

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 May 3rd, 2023

MEMBERS PRESENT

Rick Thompson
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

Karetsos, Spyro (Case #1244) – Notice to Neighbors/Site Visit Recap/Shoreland Overlay

Patrick Ledger is present as a representative of the applicant. Michael Reynolds is also present via GoTo Meetings as a representative of the applicant.

Mr. Thompson recaps the site visit conducted on April 25th, 2023. Stating there will be a one story structure with a deck on top and the ramp to the rooftop deck will be on the higher hillside of shoreline.

Mr. Thompson also states that the applicant wishes to build a two slip boathouse and noted the previous comment about lighting in general. Stating that the proposed lighting is about the same as every other property in the area.

Mr. Thompson finishes the recap by stating that there appears to be at least one large tree that would need to be removed and noted that the entire structure sits within the 30% of shoreline length requirement by the Land Use Code (LUC).

Mr. Ledger states that they will do their best to not remove trees if they can.

Mr. Bissell comments on the concern about lighting. Stating that the proposed lighting is downlit and will be 18in from the deck.

Mr. Ledger states that the lighting will all be Dark Sky Compliant, and they match the lighting that was previously approved on another boathouse on the lake.

Mr. Thompson asks if there are any changes to the application.

Mr. Ledger states that there were changes made prior to the Review Board's initial meeting.

Mr. Ledger also states that they have received a Non-Jurisdictional letter from the APA.

Mr. Thompson states that there was a Notice to Neighbors sent out.
11 notices were sent; 8 were returned; and 1 written comment was received.

Mr. Thompson reads the written comment that was received and states that the hours the boathouse will be worked on will be whatever hours are allowed in the LUC.

Mr. Ledger states that the proposed doors will have frosted glass in them and will be the same color as the existing house and new boathouse.

Mr. Thompson states there is no issue with the glass as long as it is not reflective.

Mr. Thompson asks if there are any members of the public present that wish to comment.

***Nancy Haneman, a neighbor, wishes to comment.

Ms. Haneman could not get her microphone unmuted until the end of the meeting and commented during the discussion on Board Business. Ms. Haneman's comment has been added at this point in the minutes to reflect a comment on the appropriate case.

Ms. Haneman states that she wants to make sure that the applicant and his family are safe while driving boats in and out of their boathouse. Stating that she has grandkids that swim in the water in the area and that boats tend to go too fast and too close to shore.

Mr. Thompson thanks Ms. Heneman for her comment and informs her that the comment will be reflected in the minutes and case file.

Ms. Yerkovich states that the issue of a lake constable came up at the Town Board's meeting the previous evening.

Mr. Thompson asks what the recourse would be for this situation.

Ms. Yerkovich states that the DEC has authority on the waterways.

End of shifted discussion***

Mr. Smith states that this project is a Type II for SEQR.

Mr. Bissell motions to approve the 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. 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.

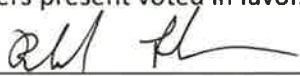
- c. The Review Board will retain continuing jurisdiction over the planting plan aspects of the project, until one year after all plantings have been completed, and during this one-year period the Review Board may prescribe additional plantings if it sees fit to mitigate visual impacts. Plantings which 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.

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

Case #1246 is closed.

These minutes were reviewed by the Review Board on May 17th, 2023. Bob Rafferty moved to approve the minutes with one minor correction in Board Business. Peter Aliferis seconded the motion. All members present voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>6/26/23</u>
Town Clerk:	<u>Jane P. Dwyer</u>
Date:	<u>7/3/23</u>
Village Clerk:	<u>Amela Q. Esq.</u>

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MEMBERS PRESENT

Rick Thompson
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

Dunford, Kevin (Case #1246) – Conditional Use

The applicant wishes to convert a back portion of a garage into a home occupation consisting of a prep kitchen. The applicant wishes to use the space to prep meals that will then be transported to the client's homes and finished at the client's properties.

Mr. Thompson recaps the application and asks the applicant to go over his application.

Mr. Dunford explains his application. Stating that he wishes to convert the back of an existing garage into his prep kitchen. Stating that there will be no signage on the property and no extra traffic as he is the only person using the kitchen.

Mr. Dunford Further states that he is relocating from Keene and has been working with the Health Department.

