

DEREK DOTY
SUPERVISOR
LAURIE C. DUDLEY
TOWN CLERK/ TAX COLLECTOR
523-2182
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 October 5, 2022

MEMBERS PRESENT

Bob Rafferty
Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Bill Walton

MEMBERS ABSENT

Rick Thompson

ALSO PRESENT

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

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

Petrosino, Michael & Catherine (Case #1128) – Modification to Prior Approval

Applicant wishes to get Review Board approval for a change of color on their boathouse. The Board previously approved a dark brown with a green/beige trim and the applicant wishes to paint a lighter brown with a grey trim.

Skip Outcalt is present as a representative of the applicant.

Mr. Rafferty recaps the applicant for the Board.

Mr. Smith and Mr. Bissell recuse themselves.

Mr. Outcalt briefly outlines the application and what the applicant wishes to do. Explains that the colors he wishes to paint the boathouse would match a neighboring boathouse a few properties away.

There is a Board discussion on the photos that were provided by Mr. Outcalt.

Ms. Yerkovich asks Mr. Outcalt about the colors and confirms that the color on the boathouse is the new color.

Mr. Outcalt explains that it is the new color, and they already have a portion of the building painted the new color.

Mr. Walton confirms what the color in the photos as well.

Ms. Yerkovich expresses that she prefers the darker brown.

Mr. Aliferis makes a motion to approve the application 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. Rafferty seconds the motion.

All members present vote in favor. The motion is approved 5-0.

Case #1128 is closed.

These minutes were reviewed by the Review Board on October 19, 2022. Mr. Aliferis moved to approve the minutes as written. Mr. Bissell seconded the motion. Mr. Thompson abstained; all remaining members voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	10/31/2022
Town Clerk:	Janet Audley
Date:	11/4/22
Village Clerk:	Amie G. Esby

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 October 5, 2022

MEMBERS PRESENT

Bob Rafferty
Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Bill Walton

MEMBERS ABSENT

Rick Thompson

ALSO PRESENT

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

Colby, Liane (Case #1175) – Modification to Prior Approval

Applicant wishes to add an additional 12 storage units to her property on Wesvalley Rd. The applicant has previously been approved for 12 storage units and wishes to have a total of 24 storage units to rent out.

Liane Colby is present as the applicant.

Mr. Rafferty recaps the application.

Ms. Colby explains her application. States that originally getting the storage units was a challenge and very expensive. Also states that she wishes to add the new units right in line with the existing previously approved ones.

Mr. Rafferty confirms that Ms. Colby already has 12 previously approved units on her property.

Ms. Colby explains that she always intended to have 24 units and should have applied for 24 originally. States that the plan was always to have 24 units with a 1–3-year plan and that they happen to become available now. That is why she wishes to get approved for the additional 12 units.

Mr. Genito makes a motion to approve the application 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 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 present vote in favor. The motion is approved 6-0.

Case #1175 is closed.

These minutes were reviewed by the Review Board on October 19, 2022. Mr. Aliferis moved to approve the minutes as written. Mr. Bissell seconded the motion. Mr. Thompson abstained; all remaining members voted in favor. The motion was approved 6-0.


Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	10/31/2022
Town Clerk:	Jennifer Dudley
Date:	11/4/2022
Village Clerk:	Arnie A. Egg

DEREK DOTY
SUPERVISOR
LAURIE C. DUDLEY
TOWN CLERK/ TAX COLLECTOR
523-2162
RICHARD CUMMINGS
EMILY KILBURN POLTI
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 October 5, 2022

MEMBERS PRESENT

Bob Rafferty
Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Bill Walton

MEMBERS ABSENT

Rick Thompson

ALSO PRESENT

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

Schwartzberg, Eli (Case #1213) – Arch Review/Shoreland Overlay

Eli Schwartzberg is present via GoTo Meeting as the applicant.

Mr. Rafferty recalls the application and asks Mr. Schwartzberg if there are any changes.

Mr. Schwartzberg states that there are a few small changes to the design of the windows to keep the addition in line with the historic aspects of the building.

Ms. Yerkovich asks about the ZBA meeting and how that went.

Mr. Schwartzberg states that the ZBA voted to approve all 3 of his variances and goes over their approval process.

Mr. Genito asks if the Board needs to do a notice to neighbors for this at this point?

Mr. Wright states a notice to neighbors was already done with no comments.

Mr. Genito confirms that the previous notice to neighbors was for the boathouse only and asks if a notice is necessary for this.

