks the Building Department representatives if there are any deficiencies in the application.

Ms. Whitney states that there is one deficiency, the application does not have a stormwater management plan.

Mr. Thompson asks Mr. Takach if a stormwater management plan can be provided for the application.

Mr. Takach states that it can be and states that he went through his notes and the recordings of the meeting four times and was not asked to provide a stormwater management plan.

Mr. Thompson states that he believes he requested the applicant get together with the Building Department.

Ms. Takach states that she asked the Department and was told they did not recall needing to provide a letter and were not going to. States that it has been two weeks and has not heard anything.

Mr. Thompson reads from the application the Conditional Use checklist and the applicants answer to the stormwater management requirements. Stating that the applicant states it is not applicable in this situation.

Mr. Takach states that stormwater management is in the plans as the drainage swells beside parking areas and behind the building.

Mr. Thompson states that the Board wishes for everyone to be happy as the process goes along and that if there are any deficiencies, they need to be corrected with the Building Department at the office.

Mr. Takach asks if a single-family structure is required to have a stormwater management plan.

Mr. Thompson states yes and the next case on the agenda has one already.

There is a heated argument between the Review Board Chairman and the Applicants

Mr. Takach expresses that on the first meeting a question was asked if the Board could provide approval for conditional use without plans and the answer was yes. States that now the Board is reversing and stating no. States that he asked the Board for a list of requirements and was told one would be provided the next day and it was never provided. Further states that he can play the audio from the meetings if necessary.

Mr. Rafferty states that the applicant was taking notes at the last meeting and left with a list. Asks the applicant if he submitted everything on the list.

Mr. Takach states that he did.

Mr. Rafferty asks if stormwater management was on the list.

Mr. Takach states that it was not.

Ms. Whitney states that it is on the conditional use checklist and states that the applicant answered the question of stormwater management that it was not applicable in this case.

Ms. Takach states that a specific list of requested documents was asked for and was returned to the Board.

Mr. Thompson states that the Review Board will not act until everything it submitted and requests the Building Department to make sure everything is turned in before continuing review.

Ms. Whitney states that a list cannot be available the next morning at 9am as that time would be needed to gather the information.

Mr. Takach states that at this point there is a stay of execution from the Town meeting last week that will expire presumably on Jan 3rd and subsequent time for the state to approve the new rules to remove his property right of a bed and breakfast. Also states that at that time he will be allowed to build approximately 15 lodgings designated as STRs rather than a single bed and breakfast with workforce housing associated.

Mr. Thompson states that all documents would still be requested.


Mr. Takach states that would not come before the Review Board and would be approved by the Building Department as single-family homes.

Ms. Takach states that it was very clear from the beginning that that Mr. Thompson and the Review Board did not want to support this project. Also states that the neighbors have no issues.

The applicants choose to leave the meeting.

End of Discussion on Case #1209.

These minutes were reviewed by the Review Board on January 4th, 2023. Mr. Thompson moved to approve the minutes as written. Mr. Bissell seconded the motion. Ms. Doering abstains from voting. All other members voted in favor. The motion was approved 6-0.


Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>2/8/2023</u>
Town Clerk:	<u>Jamie Ann Dudley</u>
Date:	<u>3/1/2023</u>
Village Clerk:	<u>Amata G. Estling</u>

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MEMBERS PRESENT

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

MEMBERS ABSENT

Bill Walton

ALSO PRESENT

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

Chacra Farms/LPL LLC (Case #1227) – Site Visit Recap/Viewshed Overlay

Dan and Pam Leff are present as the applicant and Ivan Zdrahal is present via GoTo Meetings as a representative of the applicant.

Mr. Thompson asks the Board for a site visit recap.

Mr. Rafferty conducts a site visit recap. States that the proposed building site has a great view of Whiteface Mountain, it is a natural clearing and will require minimal cutting.

Ms. Yerkovich continues a site visit recap by stating that the Board spent time going over cutting while on site and no clearing will happen. States that the applicants informed the Board members that they would be cutting out dead trees.

Mr. Zdrahal states that he understands the Board did an onsite visit.

Mr. Thompson asks if there are any changes.

Mr. Zdrahal states there are none.

Mr. Bissell states there might be some tree removal necessary but not a lot.

Ms. Leff states that there might be some around the garage area but will mostly be removal of dead trees with no clear cutting.

Mr. Rafferty asks if the proposed driveway will need any fill.

Mr. Zdrahal states no they will use the existing grade and will improve the surface.

Mr. Zdrahal further states that a drainage ditch is needed next to the drive and some cutting will need to be done along the drive near the house to widen the roadway.

Mr. Zdrahal states that he talked to the Fire Department and has provided a letter from them stating that the proposed drive will be sufficient for their trucks. States that the proposed drive 12ft wide with a shoulder drainage for a total of 15ft.

