

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



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 April 5th, 2023

MEMBERS PRESENT

Bob Rafferty
Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Claire Doering

ALSO PRESENT

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

MEMBERS ABSENT

Rick Thompson

Mr. Rafferty opens the meeting at 5:30pm

Weber, Sabine (Case #1237) – Notice to Neighbors/Site Visit Recap/Cond. Use/ Arch Review

Sabine Weber is present as the applicant.

Mr. Rafferty recaps the application stating that a site visit was conducted and asks the Board if they have any questions.

Ms. Yerkovich asks if the dog wash area is going to be open to the outside or if it will be a room.

Ms. Weber states that it will be a small room with an indoor bathtub.

Mr. Rafferty asks the Board for a site visit review.

Mr. Bissell recaps the site visit and states that the new peak of the roof will be slightly above the existing roof line.

Ms. Weber states that the office space she wishes to create will be set up so that in the future it can be used as an apartment if wanted.

Mr. Rafferty states there was a Notice to Neighbors sent out.

17 – notices were mailed
12- return receipt cards received

One written comment was received – suggesting no metal or plastic siding and was in favor of the project.

Mr. Aliferis confirms the sheet provided to the Board is the comment and that it seems to be a positive comment.

Mr. Rafferty asks Mr. Smith if there are any special situations.

Mr. Smith states it is Type II for SEQR and that the Board is ready to take action on this case.

Mr. Genito states that on the site visit there were questions about the siding and states that there is nothing in the application about what kind of siding will be used.

Ms. Weber states that she was going to just match the existing and learned on the site visit that she cannot do that.

Mr. Genito states that Texture-111 (T-111) is prohibited.

Ms. Weber states that she will have to speak with her builder and make a decision. She states that she can match the siding with a higher quality siding.

Mr. Genito states that another vertical siding could be used.

Mr. Bissell states that horizontal siding can help bring the visual height of the building down.

Ms. Weber states she can have the architect redraw.

Mr. Bissell states that the project is approvable now and that a siding sample can be brought into the Building Department once a choice is made.

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

- a. Siding style and color must be approved by the Review Board prior to installation.
- b. 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.
- c. The Review Board will retain continuing jurisdiction over the exterior lighting plan and the wattage and shielding of lights, until one year after the improvements have been completed, and during this one-year period the Review Board may prescribe modifications if it sees fit to mitigate adverse impacts from the project's lighting.
- d. The Review Board will retain continuing jurisdiction over the planting plan aspects of the project, until one year after all plantings have been completed, and during this one-year period the Review Board may prescribe additional plantings if it sees fit to mitigate visual impacts. Plantings which do not survive shall be replaced in kind, whether before or after the one-year period.
- e. 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. Bissell seconds the motion.

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

Case #1237 is closed.

These minutes were reviewed by the Review Board on April 19th, 2023. Bob Rafferty moved to approve the minutes with minor grammatical corrections. Laura Yerkovich seconded the motion. All members present voted in favor. The motion was approved 5-0.



Rick Thompson, Chairman
Review Board

RECEIVED

Date: 5/4/23
Town Clerk: Juanita Sudler
Date: 5/19/23
Village Clerk: Aneta A. Esby

DEREK DOTY
SUPERVISOR
LAURIE C. DUDLEY
TOWN CLERK/ TAX COLLECTOR
523-2162
RICHARD CUMMINGS
EMILY KILBURN POLITI
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MEMBERS PRESENT

Bob Rafferty
Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Claire Doering

MEMBERS ABSENT

Rick Thompson

ALSO PRESENT

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

Gravatt, Jonathan & Meghan (Case #1179) – Modification to Prior Approval/Sign Review

Applicants seek approval for a parking plan and outdoor seating area. Applicants also seek approval for a new sign on the building.

Jonathan and Meghan Gravatt are present as the applicants.

Mr. Rafferty recaps the application and notes the updated parking plan that was presented to the Board prior to the meeting.

Ms. Gravatt goes over the proposed seating area and parking spots, stating that they are currently not proposing any indoor seating and will be primarily takeout.

Mr. Aliferis asks if they anticipate the need for nineteen parking spaces.

Ms. Gravatt states that it provides more parking for takeout customers coming and going.

Mr. Genito asks how many spots are there currently.

Mr. Gravatt states that they never finalized parking spots on the prior approved plan.

Ms. Yerkovich states that she notices there is a proposed firepit and asks what kind of fuel will be used for the fire.

Ms. Gravatt states that it will be wood like the smokers.

Mr. Genito states that this property is in the town and that within the Village lines it is prohibited to have an open firepit.

Mr. Bissell states that it must be propane within the Village.

Mr. Rafferty states that the biggest change is the parking and exterior seating area.

Ms. Gravatt states that they hope to have a one-way flow of traffic to help with this.

Mr. Rafferty asks if they will use signage for the traffic flow.

Ms. Gravatt states that they will.

Mr. Genito asks if the change in parking was approved by the property owner.

Ms. Gravatt states that it was.

Ms. Whitney states that we have the approval in the file.

Mr. Rafferty asks how close to the barrier to the seating area traffic will be driving.

