

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 July 5th, 2023

MEMBERS PRESENT

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

ALSO PRESENT

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

MEMBERS ABSENT

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

Cook, David & Karen (Case #1250) – Notice to Neighbors/Shoreland Overlay

David and Karen Cook are present as the applicants via Go To Meetings.
Matt Millan is present as a representative of the applicant via Go To Meetings.

Mr. Thompson states that the Board requested overlay photo renditions and width analysis were provided by Mr. Millan and asks if there are any further updates or changes to the application.

Mr. Millan states that there are no changes and describes each overlay photo. Stating that the proposed structure will be barely visible from Mill Pond Drive and that the photo provided was taken in November of 2022 when the property would be the most visible.

Mr. Millan further states that the building will be largely blocked by a group of white pine trees along the water and won't be visible from across the water.

Mr. Millan goes over the width analysis stating that the proposed width is 54 feet and that the analysis states that 135% of property widths within 250 feet is 50.4 feet. Also stating that this property does not have any direct frontage on Mill Pond Drive, there are two non-conforming lots within the 250 feet analysis area, one of the neighboring properties is a multifamily building, and five of the neighboring structures are oriented deeper into their properties than along the road frontage.

Mr. Thompson asks if the Board has any further questions.

Ms. Doering states that he provided overlay photos are helpful.

Mr. Bissell states that the building width is not much of a factor with the location of the building and property.

Mr. Thompson states that a nearby lane, Smith Lane, has the same frontage issues as this property. Also stating that 54 feet is not out of character for the neighborhood.

Mr. Rafferty states that the overall size of the structure is similar to other houses in the neighborhood.

Mr. Bissell states that the Board should be concerned about how this property will visually compare to other properties in the area and that it does not seem like it will be a problem.

Mr. Rafferty states that the Board should retain oversight on cutting and tree removal.

Mr. Thompson states that they saw the lot, the layout of the building, and the intended cutting. Further stating that as long as the project stays as planned he sees no issue with this project.

Ms. Yerkovich 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 Review Board will retain continuing jurisdiction over the stormwater management plan aspects of the project, until one year after improvements have been completed.
- e. 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.
- f. Further, this review does not authorize any actual construction. Final plans, specifications, and construction documentation approval must be obtained through the Building Department.
- g. **NO** construction may commence without construction documents signed by the Code Enforcement Official.

Mr. Thompson seconds the motion.

Mr. Smith states that this is a Type II for SEQR because it is a single-family dwelling and there is APA oversight of the property.

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

Case #1250 is closed.

These minutes were reviewed by the Review Board on July 19th, 2023. Mr. Thompson moved to approve the minutes as written. Mr. Genito seconded the motion. All members present voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

| | |
|-----------------|--------------|
| RECEIVED | |
| Date: | 8/19/23 |
| Town Clerk: | Jane Conroy |
| Date: | 8/25/23 |
| Village Clerk: | Frank R. Ely |

DEREK DOTY
SUPERVISOR

LAURIE C. DUDLEY
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523-2162

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ATTORNEY FOR THE TOWN

Review Board Meeting Minutes July 5th, 2023

MEMBERS PRESENT

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

MEMBERS ABSENT

ALSO PRESENT

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

Love, Howard (Case #1257) – Site Visit Recap/Notice to Neighbors/ Shoreland Overlay

Howard and Harriet Love are present as the applicants.

Pat Ledger is present as a representative of the applicant.

Michael Reynolds is present as a representative of the applicant via Go To Meetings.

Mr. Smith recuses himself.

Mr. Thompson recaps the application and asks the Board for a site visit recap.

Mr. Aliferis conducts a site visit recap and states that the boathouse is a long decent from the house and has some serious issues. Further stating that the left walkway slopes dramatically towards the structure and the rebuilt boathouse will be 81 square feet smaller than the existing structure. Further stating that there are no proposed changes to the shoreline or any proposed tree removal and that the new dock and boathouse will not protrude any further into the lake than the existing dock and boathouse do.

Mr. Thompson states that the proposed colors are brown with white trim.

Mr. Bissell states that white trim along the waterline on the dock stands out more and that the boathouse does not appear to be an issue. Further stating that the proposed is a nice design.

Mr. Thompson notes that a Notice to Neighbors was sent out.

6 – notices were sent.

4 – notices were returned.

No written comments were received.

Mr. Ledger notes that the unreturned notices are probably due to the holiday and people possibly being on vacation.

Mr. Thompson states that this would be a Type II for SEQR.

Ms. Yerkovich asks if over time the house will match the boathouse.

Mr. Ledger states that that is a possibility but isn't being discussed at this time.

Ms. Doering states that there are at least 12 other properties along the water with white trim.

Mr. Bissell states that the dock edge along the water shouldn't be white as it will be more likely to get dirty.