Mr. Zdrahal also states that the APA permit was received and provided to the Building Department.

Mr. Thompson asks if there is a full drainage plan.

Ms. Whitney states that a full stormwater management plan was submitted and is available for review.

Mr. Thompson states that a notice to neighbors was not previously done and will need to be done for the next meeting.

Mr. Genito states that the building site is visible from River Road but not from Route 73.

Mr. Zdrahal states that building site #2 could possibly be seen from River Road but does not believe site #1 can be seen at all.

Mr. Leff states that what you can see from River Road are the existing buildings around site #2 but site #1 cannot be seen at all.

Mr. Thompson states that a Notice to Neighbors will be scheduled for January 4th and the information the applicants will need will be provided to them by Mr. Wright.

Ms. Whitney states that because this property is within 500ft of a county road it must be sent to the County for review.

Mr. Smith states that he agrees but if the building is not within 500ft then it might not need to go to County review.

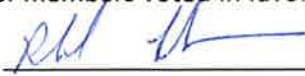
Mr. Thompson asks about SEQR.

Mr. Smith states that this is a Type II for SEQR because the APA has oversight on the project.

Mr. Zdrahal states that he talked to a representative of the airport, and they see no issues or interference and has not received a letter from them yet.

End of Discussion for Case #1227

These minutes were reviewed by the Review Board on January 4th, 2023. Mr. Thompson moved to approve the minutes as written. Mr. Bissell seconded the motion. Ms. Doering abstains from voting. All other members voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>1-8-2023</u>
Town Clerk:	<u>Jane C. Sullivan</u>
Date:	<u>3/11/2023</u>
Village Clerk:	<u>Amata R. Estling</u>

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Laura Yerkovich

MEMBERS ABSENT

Bill Walton

ALSO PRESENT

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

Cambria lake Placid (Case #967) – Modification to Prior Approval/Sign Review

James McGillivray and Bhavik Jariwala are present as the applicants.

The applicants are requesting to remove an existing car port on a building that will no longer be used as the new hotels front entrance. They wish to also move the existing parking spaces that are along the east side of the building to the west side of the existing building. In doing this removal and relocation the applicants wish to create new green space and create a distinct and separate entrance for the new hotel on the top of the hill. The applicants also wish to install a new freestanding sign by the road, stating the new name and logo, along with new directional signs along the driveway and a new secondary sign next to the main entrance to the new hotel.

Mr. Thompson recaps the application for the Board.

Mr. Jariwala states a brief history of the project and explains what they wish to accomplish with the new green space.

Mr. Jariwala also states that by doing these modifications they intend to improve the area by creating this new green space.

Mr. Bissell asks if they have any renditions of the building after the carport is removed.

Mr. Jariwala states they do not have any full renditions but has a photo on his phone that the Board reviews and states that they are still in the design stage while focusing on the workforce housing building. States that there will be 13-14 units in the workforce housing building.

Mr. Thompson asks if there will be any signage on that structure or for that area.

Mr. Jariwala states that there is not at this time, and it will have a separate entrance and parking. Mr. Bissell states that once they get to the architecture of that building the Review Board does have review oversight.

Mr. Thompson states that new green space will be great to remove confusion at the entrance.

Mr. McGillivray states they are looking to move the parking and create green space between the building and the new entrance.

Mr. Rafferty asks if it will be lawn area or trees.

Mr. McGillivray states that it will mostly be lawn with some plants to highlight the signage.

Mr. Thompson states this is a continuation of a prior approval and can be approved.

Mr. Genito states they can approve the green space.

Mr. Thompson agrees they can approve the removal of the carport and creation of green space and asks about any lighting.

Mr. Jariwala states that there will only be lighting on the signs.

Mr. Aliferis asks if the traffic control signs are just arrows.

Mr. Jariwala states that they feel they are wayfinding signs, and they simply point the way to the hotel.

Mr. Thompson makes a motion to approve the modification application, being designated as Case #967B, as presented with 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 stormwater management plan aspects of the project, until one year after improvements have been completed.
- 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. Aliferis seconds the motion.

Mr. Smith reminds the board no SEQR is required.

All members present vote in favor. The motion is approved 6-0.

Mr. Thompson moves on to Case #967A, the signage application and notes that they are requesting approval for a freestanding monument sign, two directional signs, and one wall mounted sign.

Mr. McGillivray states that the wall mounted sign, sign #3, cannot be seen from the roadway at all.

Mr. Thompson states that the monument sign does fall in the required square footage. The other signs do qualify by measuring the lettering only and asks what the signs will be made out of.

Mr. McGillivray states they will be aluminum with vinyl lettering.