Ms. Whitney measures the map and states that there is between 35-40ft of driving space.

Mr. Gravatt states that the goal is safety, and they can move the seating area over more if needed.

Mr. Aliferis asks if the planters will be small shrubs.

Ms. Gravatt states that they will be just for a touch of greenery.

There is a Board discussion on the game "Cornhole."

Ms. Yerkovich states that the sign being down on the wall of the building makes more sense than the sign being above the roof line.

Ms. Whitney states that the Land Use Code prohibits a sign from being on top of a roof.

Mr. Genito asks about parking in the front of the building.

Ms. Gravatt states that there will be no parking directly in front of the building and it will be a loading zone with signage.

There is a brief Board discussion on one-way traffic flow.

Ms. Whitney measures from the end of the parking spots to the picnic tables – 30ft and from the parking spots to the rope barrier – 28ft.

There is a brief Board discussion on DOT curb cut regulations and it is said that these are existing cuts.

Mr. Smith asks if people are going to be allowed to parallel park along the fence line.

Ms. Gravatt states that will be discouraged.

Mr. Rafferty asks about handicapped parking.

Ms. Gravatt states that they are marked on the plan in blue.

Ms. Whitney states that the updated plan shows the correct parking spot widths per the code.

Mr. Rafferty moves the discussion to the signage application.

Ms. Gravatt states that the first sign, on the roofline, they were playing around with the idea and know it is not allowed per the code. She further states that the second sign is what they are asking for approval of, and it will be painted on the building with Yellow and Brown lettering.

Mr. Aliferis wishes to clarify the sign mockup photos for which ones are to be considered.

Ms. Gravatt states that they will stencil the letters and paint them on the wall.

Mr. Gravatt asks if any future hours of operation changes need Board approval.

Ms. Whitney states that they would need Board approval for that.

Ms. Doering makes a motion to approve the Modification to Prior Approval application and the Signage Application: 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. 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.
- c. The Review Board will retain continuing jurisdiction over the exterior lighting plan and the wattage and shielding of lights, until one year after the improvements have been completed, and during this one-year period the Review Board may prescribe modifications if it sees fit to mitigate adverse impacts from the project's lighting.
- d. 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.
- e. Further, this review does not authorize any actual construction. Final plans, specifications, and construction documentation approval must be obtained through the Building Department.
- f. **NO** construction may commence without construction documents signed by the Code Enforcement Official.

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

Case #1179 is closed.

These minutes were reviewed by the Review Board on April 19th, 2023. Bob Rafferty moved to approve the minutes with minor grammatical corrections. Laura Yerkovich seconded the motion. All members present voted in favor. The motion was approved 5-0.



Rick Thompson, Chairman
Review Board

RECEIVED

Date:	5/4/23
Town Clerk:	Yvonne Cutler
Date:	5/19/23
Village Clerk:	Arvita A. Egan

DEREK DOTY
SUPERVISOR

LAURIE C. DUDLEY
TOWN CLERK/ TAX COLLECTOR
523-2162

RICHARD CUMMINGS
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MARK SCHACHNER
ATTORNEY FOR THE TOWN

Review Board Meeting Minutes April 5th, 2023

MEMBERS PRESENT

Bob Rafferty
Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Claire Doering

MEMBERS ABSENT

Rick Thompson

ALSO PRESENT

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

Hoffman, T & Trapanese, M (Case #1238) – Notice to Neighbors/Cond. Use/Sign Review

Taylor Hoffman is present via phone only via GoTo Meetings.

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

Mr. Hoffman states there are no changes.

Mr. Genito states there was a Notice to Neighbors sent out.

7 – Notices were mailed
4 – Receipt cards received

No written comments.

Mr. Rafferty moves to the signage application.

Ms. Yerkovich asks if the “Hoffman Auto” sign will be above the new coffee shop sign.

Mr. Genito states that the coffee shop sign will be above the “Hoffman Auto” sign.

Mr. Rafferty asks for the correct pronunciation of the coffee shop’s name.

Mr. Smith jokingly asks what the meaning of the name Capisce Coffee is.

Mr. Hoffman states that it means "do you understand."

Mr. Bissell asks if there is anything 3-dimensional about the sign.

Mr. Hoffman states that it will be a flat sign like the existing one now with a border.

Mr. Bissell asks if the border will come out at all.

Mr. Hoffman states that the border will be raised about an inch.

Mr. Bissell asks if there will be any lighting.

Ms. Yerkovich states that they have existing lighting that will be used.

Mr. Hoffman confirms they will use the existing lighting.

Mr. Genito asks if they will have any other signs on the building.

Mr. Hoffman states that these will be the only signs and they will be two-sided and will be condensing all of the existing signage into one sign with an additional sign being added for the new coffee shop.

Mr. Bissell states that the Board is basically approving two signs.

Ms. Yerkovich motions to approve the Conditional Use application and the Signage 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. 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.
- c. The Review Board will retain continuing jurisdiction over the exterior lighting plan and the wattage and shielding of lights, until one year after the improvements have been completed, and during this one-year period the Review Board may prescribe modifications if it sees fit to mitigate adverse impacts from the project's lighting.
- d. 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.
- e. Further, this review does not authorize any actual construction. Final plans, specifications, and construction documentation approval must be obtained through the Building Department.
- f. **NO** construction may commence without construction documents signed by the Code Enforcement Official.