Mr. Ledger states that the proposed colors are classic colors for Lake Placid.

With no other Board comments, Mr. Thompson opens the Notice to Neighbors at 5:49pm.

Mary Shubert, a lake front property owner, wishes to comment and states that she is concerned about further tree cutting. Further stating that there needs to be more enforcement on waterfront side of properties regarding tree cutting.

With no other neighbors wishing to comment, Mr. Thompson closes the Notice to Neighbors at 5:50pm.

Mr. Aliferis states that this project has no tree cutting being proposed.

Mr. Thompson agrees that the current plan shows no tree cutting.

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

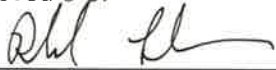
- a. Architectural and site design plans are approved as submitted. Any and all changes or additions to the plans, specifications, materials, or engineering must be submitted in writing for further review and approval by the Review Board.
- b. The Review Board will retain continuing jurisdiction over 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 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.
- 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

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

Mr. Aliferis seconds the motion.
All members vote in favor. The motion is approved 7-0.

Case #1257 is closed.

These minutes were reviewed by the Review Board on July 19th, 2023. Mr. Thompson moved to approve the minutes as written. Mr. Genito seconded the motion. All members present voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

| | |
|-----------------|-----------------|
| RECEIVED | |
| Date: | 8/17/23 |
| Town Clerk: | Yannick D'Amico |
| Date: | 8/25/23 |
| Village Clerk: | Amita G. Singh |

DEREK DOTY
SUPERVISOR

LAURIE C. DUDLEY
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MARK SCHACHNER
ATTORNEY FOR THE TOWN

Review Board Meeting Minutes July 5th, 2023

MEMBERS PRESENT

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

MEMBERS ABSENT

ALSO PRESENT

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

Cambi, Joseph & Jaimie (Case #1258) – Arch Review/Shoreland Overlay

Applicants own two adjoining properties with a shared driveway. The applicants wish to construct a new single family home, a new garage on an existing foundation, reconstruct the existing boathouse on the waterfront property and reroute the existing shared driveway to be less of a straight line down to the waterfront.

Ivan Zdrahal is present as a representative of the applicants.

Michael Reynolds is present as a representative of the applicants via Go To Meetings.

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

Mr. Zdrahal states that the applicants own two parcels and are designating for the purposes of this application the existing home as parcel 1 and the shoreline property as parcel 2. Also stating that parcel 2 had a single family home and garage that were taken down in the fall of 2022. The foundation for the garage was left standing and they hope to use it to construct a new garage. The existing boathouse will also be taken down to the waterline and will be reconstructed in the same location and same footprint. Further stating that the existing shared driveway will be reconstructed to curve more and will not be a straight line to the water.

Mr. Aliferis wishes to know if the existing driveway areas that won't be used anymore will be planted.

Mr. Zdrahal states that they will be replanted and the driveway that extends down to the boathouse will be removed and replaced with a gravel path.

Mr. Bissell asks what the garage site was previously.

Mr. Zdrahal states that it was a previous garage, and the foundation is existing. Also stating there is a full stormwater management plan, a landscaping plan and that a digital overlay view from the lake was provided.

There is a brief discussion on the photos provided.

Mr. Rafferty asks if there will be any new vegetation along the lake or if they will keep the open area.

Mr. Zdrahal states that there will be a planting plan.

Mr. Thompson states that they will have to bring back the vegetation along the water.

Mr. Zdrahal states that they are proposing to use earthtone colors and no reflective glass.

Mr. Thompson states that the proposed garage is considered an existing non-conforming structure.

There is a brief discussion on the setbacks of the property.

Mr. Zdrahal states that the applicant wishes to have the existing utilities buried and new water/sewer lines will be installed. Any lighting will be Dark Sky Compliant and the existing vegetation along the waterline will remain.

Mr. Reynolds states that they will be using native plants for the planting aspect of the project.

Mr. Zdrahal states that they will be removing the existing driveway that extends to the boathouse and will be replacing it with a six foot wide path. Also stating that all stormwater management will comply.

Mr. Bissell asks if the existing house will be changed to blend and match with the new one.

Mr. Reynolds states that the existing house was recently renovated and may not end up matching exactly.

Mr. Bissell asks if both properties will be used by the owners.



Mr. Reynolds states that they will be.

A Site Visit is scheduled for 7/11/23 at 5:00pm.
A Notice to Neighbors is scheduled for 7/19/23.

End Discussion on Case #1258.

These minutes were reviewed by the Review Board on July 19th, 2023. Mr. Thompson moved to approve the minutes as written. Mr. Genito seconded the motion. All members present voted in favor. The motion was approved 6-0.