Mr. Bissell asks if they are flat signs.

Mr. McGillivray states that they are.

Mr. Thompson asks if there will be anything on the back sides of the directional signs.

Mr. Jariwala states that there will only be blank aluminum and the road will be one-way which will not require any directional signage coming down the hill.

Mr. Thompson states that the principal sign does meet the height requirements.

Ms. Whitney asks if the base of the principal sign will be solid stone or if it will be a planter.

Mr. McGillivray states that it will be solid stone.

Mr. Thompson asks what kind of stone.

Mr. McGillivray states bluestone.

Mr. Bissell states that he likes the choice in stone that will be used.

Mr. Thompson asks about the wood portion of the sign standard.

Mr. McGillivray states it will be stained cedar.

Mr. Genito asks how far from the roadway is the sign.

Mr. Jariwala states it is greater than the 10ft minimum.

Mr. Thompson asks the Board if they have any further questions.

Mr. Thompson motions to approve the signs with 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. 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.

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

Case #967 is closed.

These minutes were reviewed by the Review Board on January 4th, 2023. Mr. Thompson moved to approve the minutes as written. Mr. Bissell seconded the motion. Ms. Doering abstains from voting. All other members voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

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Date:	<u>2/8/23</u>
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Date:	<u>3/1/2023</u>
Village Clerk:	<u>Wanda R. Ostling</u>

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Bill Walton

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

Woodlake Inn/Bouharevich, Yuri (Case #1188) – Modification to Prior Approval

The applicant wishes to change the previously approved lighting to new lighting.

Jeff Brown is present as a representative of the applicant.

Mr. Thompson recaps the application for the Board and asks the applicants representative to go over the proposal.

Mr. Brown goes over the lighting fixtures that are being requested for use and their placements.

Ms. Yerkovich states that she is concerned that these are the type of lighting that the Board did not approve the last time the applicant asked for a change.

Mr. Brown states that these globes are completely frosted.

Mr. Thompson states that unfrosted glass is what the Board objected to last time.

Mr. Bissell states that they are all hidden under the roofline of the building.

Mr. Rafferty states that they are very necessary to mark the doors to the rooms as the property is very dark.

Mr. Brown states that all the lights are tucked in under the walkways and roofline.

Mr. Thompson asks if the lights are built in LEDs or traditional light bulbs.

Mr. Brown states that they are traditional light bulbs and are just to light the walkways. States they plan on using 40-60 watt bulbs.

Mr. Thompson asks about the proposed chandelier in the front and states that the application indicates they will replace existing lighting.

Mr. Brown states they are designed for outdoor use and are made of plastic. Also states that they are more for look than actual use.

Mr. Genito motions to approve the modification application as presented, subject to the following conditions:

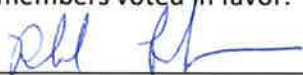
- a) The Review Board will retain continuing jurisdiction over the exterior lighting plan and the wattage and shielding of lights, until one year after the improvements have been completed, and during this one-year period the Review Board may prescribe modifications if it sees fit to mitigate adverse impacts from the project's lighting.

Mr. Bissell seconds the motion.

All members present vote in favor. The motion is approved 6-0.

Case #1188 is closed.

These minutes were reviewed by the Review Board on January 4th, 2023. Mr. Thompson moved to approve the minutes as written. Mr. Bissell seconded the motion. Ms. Doering abstains from voting. All other members voted in favor. The motion was approved 6-0.


Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>2/8/2023</u>
Town Clerk:	<u>James C. Buckley</u>
Date:	<u>3/1/2023</u>
Village Clerk:	<u>Anna R. Estling</u>

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 December 21, 2022

MEMBERS PRESENT

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

MEMBERS ABSENT

Bill Walton

ALSO PRESENT

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

ADK Mountain Club/Cascade Welcome Center (Case #1229) – Sign Review

The applicant wishes to put advanced notice signs along the roadway on either side of the Welcome Center. The proposed signs are on the applicant's property, will be replacing existing advanced notice signs and meet all requirements in the Land Use Code.

Tom Manitta is present as the applicant.

Mr. Thompson states that these are considered advance notice signs in the Land Use Code.

Mr. Manitta explains his application and what he wishes to do. States that he has taken down the previous signs as they were rotting away and states that his intention is for motorist safety when people are turning into or out of the property.

Mr. Manitta states that there will be no tree cutting at all, no lighting on the signs, and already has APA approval.

Mr. Thompson asks if there will be any florescent colors.

Mr. Manitta states that he does not want unnecessary issues with neighboring properties.

Mr. Thompson asks about the placement in relation to the old signs.