Mr. Bissell confirms with Mr. Wright that the Zoning Board does a notice to neighbors.

Mr. Wright states that the Zoning Board requires a full Public Hearing where every neighbor within 200ft is noticed.

Mr. Bissell states that because of the ZBA Public Hearing the Review Board does not need to do a notice to neighbors.

Mr. Genito asks if there were any comments at the Public Hearing.

Mr. Wright states there was one written comment of no issues.

Mr. Walton makes a motion to approve the application with the new window modification. Subject to the following conditions:

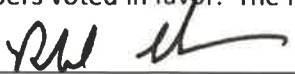
- a. Architectural and site design plans are approved as submitted. Any and all changes or additions to the plans, specifications, materials, or engineering must be submitted in writing for further review and approval by the Review Board.
- b. This approval does not address or make any findings regarding 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 present vote in favor. The motion is approved 6-0.

Case #1213 is closed.

These minutes were reviewed by the Review Board on October 19, 2022. Mr. Aliferis moved to approve the minutes as written. Mr. Bissell seconded the motion. Mr. Thompson abstained; all remaining members voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>10/31/2022</u>
Town Clerk:	<u>Pauline Budley</u>
Date:	<u>11/4/2022</u>
Village Clerk:	<u>Arinda A. Ely</u>

DEREK DOTY
SUPERVISOR
LAURIE C. DUDLEY
TOWN CLERK/ TAX COLLECTOR
523-2182
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

3693 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 October 5, 2022

MEMBERS PRESENT

Bob Rafferty
Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Bill Walton

MEMBERS ABSENT

Rick Thompson

ALSO PRESENT

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

Rugar, Sherri & John (Case #1214 – Arch Review/Viewshed Overlay)

Sherry and John Rugar are present as the applicants.

Mr. Rafferty recaps the case and states that he was absent from the previous meeting and is not familiar with the case.

Ms. Rugar shows the color that they wish to repaint the metal siding to, Mahogany Brown.

Mr. Aliferis confirms that they wish to use this stain on the metal siding.

Ms. Yerkovich confirms that it will be a flat paint.

Ms. Rugar states there will be no shine, and it will be slightly distressed because the metal is aged.

There is a board discussion on color.

Mr. Genito confirms that the applicants will be keeping the wood trim the same and still plan on using a black door.

Ms. Rugar states that they are leaving the wood trim the same and will be using a black door.

Mr. Rafferty asks for a motion.

Mr. Walton makes a motion to approve the application 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. Rafferty seconds the motion.

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

Case #1214 is closed.

These minutes were reviewed by the Review Board on October 19, 2022. Mr. Aliferis moved to approve the minutes as written. Mr. Bissell seconded the motion. Mr. Thompson abstained; all remaining members voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>10/31/2022</u>
Town Clerk:	<u>Tammie Antandley</u>
Date:	<u>11/4/2022</u>
Village Clerk:	<u>Arnta O'Neil</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 October 5, 2022

MEMBERS PRESENT

Bob Rafferty
Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Bill Walton

MEMBERS ABSENT

Rick Thompson

ALSO PRESENT

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

Rugar, Sherri & John (Case #1223) – Arch Review

The applicants wish to repaint a newly acquired property on Main Street. The applicants are proposing to paint the lower brick portion of the building grey and the rest of the building a custom color combination of chestnut and grey.

Sherry and John Rugar are present as the applicants.

Mr. Rafferty recaps the application.

Ms. Rugar further explains their application.

The Board confirms the address of this property with a discussion on the previous use of the building and what the applicant will use the building for.

Ms. Rugar shows a sample of the chestnut combination color for the building.

Mr. Bissell states that it will give the building some contrast and personality.

Ms. Yerkovich states that it has a metal roof and asks what color the trim will be.

Ms. Rugar states it will be black trim with a black door.

Mr. Walton asks if the deck will stay the same size.

Ms. Rugar states it will.

Mr. Bissell asks how many units are in the building.

Ms. Rugar states there are five units.

Mr. Bissell asks if they will be long-term rentals or short-term.

Ms. Rugar states there will be both and that she currently has a long-term tenant in the building now.

Mr. Orticelle informs the board that the applicants also will be replacing the retaining wall and a building permit will be granted for that.

Mr. Rugar states that the wall will be all natural stone.

Mr. Genito confirms the color for the siding and trim.

Ms. Rugar states it will be a combination of grey and chestnut as a custom color.

Mr. Bissell asks about the windows.