Rick Thompson, Chairman
Review Board

RECEIVED
Date: 8/17/23
Town Clerk: 
Date: 8/25/23
Village Clerk: 

DEREK DOTY
SUPERVISOR

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

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MARK SCHACHNER
ATTORNEY FOR THE TOWN

Review Board Meeting Minutes July 5th, 2023

MEMBERS PRESENT

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

MEMBERS ABSENT

ALSO PRESENT

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

The Haus on Mirror Lake (Case #1259) – Sign Review

The applicant wishes to replace their existing signs with new signs.

Yuliia Tyshevych is present as the applicant.

Ms. Tyshevych goes over the application. Stating that the existing signs are falling apart, and she cannot get anyone to reconstruct them. The new sign will be a single board instead of individual letters and will be easier to maintain. Further stating that they wish to have the principal sign facing the park and the accessory sign facing the road. The existing signs are the same orientation.

Ms. Tyshevych has small mockup signs for the Board members to review.

Mr. Thompson states that there appears to be raised letters and a raised boarder.

Ms. Tyshevych states that she feels this new brighter sign will bring more attention to the business than the existing sign does.

Mr. Aliferis 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.

Ms. Yerkovich seconds the motion.
All members vote in favor. The motion is approved 7-0.

Case #1259 is closed.

These minutes were reviewed by the Review Board on July 19th, 2023. Mr. Thompson moved to approve the minutes as written. Mr. Genito seconded the motion. All members present voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

| | |
|-----------------|-------------------------|
| RECEIVED | |
| Date: | <u>8/17/23</u> |
| Town Clerk: | <u>Carol Ann Dudley</u> |
| Date: | <u>8/25/23</u> |
| Village Clerk: | <u>Christa L. Ely</u> |

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Review Board Meeting Minutes July 5th, 2023

MEMBERS PRESENT

Rick Thompson
Bob Rafferty
Chip Bissell
David Genito
Peter Aliferis
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Claire Doering

ALSO PRESENT

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

MEMBERS ABSENT

Generations Tap and Grill (Case #1260) – Arch Review/Shoreland Overlay

Applicants wish to refresh the entrance to the existing restaurant. The applicants wish to redesign the entrance space by installing a new roofline, new vestibule, removing an unnecessary side entrance, and expanding the front patio area.

Peter Holdereid is present as the applicant
Jace Brown is present as a representative of the applicant.

Mr. Brown goes over the application. Stating that they wish to refresh the façade of the building, add a new vestibule, remove three roof lines, install more street front seating on an expanded front patio space, correct accessibility issues and install a low stone wall with planters along the edge of the patio.

Mr. Aliferis asks if there will be sidewalk dining.

Mr. Brown states that they will be expanding the patio space and it will be up two steps from the sidewalk. Also stating they will be keeping the current colors and installing new Dark Sky Compliant lighting.

Ms. Yerkovich asks if there will be any changes to the gables of the building.

Mr. Brown states that the demo plan outlines what will be removed.

Ms. Yerkovich states that the proposed look is sleeker than the existing design.

Mr. Brown expresses to the Board that the sign shown in the building rendition is not part of this application and he did not wish to leave the space blank knowing that a sign will be proposed in the future.

Mr. Thompson states that the log railings were replaced already.

Mr. Brown states that the new stonework will match the existing and they will be installing recessed heaters.

Mr. Aliferis asks if there will be any changes to the existing deck along with the expanded patio space.
Mr. Brown states that there will be no changes to the existing deck.

A Notice to Neighbors is scheduled for 7/19/23.

End of Discussion on Case #1260.

These minutes were reviewed by the Review Board on July 19th, 2023. Mr. Thompson moved to approve the minutes as written. Mr. Genito seconded the motion. All members present voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

| | |
|-----------------|------------------------|
| RECEIVED | |
| Date: | <u>8/17/23</u> |
| Town Clerk: | <u>Janeant Duddy</u> |
| Date: | <u>8/25/23</u> |
| Village Clerk: | <u>Amrita Q. Singh</u> |

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Review Board Meeting Minutes July 5th, 2023

MEMBERS PRESENT

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David Genito
Peter Aliferis
Laura Yerkovich
Claire Doering

ALSO PRESENT

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

Board Business

Approval of Minutes for 6/21/23

Mr. Thompson motions to approve the minutes with minor grammatical corrections.

Ms. Yerkovich seconds the motion.

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

The meeting adjourns at 6:40pm.

These minutes were reviewed by the Review Board on July 19th, 2023. Mr. Thompson moved to approve the minutes as written. Mr. Genito seconded the motion. All members present voted in favor. The motion was approved 6-0.

Rick Thompson, Chairman
Review Board

MEMBERS ABSENT

RECEIVED

Date: 8/17/23
Town Clerk: Laurie C. Dudley
Date: 8/25/23
Village Clerk: Andrea C. Cury