Mr. Manitta states that it will be behind the guiderail and the Keene side of the property never had a sign. States that he has confirmed with the Electric department that there are no utilities in the way and that he would like to get the signs up as soon as possible. Further states that he wants to put a temporary banner on plywood in the meantime.

Ms. Whitney states that any temporary sign is approved by the Building Department not the Review Board and suggests that Mr. Manitta bring a temporary sign design in for approval.

Mr. Manitta states the sign can be the same material as the previously approved principal sign, will have a pressure treated brown painted frame to match the building color. Wishes to have the signs as small as possible while still being functional signs and that they are 13sqft each.

Mr. Aliferis asks if they will be any lighting.

Mr. Manitta states there will be no lighting.

There is a Board discussion on the parking lot entrance and exit.

Mr. Thompson states that the signs are in accordance with the code and can take a vote.

Mr. Rafferty motions to approve the application as presented, 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. The applicant must submit and receive separate approval for an exterior lighting plan.
- 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 present vote in favor. The motion is approved 6-0.

Case #1229 is closed.

These minutes were reviewed by the Review Board on January 4th, 2023. Mr. Thompson moved to approve the minutes as written. Mr. Bissell seconded the motion. Ms. Doering abstains from voting. All other members voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	2/8/2023
Town Clerk:	Jeanne Art Dudley
Date:	3/1/2023
Village Clerk:	Amie A Estling

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
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CATHERINE EDMAN
BUDGET OFFICER
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ASSESSOR
TEL: 523-1975
FAX: 523-9821
TOWN COURT OFFICE
523-2141
MARK SCHACHNER
ATTORNEY FOR THE TOWN

Review Board Meeting Minutes December 21, 2022

MEMBERS PRESENT

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

MEMBERS ABSENT

Bill Walton

ALSO PRESENT

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

Courtyard Hotel (Case #1230) – Sign Review

The applicants wish to replace existing signs with new signs that depict the corporations rebranding.

Mike Crosley is present as a representative of the applicants.

Mr. Thompson recaps the application and asks Mr. Crosley to go over the application.

Mr. Crosley explains that the proposed signs are for a corporate color change, and they wish to replace existing signs. States the new signs are smaller than the existing signs and will use the existing posts and lighting.

Mr. Thompson asks if the lighting on the principal sign is upward pointing lighting.

Mr. Crosley states that it is existing upward pointing lighting.

Mr. Thompson asks if there is a requirement to change the lighting at this time.

Mr. Crosley states that the secondary signs are all unlit.

Mr. Thompson states that he would put a condition to change the lighting on the principal sign to be downward facing and Dark Ski Compliant.

Ms. Yerkovich states that the Eastwind lighting is working well and could be done in this case as well.

There is a Board discussion on the Eastwind.

Mr. Thompson motions to approve the application, 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. 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. All existing lighting must be updated to comply with the Dark Ski Initiative and must be downward facing.

Mr. Aliferis seconds the motion.

All members present vote in favor. The motion is approved 6-0.

Case #1230 is closed.

These minutes were reviewed by the Review Board on January 4th, 2023. Mr. Thompson moved to approve the minutes as written. Mr. Bissell seconded the motion. Ms. Doering abstains from voting. All other members voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	2/8/2023
Town Clerk:	Janae Ant Dudley
Date:	3/1/2023
Village Clerk:	Smith G. Gilling

DEREK DOTY
SUPERVISOR
LAURIE C. DUDLEY
TOWN CLERK/ TAX COLLECTOR
523-2162
RICHARD CUMMINGS
EMILY KILBURN POLITI
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MARK SCHACHNER
ATTORNEY FOR THE TOWN

Review Board Meeting Minutes December 21, 2022

MEMBERS PRESENT

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

MEMBERS ABSENT

Bill Walton

ALSO PRESENT

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

Board Business

Mr. Bissell states that he has a comment on the minutes for 12/7/22. States that in the minutes for Scotts Coble Nordic Center it states he definitively knows there is nothing in the Land Use Code about mounting lighting on a tree and wishes to amend the minutes to state he believes there is not.

Mr. Thompson makes a motion to approve with Mr. Bissell's amendment.
Mr. Genito seconds the motion. All members present vote in favor. The motion is approved 6-0.


There is a Board discussion on the schedule for next year.

Mr. Thompson apologizes for his actions with Mr. Takach and states that he will step down as Chairman if the Board wishes.

The Board discusses and decides to have Mr. Thompson remain as Chairman.

Meeting adjourns at 7:27pm.

These minutes were reviewed by the Review Board on January 4th, 2023. Mr. Thompson moved to approve the minutes as written. Mr. Bissell seconded the motion. Ms. Doering abstains from voting. All other members voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	2/8/2023
Town Clerk:	Jeanne G. Buckley
Date:	3/1/2023
Village Clerk:	Christa G. Esty