Ms. Rugar states there will be no color on the windows because they will be putting in new windows. The trim will be the same color as the siding.

Mr. Genito asks about the color on the bricks.

Ms. Rugar states it will be grey.

Mr. Walton asks if the board should require a notice to neighbors.

Mr. Orticelle states that he does not feel a notice to neighbors is necessary and he suggests that the application should be left open until the next meeting to give the public time to comment if they choose to.

Mr. Bissell asks if council is fine with that suggestion?

Mr. Smith states that he is fine with it and that there is no useful purpose in this case for a notice to neighbors.

Ms. Yerkovich asks how the public would know about the application without a notice to neighbors.

There is a board discussion where the application is posted.

Mr. Orticelle states that the Town does not have an obligation to inform everyone what is going on and that every application is posted on the Town's website.

Mr. Rafferty states that the Board will leave this case open until the next meeting on October 19, 2022.

End of discussion for Case #1223.

These minutes were reviewed by the Review Board on October 19, 2022. Mr. Aliferis moved to approve the minutes as written. Mr. Bissell seconded the motion. Mr. Thompson abstained; all remaining members voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>10/31/2022</u>
Town Clerk:	<u>Juanita Dudley</u>
Date:	<u>11/4/2022</u>
Village Clerk:	<u>Arvata A. City</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

2695 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 October 5, 2022

MEMBERS PRESENT

Bob Rafferty
Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Bill Walton

MEMBERS ABSENT

Rick Thompson

ALSO PRESENT

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

Byrne, Brian (Case #1221) – Shoreland Overlay

The applicant wishes to install a new septic system. The Town of North Elba/Village of Lake Placid Land Use Code states (3.6.4.C.2) that all new wastewater disposal systems in Shoreland Overlay Districts shall be subject to approval of the Review Board and shall set back 300ft or as far as practicable from the mean high-water mark of the shoreline. Any such design plan with a less-than-300-foot septic setback shall also be reviewed by (independent) licensed professional engineer, at the applicant's expense. No setback of less than 300ft shall be permitted unless the Review Board determines conclusively on the basis of the engineers' reports that the permitted facilities will effectively treat the effluents, with no adverse impact on water quality.

Joe Garso is present via GoTo Meetings as a representative of the applicant and designer of the wastewater disposal system.

Mr. Orticelle lays out the septic law in the Land Use Code, Section 3.6.4.C, and explains the history on why the Review Board has oversight on this case.

There are board questions and discussion on this new law.

Mr. Smith reads the new septic law from the Town of North Elba/Village of Lake Placid Land Use Code (Section 3.6.4.C.2)

Mr. Garso states that the absorption field cannot be 300ft from the mean high-water mark as the property is not large enough and there is no opportunity to purchase more property to make it large enough as all the land surrounding the property is state owned. Also states the system will be approximately 270ft from the mean high-water mark of the shoreline.

Mr. Smith emphasizes the board is weighing the quality of water treatment versus the 300ft setback law and explains that the law states that all new wastewater disposal systems shall set back 300ft or as far as practicable from the mean high-water mark of the shoreline.

Mr. Orticelle states that the Review Board is not required to fully understand how these systems work. All the Review Board members need to know is that the engineer is on the hook for making sure the system works and that they are just looking for approval.

Mr. Aliferis states that there should be two engineers' inspections and the application only has one in it.

Mr. Orticelle states that the board is here to approve the original engineer's inspection and design that was confirmed to be adequate by the second engineer in the letter provided. The original inspection is the application.

Mr. Bissell asks if there will be someone there on site while the work is being done to confirm it is installed correctly.

Mr. Garso states that him and his firm are responsible for the installation, and he will have someone onsite to confirm it is installed and working correctly.

Mr. Walton makes a motion to approve the application 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 stormwater management plan aspects of the project, until one year after improvements have been completed.
- c. 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 Transportation, New York State Department of Health, and/or Army Corps of Engineers.
- d. Further, this review does not authorize any actual construction. Final plans, specifications, and construction documentation approval must be obtained through the Building Department.
- e. **NO** construction may commence without construction documents signed by the Code Enforcement Official.

Mr. Genito seconds the motion.

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

Case #1221 is closed.