Ms. Yerkovich states that this property is not on a very densely populated road and asks what the impact on the neighbors will be. Asking about the sound from exhaust fans and smells from cooking.

Mr. Dunford states that there will be no extra traffic on the road if he is granted this use.

Mr. Genito asks what kind of exhaust fan will be used.

Mr. Dunford states that it will not be an industrial commercial fan, it will be a home exhaust fan as the range will not be any larger than what would be found in a home.

Mr. Dunford also states that there will be no frier in the kitchen, and he will only have a range. The range will be small enough that an ANSUL system will not be required, and a simple house exhaust fan will be used.

Mr. Dunford further states that the State's garage for the Bobsled run is next door and way louder than anything he will be doing.

Ms. Yerkovich states that the proposed cooking is limited in this kitchen.

Mr. Dunford states that this kitchen will help him to not have to go to his client's homes hours prior to a meal to prep each meal.

Ms. Yerkovich asks if there were any issues in Keene from the neighbors.

Mr. Dunford states there were no issues in Keene.

Mr. Thompson states that there is already parking on the property with a pre-existing driveway and wishes to confirm the applicant will be living on the property.

Mr. Dunford states that he will be the only one there and that there will not be any meals being picked up at this property. Also states that he will be living in the home on the property.

Mr. Aliferis asks if the owner is aware of his application.

Mr. Dunford states that the owner is aware, and he is renting to own the property.

Mr. Smith states that the use will go with the property not the property owner.

Mr. Rafferty states that the Boards oversight on this application is Conditional Use only and that this is an acceptable use in this zoning district.

Mr. Thompson states that there is no need for a site visit as there is no changes to the structure being made and schedules a Notice to Neighbors for May 17th, 2023, meeting.

End of discussion on Case #1246

These minutes were reviewed by the Review Board on May 17th, 2023. Bob Rafferty moved to approve the minutes with one minor correction in Board Business. Peter Aliferis seconded the motion. All members present voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	6/26/23
Town Clerk:	Town Clerk / Auditor
Date:	7/3/23
Village Clerk:	Amber A. Esf

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Review Board Meeting Minutes May 3rd, 2023

MEMBERS PRESENT

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Bob Rafferty
Chip Bissell
David Genito
Peter Aliferis
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Claire Doering

ALSO PRESENT

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

Board Business

Ms. Yerkovich states that at the previous meeting the Board discussed Case #1212 and that a lot of trees were cut down on the property.

Ms. Yerkovich states that she came into the Building Department and reviewed the case file. Stating that she believes the Board should be attentive to the approvals that are granted when they are written in the minutes and case approval letters.

Ms. Yerkovich continues by stating that the applicant indicated that they planned to clear cut the land, but the applicant's representative indicated that only several dead trees would be removed. Further, a neighbor submitted a written comment regarding the tree removal. Also stating that there is nothing about tree cutting in the approval letter for the project.

Mr. Bissell asks how large the tree barrier is on the neighbor's property that requested minimal tree removal.

Ms. Yerkovich states that she does not know and is just thinking for future reference.

MEMBERS ABSENT

Ms. Whitney states that the Board reviews section 3.4.1 of the LUC for this case. Also stating that the Board has jurisdiction over the placement of the structure and architectural review on projects that are not permitted uses.

Ms. Whitney further states that on the flip side is the visual sensitivity portion of the LUC, which this project is not in a visual sensitivity, and shows the map of the Viewshed Overlay in the LUC.

There is a Board discussion on the Viewshed Overlay and Visual Sensitivity requirements in the LUC.

Ms. Haneman wishes to comment on Case #1244. Ms. Haneman could not get her microphone unmuted during the discussion on Case #1244. Ms. Haneman's comment is written in the minute's discussion for Case #1244.

Mr. Thomson moves the Board to the approval of the minutes for April 19th, 2023, and motions to approve the minutes as written.

Mr. Genito seconds the motion.

The motion is approved, 6-0. Mr. Thompson abstains from voting.

Meeting adjourns at 6:07pm.

These minutes were reviewed by the Review Board on May 17th, 2023. Bob Rafferty moved to approve the minutes with one minor correction in Board Business. Peter Aliferis seconded the motion. All members present voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	6/26/23
Town Clerk:	Jenna Cantello
Date:	4/3/23
Village Clerk:	Amelia D. Esq.