

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

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EUGENE MARTIN
PARK DIST. MGR
523-2591
MIKE ORTICELLE
DARCI WHITNEY
CODE ENFORCEMENT OFFICIALS
523-9518
TODD ANTHONY
ASSESSOR
TEL: 523-1975
FAX: 523-9821
TOWN COURT OFFICE
523-2141
MARK SCHACHNER
ATTORNEY FOR THE TOWN

Review Board Meeting Minutes March 1st, 2023

MEMBERS PRESENT

Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Claire Doering

ALSO PRESENT

Tim Smith, Board Attorney
Mike Orticelle, Code Enforcement Officer
Darci Whitney, Code Enforcement Officer

MEMBERS ABSENT

Rick Thompson
Bob Rafferty

Uno Mas Mexican Restaurant (Case #1235) – Sign Review

Applicant wishes to install a new sign in an existing sign location for a new Mexican restaurant. The sign will use the existing downward facing lighting.

Laura Walker is present as a representative of the applicant.

Ms. Walker states that this is the eighth sign she has made for this location and is hoping this restaurant sticks for the location.

Mr. Aliferis asks where this location is.

Ms. Walker states it is behind Saranac Sourdough.

Ms. Yerkovich asks if Ms. Walker knows the plan for the complex there.

Ms. Walker states she does not.

Mr. Aliferis asks about the photo with the existing sign.

Ms. Walker states that she added that photo to show the existing sign standard that will be used.

Mr. Bissell asks if there is any dimension to it.

Ms. Walker states that the skull is raised and there will be PVC between the signs.

Mr. Bissell asks if it is using existing lighting.

MS. Walker states it will be.

Mr. Bissell 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 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.

Ms. Yerkovich seconds the motion.

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

Case #1235 is closed.

These minutes were reviewed by the Review Board on April 5th, 2023. Bob Rafferty moved to approve the minutes as written. Laura Yerkovich seconded the motion. All members present voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>5/4/23</u>
Town Clerk:	<u>Jenny Cusumano</u>
Date:	<u>5/19/23</u>
Village Clerk:	<u>Anita Q. [Signature]</u>

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Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Claire Doering

ALSO PRESENT

Tim Smith, Board Attorney
Mike Orticelle, Code Enforcement Officer
Darci Whitney, Code Enforcement Officer

MEMBERS ABSENT

Rick Thompson
Bob Rafferty

Equipment Rentals Inc. (Case #1236) – Sign Review

Applicant wishes to replace their existing sign with a new sign. The sign will use the existing sign standard and lighting. The new sign will look almost identical to the existing sign but will be larger.

Laura Walker is present as a representative of the applicant.

Mr. Bissell asks if there is dimension to this sign.

Ms. Walker states that there is quite a bit of dimension. The logo is raised letters with 1/2inch spacers.

Ms. Doering asks if it is the size of the existing board.

Ms. Walker states it will be a little larger.

Mr. Aliferis asks for clarification.

Ms. Walker states they will have to move the post about a foot farther apart.

Mr. Genito asks for clarification on raised dimensions.

Ms. Walker states it is offset and raised but the phone number is raised and not offset.

Ms. Yerkovich asks if it will be white.

MS. Walker states it is off white.

Mr. Genito makes a motion 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.

Ms. Doering seconds the motion.
All members present vote in favor. The motion is approved 5-0.

Case #1236 is closed.

These minutes were reviewed by the Review Board on April 5th, 2023. Bob Rafferty moved to approve the minutes as written. Laura Yerkovich seconded the motion. All members present voted in favor. The motion was approved 6-0.



 Rick Thompson, Chairman
 Review Board

RECEIVED	
Date:	<u>5/4/23</u>
Town Clerk:	<u>Janet D. Kelly</u>
Date:	<u>5/19/23</u>
Village Clerk:	<u>Anita D. Kelly</u>

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Review Board Meeting Minutes March 1st, 2023

MEMBERS PRESENT

Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Claire Doering

MEMBERS ABSENT

Rick Thompson
Bob Rafferty

ALSO PRESENT

Tim Smith, Board Attorney
Mike Orticelle, Code Enforcement Officer
Darci Whitney, Code Enforcement Officer

Mr. Bissell opens the meeting, as acting Chairman, at 5:31pm.

Stewart's Shop (Case #1228) – Architectural Review/Viewshed Overlay

Chuck Marshall is present as a representative of Stewart's Shops.

Mr. Bissell state that the ZBA approved the variance request for a 122ft gas canopy.

Mr. Bissell asks Mr. Marshall if there are any changes to the application.

Mr. Marshall states that there are no changes to the application and presents illustrations to the Board that depict the Mansard roof line on the canopy and a new drone overlay image of the proposed canopy and building structure.