These minutes were reviewed by the Review Board on October 19, 2022. Mr. Aliferis moved to approve the minutes as written. Mr. Bissell seconded the motion. Mr. Thompson abstained; all remaining members voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>10/31/2022</u>
Town Clerk:	<u>Jamie Ann Sullivan</u>
Date:	<u>11/4/2022</u>
Village Clerk:	<u>Christa A. Esby</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 October 5, 2022

MEMBERS PRESENT

Bob Rafferty
Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Bill Walton

MEMBERS ABSENT

Rick Thompson

ALSO PRESENT

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

Northwood School (Case #1222) – Conditional Use

The applicants wish to build a new 30x50ft slab building. They wish to divide the building with one half being used for a maintenance supervisor office with storage facilities and the other half of the building will be used to house a Jupiter ski tuning machine with appropriate waxing and storage facilities.

Joey Burnah and Tom Broderick are present as representatives of Northwood School.

Mr. Rafferty recaps the application.

Mr. Broderick explains their application in detail and explains the reasoning behind wanting to build a new building. They wish to have a better, more proper permanent place for their ski tuning equipment and to give maintenance a larger, more efficient space to use.

Mr. Burnah states it will be a 30x50ft slab building with in-floor heating. Half of the building will be used to house the Jupiter ski tuning machine with a waxing room and ski storage room. There will be no driveway to the tuning side of the building. The other half of the building will be for maintenance and will face the existing bus garage. The maintenance side will have storage space and an office in it. The building will have siding that matches the existing school buildings.

Mr. Broderick states that it will be the same color as the existing school buildings and will have no water or sewer going to the building.

Mr. Burnah states there is no access to water/sewer near the building and would be too costly to install.

Mr. Broderick states that currently the Jupiter ski tuning machine is housed in an old metal siding shed that is long past its time and that maintenance uses a shared room in the main building. Also states that the school will be removing the existing metal building and they are not seeking to add more buildings just to replace one in a new location.

Mr. Aliferis asks if the building will be noisy and if the ski tuning machine is loud or not.

Mr. Broderick states that it is very quiet.

Mr. Aliferis wishes to confirm it is not loud like a sawmill would be.

Mr. Burnah states that it is very quiet, and it is a grinding wheel.

Mr. Rafferty asks if it will be able to be seen from Northwood Road.

Mr. Broderick states that it should not be visible from either road that the property faces.

Mr. Orticelle explains the reasoning for the Review Board to have oversight in this case. States that in the Land Use Code it states that in the South Lake Residential District a school is not a permitted use. However, this is a pre-existing non-conformity, and the Land Use Code also states:

- A non-conforming use may expand if the structures associated with the expansion meet the minimum setback requirements of the planning district in which it is located, and the use as expanded is approved as a conditional use by the Review Board (Town of North Elba/Village of Lake Placid Land Use Code Section 4.2.2.B.2)

There is a Board discussion on if they can approve the application in one meeting or not.

Mr. Genito confirms the color they wish to use is Mallard Brown.

Mr. Burnah states that is correct and that the use of that color and the roof shingles will match the buildings next to it.

Mr. Bissell makes a motion to approve the application 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 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.
- c. The Review Board will retain continuing jurisdiction over the stormwater management plan aspects of the project, until one year after improvements have been completed.
- d. Further, this review does not authorize any actual construction. Final plans, specifications, and construction documentation approval must be obtained through the Building Department.

e. **NO** construction may commence without construction documents signed by the Code Enforcement Official.

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

Case #1222 is closed.

These minutes were reviewed by the Review Board on October 19, 2022. Mr. Aliferis moved to approve the minutes as written. Mr. Bissell seconded the motion. Mr. Thompson abstained; all remaining members voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED

Date: 10/31/2022

Town Clerk: James C. Dudley

Date: 11/4/2022

Village Clerk: Anita G. Gaj

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 October 5, 2022

MEMBERS PRESENT

Bob Rafferty
Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Bill Walton

MEMBERS ABSENT

Rick Thompson

ALSO PRESENT

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

Board Business

Mr. Rafferty asks Mr. Orticelle if there is anything he wishes to discuss with the board.

Mr. Orticelle states there is nothing new or relevant at this time.

Mr. Rafferty states the board needs to approve the minutes from the meeting on September 21, 2022.

Mr. Aliferis motions to approve the minutes with one spelling correction on page 8.

Ms. Yerkovich seconds the motion.

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

Meeting adjourns at 6:20 PM.

These minutes were reviewed by the Review Board on October 19, 2022. Mr. Aliferis moved to approve the minutes as written. Mr. Bissell seconded the motion. Mr. Thompson abstained; all remaining members voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED

Date: 10/31/2022
Town Clerk: Jamie Ann Dudley
Date: 11/4/2022
Village Clerk: Andrea A. Egg