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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
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MIKE ORTICELLE
DARCI WHITNEY
CODE ENFORCEMENT OFFICIALS
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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 4th, 2023

MEMBERS PRESENT

Rick Thompson
Bob Rafferty
Chip Bissell
Peter Aliferis - Remote
Laura Yerkovich
Claire Doering

ALSO PRESENT

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

MEMBERS ABSENT

David Genito

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

Vegliante, Paul (Case #1272) Site Visit Recap/Notice to Neighbors/Conditional Use
Chris Snodgrass is present as a representative of the applicant.

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

Mr. Snodgrass states that there are no changes.

Mr. Thompson asks the Board for a recap of the site visit.

Ms. Yerkovich recaps the site visit stating that just as the applicant has indicated the project site is a very steep slope, the array will not be visible from the neighbors, and it is well positioned for the best sun exposure.

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

4 – Notices were sent.
2 – Notices were returned.
No written comments.

No members of the public wish to comment.

Ms. Doering states that it appears to be a great location.

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

Ms. Yerkovich seconds the motion.

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

Case #1272 is closed.

These minutes were reviewed by the Review Board on October 18th, 2023. Laura Yerkovich moved to approve the minutes as written. Rick Thompson seconded the motion. The motion was approved 7-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>11/6/23</u>
Town Clerk:	<u>Laura Yerkovich</u>
Date:	<u>11/17/23</u>
Village Clerk:	<u>Wanda G. Goff</u>

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Review Board Meeting Minutes October 4th, 2023

MEMBERS PRESENT

Rick Thompson
Bob Rafferty
Chip Bissell
Peter Aliferis - Remote
Laura Yerkovich
Claire Doering

ALSO PRESENT

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

MEMBERS ABSENT

David Genito

Khanna, Jaideep (Case #1271) – Site Visit Recap/Notice to Neighbors/Shoreland Overlay

Glenn Albrecht is present via GoTo Meetings as a representative of the applicant.

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

Mr. Albrecht states that there are no new changes.

Ms. Doering recaps the site visit stating that they walked towards the lake and saw the proposed boathouse was staked out. Further stating that the grade was extreme with a considerable height change of approximately 15ft.

Mr. Thompson continues by stating that he was surprised how close to the northern shoreline that the existing dock is situated.

Ms. Yerkovich asks for clarification on whether the boathouse will still be at a 20ft setback.

Mr. Albrecht states that it does still sit at a 20ft setback.

Ms. Yerkovich asks if there will be a place to tie a boat on the south side of the proposed boathouse.

Mr. Albrecht states that there will be a 3ft wide dock on that side of the boathouse at the edge of the setback and an 8ft wide dock on the northern side of the boathouse.

There is a brief discussion on setbacks and where boats are allowed to be tied up.

Mr. Rafferty states that the main concern from the neighbors is the location of the boathouse is too close to their property.

There is a discussion on the proposed location and views of the lake.

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

11 – Notices were sent.

No notices were returned.

3 written comments received.

Mr. Thompson reads a written comment from the adjoining property owner, Mr. Gary Smith.

Mr. Gary Smith wishes to comment, stating that he has submitted two previous objections to the application and asks that the boathouse be moved further up the property away from his property line.

Mr. Gary Smith further requests that all water work be done in October or November or next spring. Also stating that they had to endure 5 years of construction for the home on the property and asks that they Board restrict the timeframe of construction.

Mr. Bissell states that in the past the Board has requested boathouses be moved further back along the shoreline to be less intrusive to the lake. Suggests moving the boathouse north the entire length of the boathouse to be set back further and not as far out into the lake.

There is a discussion on previously approved cases.

Mr. Thompson states that the applicant will be bound by the DEC's October 1st cutoff for all underwater work.

Mr. Albrecht states that the DEC gave them until October 7th, and it does not appear they will make that deadline. Stating they will start the project in the spring.

Mr. Thompson states he agrees with Mr. Bissell that the boathouse could be moved closer to the existing dock's location.