Mr. Marshall also noted that the color and material sample board was given to the Building Department and the proposed colors and materials will be identical to Keene and Au Sable.

Mr. Marshall further discusses the lighting plan. States that they are willing to go to a 3000 Kelvin light that has a softer yellowish hue.

Mr. Bissell states that he feels the Board should do a site visit. He also asks if the gas canopy will completely cover a vehicle with the angled pumps and if any runoff from the canopy will drip onto people getting out of their vehicles.

Mr. Marshall states that a vehicle fits under the canopy and states that is the purpose of the canopy to cover the vehicle and pedestrians.

Mr. Aliferis asks about the structure in the back parking lot behind the existing building.

Mr. Marshall states that the sculpture is from the 1980 Winter Olympic Games and belongs to the Lake Placid Center for the Arts (LPCA). He also states that they have an easement that will be staying. The easement allows the LPCA to park on the Stewart's property and for the sculpture to stay where it is.

Mr. Aliferis states that there will only be one entrance from Route 86. Proposes a scenario where in the summertime a person comes with a large truck or SUV that is towing a boat attempts to come to get gas. Stating that if all of the easily accessed pumps are occupied, it does not appear that they would have enough room to maneuver around the canopy to enter a pump from the other direction.

Mr. Marshall states that theoretically they would follow the same path the plans depict for the gas tanker to take around the side of the canopy that is closer to the store. Or a customer could turn around further down the property behind the new building.

There is a Board discussion on what might happen in the situation of someone entering with a trailer.

Mr. Bissell asks the Board members if they have any further questions.

There are no further questions from the Board.

Mr. Bissell states they need to do a site visit. Scheduling it for Tuesday March 7th, 2023, at 4:30pm.

Ms. Doering asks about the timeline.

Mr. Marshall states that he will get that information to the Board at the site visit. Stating he does not want to misquote the timeframe. Stating that there is no issue with them constructing the store and district office while the existing store remains open. The most difficult part is the gas canopy.

Lee Slocum, a resident on Algonquin Drive, wishes to comment.

Mr. Bissell grants the request.

Ms. Slocum states that Stewart's is proposing to remove an entrance on Saranac Avenue and that currently there are multiple entrances on Algonquin Drive that are not frequently used. Stating that with less egress and ingress from Saranac Ave. there will be more traffic on Algonquin Dr.

Ms. Slocum asks if there is any thought about adding a left turn lane on Algonquin Dr. to help with traffic.

Mr. Bissell states that he does not think there has been any major thought to that.

Ms. Slocum asks if a traffic study has been done and that Algonquin Dr. can get backed up 15 minutes.

Mr. Orticelle states that traffic studies have been done in that area multiple times for other projects and they cannot get a traffic light in that intersection.

Ms. Slocum states she would not want a traffic light but would want a left turn lane. Also asking who she is talking to.

Mr. Orticelle states his name and that he is a Town Code Enforcement Official. Also stating that this Board does not have the authority to have a turning lane on a town road and states that would be a concern that has to go to the Town Board.

Ms. Slocum asks if it should be considered before this change is approved.

Mr. Orticelle states that he does not feel there is any justification to hold up the process over a traffic issue that may or may not occur.

Mr. Smith states that he agrees, and this Board will consider anything until they make a decision, but the traffic issue is a Town Board concern. He also states his name and that he is the Review Board Counsel.
Ms. Slocum asks when the Town Board meets.

Mr. Orticelle suggests contacting the Town Clerk and she can direct on how to request to see them.

Mary Shubert wishes to comment as well. Stating that there is an error on the presented building drawings. There are two Southeast elevation drawings and one of them must be mislabeled.

Ms. Shubert asks if there will be a public hearing after the site visit.

Mr. Orticelle states that there already was a public hearing at the Zoning Board so they are not required to have a public hearing at this Board.

Ms. Shubert asks if they will continue to take public comments or if she should make her comments now.

Mr. Orticelle states that this isn't a public meeting either and that she is welcome to submit comments in writing until a decision is made.

Ms. Yerkovich arrives late to the meeting and apologizes for being late.

Ms. Yerkovich states that she has one question for Mr. Marshall about the white on the gas canopy as opposed to brown.

Mr. Marshall states that he was against painting as it tends to flake.

Ms. Yerkovich states she saw a brown one in Cooperstown.

Ms. Whitney states that it is an older style with a metal roof.

Mr. Marshall states that he has done a handful of gas canopies but they are usually against painting the metal on the gas canopies. Stating that he will look into the Cooperstown one and what was done there.

End of Discussion on Case #1228.