Mr. Smith states that this is a Type II for SEQR by the size of the business.

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

Case #1238 is closed.

These minutes were reviewed by the Review Board on April 19th, 2023. Bob Rafferty moved to approve the minutes with minor grammatical corrections. Laura Yerkovich seconded the motion. All members present voted in favor. The motion was approved 5-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	5/4/23
Town Clerk:	Patricia L. Dudley
Date:	5/19/23
Village Clerk:	Amanda L. Esch

DEREK DOTY
SUPERVISOR
LAURIE C. DUDLEY
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Review Board Meeting Minutes April 5th, 2023

MEMBERS PRESENT

Bob Rafferty
Chip Bissell
David Genito
Peter Aliferis
Laura Yerkovich
Claire Doering

MEMBERS ABSENT

Rick Thompson

ALSO PRESENT

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

Tractor Supply (Case #1241) – Seasonal Site Plan Modification

The applicants wish to install a temporary tent in their parking lot to sell outdoor plants and shrubs. The applicants wish to only have the tent installed for 3 months, from May – July.

Nancy Bardin is present via GoToMeetings as a representative of the applicant and a representative of the Tent Company.

Mr. Rafferty recaps the application and states that the provided photos clearly show where the tent is proposed to go better than the provided map does.

Ms. Yerkovich asks what the purpose of the tent is.

Ms. Bardin states they want to sell seasonal plants in it.

Ms. Yerkovich asks if they will have a point of sale in the tent.

Ms. Bardin states that she is unsure of that.

Mr. Genito states there will be no walls, lights, or heat in the tent.

Ms. Doering states that “Coakley’s Hardware” in Saranac Lake does this every spring in their parking lot.

Mr. Bissell asks about the height of the tent.

Ms. Bardin states that the perimeter of the tent is 10ft and the peak is 14ft.

Mr. Bissell states that it will block the storefront from the road and entrance in the proposed location.

Ms. Bardin states they are proposing to place the tent directly across from the entrance.

Ms. Doering states that would allow employees in the store visibility of the tent.

Mr. Bissell states that he would not suggest moving it over to not be seen by the employees but would move it over enough to not block the building and so that it was not the first thing seen upon entering the property.

Mr. Aliferis agrees with Mr. Bissell and states that he shops there often.

Mr. Bissell states that it is far enough back from the entrance so there is no safety issue.

Mr. Rafferty asks if they are willing to move the tent over would it allow the Board to not conduct a site visit.

Ms. Doering states that if it is moved too far down the parking lot, people driving by the store will not be able to see the tent.

There is a brief Board discussion on the visibility of the property.

Ms. Whitney states that a previous Board worked hard on this original approval and created outdoor spaces they could use that are marked on the site map in green.

Mr. Bissell states that this creates a slippery slope situation and that the entire left side of the building, marked on the map in yellow, is for outdoor, fenced in display area.

There is a Board discussion on the property layout.

Mr. Smith states that currently the property has a clean look.

Ms. Whitney states that we need someone from Tractor Supply to put in writing the purpose and intent of this tent.

Mr. Bissell adds that they need to have alternate locations as well.

Ms. Bardin asks if there are any preferred locations.

Mr. Bissell states that he prefers it be off to the left more.

Ms. Whitney reads the site map, and the colored area labels.

Mr. Bissell states that if it were off the green area closer to the building it would make more sense.

Mr. Rafferty agrees stating to the left of the handicap parking spaces.

Ms. Yerkovich states in the corner where the red and green labeled areas meet.

Ms. Bardin states that she can talk to the company about moving the tent.

Mr. Rafferty schedules a site visit for Tuesday April 11th at 4:30pm.

Ms. Bardin states she will confirm with the store manager and will contact the Building Department.

End of Discussion on Case #1241.

These minutes were reviewed by the Review Board on April 19th, 2023. Bob Rafferty moved to approve the minutes with minor grammatical corrections. Laura Yerkovich seconded the motion. All members present voted in favor. The motion was approved 5-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	5/4/23
Town Clerk:	Janet A. Sudley
Date:	5/19/23
Village Clerk:	Amata A. Esq.

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Claire Doering

MEMBERS ABSENT

Rick Thompson

ALSO PRESENT

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

Board Business

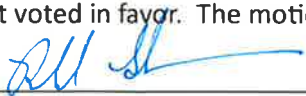
Mr. Rafferty motions to approve the minutes for 3/1/23 and 3/15/23 as a single motion.

Ms. Yerkovich seconds the motion.

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

Meeting adjourns at 6:22pm.

These minutes were reviewed by the Review Board on April 19th, 2023. Bob Rafferty moved to approve the minutes with minor grammatical corrections. Laura Yerkovich seconded the motion. All members present voted in favor. The motion was approved 5-0.


Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	5/4/23
Town Clerk:	Janeen P. Dudley
Date:	5/19/23
Village Clerk:	Christa R. Goff