Mr. Albrecht states that the owner wishes to maximize the use of the shoreline and wishes to get uninterrupted shoreline.

Ms. Yerkovich asks if the applicant could use the setback on the Northern side of the property.

Mr. Albrecht states that they are trying to stay away from the neighboring boathouses and get uninterrupted views of the lake.

Mr. Thompson states that he understands the intent, however the Board would like to see the boathouse moved further north on the shoreline.

Mr. Thompson conducts a straw poll of agreement with Mr. Bissell. The Board agrees to recommend moving the boathouse further away from the property line.

Mr. Thompson suggests that Mr. Albrecht consult with the applicant.

End of Discussion of Case #1271.

These minutes were reviewed by the Review Board on October 18th, 2023. Laura Yerkovich moved to approve the minutes as written. Rick Thompson seconded the motion. The motion was approved 7-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	11/6/23
Town Clerk:	Pamela J. Judley
Date:	11/17/23
Village Clerk:	Wanda Q. Egan

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ATTORNEY FOR THE TOWN

Review Board Meeting Minutes October 4th, 2023

MEMBERS PRESENT

Rick Thompson
Bob Rafferty
Chip Bissell
Peter Aliferis - Remote
Laura Yerkovich
Claire Doering

ALSO PRESENT

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

MEMBERS ABSENT

David Genito

Scharfe, Donna (Case #1275) – Shoreland Overlay

Applicant wishes to add a new screened porch, entry way, and new deck to an existing home.

Sean Torrance is present as a representative of the applicant.

Mr. Torrance outlines the application stating that this is the final stage of the property's renovations. A new entrance porch, a window bump out facing the driveway, a new screened porch facing the water and an extension of the existing deck are the proposed renovations.

Mr. Bissell notes that they will be changing the pre-existing non-conforming deck and states that the changes will not make the existing non-conforming more non-conforming.

Mr. Thompson states that part of the deck appears to be at ground level and the changes appear to accommodate a new stairway needed for the screened porch.

Mr. Bissell states that this will not increase the non-conforming.

Mr. Thompson states that the entrance area, window, and side deck additions are all conforming. The non-conforming pieced are being traded off.

A Site Visit is scheduled for 10/10/23 at 4:30pm.
A Notice to Neighbors is scheduled for 10/18/23.

End Discussion on Case #1275.

These minutes were reviewed by the Review Board on October 18th, 2023. Laura Yerkovich moved to approve the minutes as written. Rick Thompson seconded the motion. The motion was approved 7-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	11/6/23
Town Clerk:	Paula A. Dudley
Date:	11/17/23
Village Clerk:	Paula A. Dudley

DEREK DOTY
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TOWN CLERK/ TAX COLLECTOR
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MARK SCHACHNER
ATTORNEY FOR THE TOWN

Review Board Meeting Minutes October 4th, 2023

MEMBERS PRESENT

Rick Thompson
Bob Rafferty
Chip Bissell
Peter Aliferis - Remote
Laura Yerkovich
Claire Doering

MEMBERS ABSENT

David Genito

ALSO PRESENT

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

Blue Line Bakery, LLC (Case #1276) – Conditional Use

Applicant wishes to have his mobile farmstand that sells baked goods approved to operate on various locations around Lake Placid. Applicant submitted owner authorization letters from 2-3 private residents and 1 business.

James Appleton is present as the applicant.

Mr. Appleton explains his application stating that they have created an ADK lean-to style farmstand with a hiking theme. They plan on moving the farmstand to a different location each week and having customers find the stand by the use of GPS coordinates.

Mr. Thompson asks if the stand is currently being operated.

Mr. Appleton states that it is currently being operated on weekends on his property and that the desire is to have customers go to the website and find the coordinates to find the cart.

Ms. Doering states that businesses similar to this are currently happening in other areas.

Mr. Thompson states that the locations that have been provided are in Village Residential and Town Residential Districts. Further stating that the one business in Gateway Corridor is the only district that is commercial in nature.