These minutes were reviewed by the Review Board on April 5th, 2023. Bob Rafferty moved to approve the minutes as written. Laura Yerkovich seconded the motion. All members present voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	5/4/23
Town Clerk:	Jamie L. Dudley
Date:	5/19/23
Village Clerk:	Amata A. Esf

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MEMBERS PRESENT

Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Claire Doering

ALSO PRESENT

Tim Smith, Board Attorney
Mike Orticelle, Code Enforcement Officer
Darci Whitney, Code Enforcement Officer

MEMBERS ABSENT

Rick Thompson
Bob Rafferty

Kemp, Todd (Case #1232) – Notice to Neighbors/Shoreland Overlay

Todd Kemp is present as the applicant.

Mr. Bissell asks Ms. Whitney if there were any comments.

Ms. Whitney states that there were 6 notices mailed and 5 returned.

There were no written comments.

Mr. Kemp states that he brought samples of color and materials. Stating that they decided to change from cedar shake to a poplar shake.

Mr. Kemp goes over the color choices and where they will be used.

There is a Board discussion on the colors.

Mr. Bissell asks about a site visit.

Ms. Whitney states that at the previous meeting the Board decided they did not need to do a site visit.

Mr. Bissell confirms there were no comments.

Ms. Whitney states there are no comments.

Mr. Bissell states that they have already discussed lighting.

Mr. Aliferis motions to approve the application as presented. Subject to the following conditions:

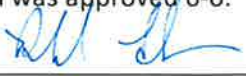
- a. Architectural and site design plans are approved as submitted. Any and all changes or additions to the plans, specifications, materials, or engineering must be submitted in writing for further review and approval by the Review Board.
- b. The Review Board will retain continuing jurisdiction over the 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 premises shall not be used for access to any other parcel of land fronting on Lake Placid, except to a single parcel which is or is to be improved only by a one-family residence and accessory structures thereto.
- e. The Review Board will retain continuing jurisdiction over the stormwater management plan aspects of the project, until one year after improvements have been completed.
- f. This approval does not address or make any findings regarding applicable deed restrictions, covenants, or other title conditions. This approval does not excuse the applicant from obtaining all other necessary governmental approvals, including but not limited to the New York State Building Code, Adirondack Park Agency, New York State Department of Environmental Conservation, New York Department of Transportation, New York State Department of Health, and/or Army Corps of Engineers.
- g. Further, this review does not authorize any actual construction. Final plans, specifications, and construction documentation approval must be obtained through the Building Department.
- h. **NO** construction may commence without construction documents signed by the Code Enforcement Official.

Mr. Genito seconds the motion.

Mr. Bissell asks about discussion.

All members present vote in favor. The motion is approved 5-0.
Case #1232 is closed.

These minutes were reviewed by the Review Board on April 5th, 2023. Bob Rafferty moved to approve the minutes as written. Laura Yerkovich seconded the motion. All members present voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	5/4/23
Town Clerk:	Jennifer Crowley
Date:	5/19/23
Village Clerk:	Amber A. Eddy

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ALSO PRESENT

Tim Smith, Board Attorney
Mike Orticelle, Code Enforcement Officer
Darci Whitney, Code Enforcement Officer

Board Business

Mr. Orticelle states that EMS wants to change their light fixtures. They wish to put in four LED downlit light fixtures. The lights only extend 10 inches from the building.

Mr. Orticelle states that if the Board likes the light fixtures we can just work on the lumens.

Ms. Yerkovich asks if it is angled.

Mr. Orticelle states it is.

Mr. Aliferis asks about ice.

MR. Orticelle states ice will not be an issue as they are closer to the building.

Mr. Bissell states that with a junction box mount it can be angled towards the building.

Mr. Orticelle asks if the Board wants it presented to them or if they want him to get the lumens down and bring it back to them.

Mr. Bissell states they want to get the lumens down and a warmer light.

MEMBERS ABSENT

Rick Thompson
Bob Rafferty

Mr. Smith states it would be a good idea for the Board to retain jurisdiction.

There is a Board discussion on light angel and lumens.

Mr. Orticele states that he will get the lumens down and bring it back to the Board.

Mr. Bissell asks for a motion to approve the minutes.

Ms. Yerkovich motions to approve the minutes.

Mr. Bissell seconds the motion.

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

Mr. Smith mentions that with the Stewart's case the Board will have to do a SEQR determination as the building is not an existing structure and is over 4,000sqft. Noting that the ZBA also had to do a SEQR determination.

Mr. Genito asks if that can be done at the next meeting.

Mr. Smith states that it can be.

Meeting adjourns at 6:07pm.

These minutes were reviewed by the Review Board on April 5th, 2023. Bob Rafferty moved to approve the minutes as written. Laura Yerkovich seconded the motion. All members present voted in favor. The motion was approved 6-0.


Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>5/4/23</u>
Town Clerk:	<u>Pamela Sudley</u>
Date:	<u>5/19/23</u>
Village Clerk:	<u>Amber A. Ely</u>