Mr. Orticelle states that the applicant must stop operating until the Board makes a determination. Also stating that the Board can give permission to use the business location, but this is prohibited in Residential Districts. Further stating that this use is not a conditional use in Residential Districts.

There is a Board Discussion on Commercial Uses in Residential Districts.

Mr. Orticelle states that the Board will need further information and the use of public property is also prohibited.

End Discussion on Case #1276.

These minutes were reviewed by the Review Board on October 18th, 2023. Laura Yerkovich moved to approve the minutes as written. Rick Thompson seconded the motion. The motion was approved 7-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	11/6/23
Town Clerk:	Sumner Cook
Date:	11/17/23
Village Clerk:	Christa A. Esby

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LAURIE C. DUDLEY
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Review Board Meeting Minutes October 4th, 2023

MEMBERS PRESENT

Rick Thompson
Bob Rafferty
Chip Bissell
Peter Aliferis - Remote
Laura Yerkovich
Claire Doering

ALSO PRESENT

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

MEMBERS ABSENT

David Genito

Kilburn, David & Nicole (Case #1277) – Viewshed Overlay

Applicants wish to build a new single family dwelling on property that is above 2000ft in elevation.

David Kilburn is present as the applicant.
Katie Seleni is present as a representative of the applicant.

Mr. Thompson reminds the Board that this property is above 2000ft in elevation and that they have jurisdiction under the Viewshed Overlay only.

Ms. Seleni explains the application stating that there is an existing manufactured home on the property that will convert into an accessory dwelling and an existing shed to remain on the property. The proposed building will be a garage with living space above it that the applicants will live in. The property is approximately 2250ft in elevation and there will be an approximate 10% grade change. The property has shallow slopes and tall trees and there will be no changes to the visual landscape.

Ms. Seleni further states that any lighting will be downward facing, dark sky compliant and that there is an APA permit that limits any future building on the property.

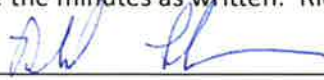
Mr. Rafferty states that the Board is very limited on oversight for this project.

Mr. Bissell states that he does not believe the building will be visible.

A Site Visit is scheduled for 10/10/23 at 5pm.
A Notice to Neighbors is scheduled for 10/18/23.

End Discussion on Case #1277.

These minutes were reviewed by the Review Board on October 18th, 2023. Laura Yerkovich moved to approve the minutes as written. Rick Thompson seconded the motion. The motion was approved 7-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>11/6/23</u>
Town Clerk:	<u>Laura Yerkovich</u>
Date:	<u>11/17/23</u>
Village Clerk:	<u>Christa Q. Egan</u>

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Review Board Meeting Minutes October 4th, 2023

MEMBERS PRESENT

Rick Thompson
Bob Rafferty
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Peter Aliferis - Remote
Laura Yerkovich
Claire Doering

ALSO PRESENT

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

Board Business

Cambria Case #967

Mr. Orticelle states that the Cambria seeks approval for the change of colors on the building that is next to the road and seeks approval to install 2 new flagpoles with downward facing lighting on them.

Mr. Thompson Motions to approve the changes.

Ms. Yerkovich seconds the motion.

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

Khanna

Mr. Orticelle reminds the Board that the request to move the boathouse may be an "ask".

Mr. Smith states that he will research further if the Board has the jurisdiction to request the boathouse be moved over further into the property.

MEMBERS ABSENT

David Genito

Lake Placid Lanes

Mr. Orticele states that the Village Board is concerned over the noise from the bowling alley and states that the issue that is complained about the most is noise from inside the building with the garage doors open. Also stating that the Village Board may try to react to this issue and just wished for the Board to be aware of this concern.

The Meeting adjourns at 6:58pm.

These minutes were reviewed by the Review Board on October 18th, 2023. Laura Yerkovich moved to approve the minutes as written. Rick Thompson seconded the motion. The motion was approved 7-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	11/6/23
Town Clerk:	Jeanette Bradley
Date:	11/17/23
Village Clerk:	Amelia Q. Esty