

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
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MATT ST. LOUIS
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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 February 7th, 2024

MEMBERS PRESENT

Rick Thompson
Bob Rafferty
Chip Bissell
David Genito
Michael Ballard
Laura Yerkovich
Claire Doering

MEMBERS ABSENT

ALSO PRESENT

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

Mr. Thompson opens the meeting at 5:30pm

Experience Outdoors (Case #1291/#911) – Modification to Prior Approval

The applicants wish to install a new two story “Net Park” as part of their existing high ropes course and outdoor adventures business. The net park will be family friendly and will accommodate children as young as 3 years old.

Bill Walton and Marc Doering are present as the applicants.

Ms. Doering recuses herself.

Mr. Walton goes over their application stating that they will install poles for the supports and do not plan to use trees. Further stating that there is currently no activity for everyone to enjoy at their facilities and this will not require any harnesses as it is fully enclosed.

Mr. Doering continues by stating that the net park will be able to have approximately 60-80 people on it at one time with a maximum of 20 people per large room enclosure. Further stating that the large rooms are similar to trampolines and doing flips or climbing the walls will not be allowed. Also stating that they are hoping for this to be able to be used as a team building use for area businesses.

Ms. Yerkovich asks if the nets on the bottom for walking on are different from the sides with a concern for small children getting their feet caught in the netting.

Mr. Walton states that the floor and walls will all be 1x1in squares and that makes it very unlikely that anyone would be able to get caught in the netting.

Mr. Bissell asks if there will be staff on the net park to help keep order.

Mr. Doering states that there will be staff up in the net park and at the entrance.

Mr. Walton states that the nice feature is there will be separate entrance and exits that will be next to each other to allow the staff to control the flow of people on the net park at one time.

Mr. Thompson wishes to confirm the proposed location for the net park.

Mr. Walton states that it will be behind the larger parking lot in the wooded area that is behind the existing fire pit.

Mr. Rafferty states that the Board's oversight for this project is conditional use and viewshed overlay.

Mr. Walton states that this will be well beyond the roadway, and it will not be visible from the road. Further stating that this project also falls under APA jurisdiction, and they have very specific rules that need to be followed.

Mr. Thompson states that the proposed height is 36ft and asks if that will be above the surrounding vegetation.

Mr. Walton states that there are 50-70ft tall spruce trees behind and the actual nets are around 25ft tall, but the extra pole height is necessary for the guidewires to support the net park.

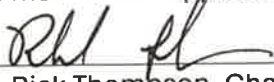
Mr. Doering states that they have presented multiple colors for the netting but would prefer if the Board were to approve the more colorful choices.

Mr. Walton states that the different colors would allow them to better monitor each area of the net park by giving each section a different color.

A Notice to Neighbors is scheduled for 2/21/24 meeting.

End of Discussion on Case #1291.

These minutes were reviewed by the Review Board on February 21st, 2024. Rick Thompson moved to approve the minutes as written. David Genito seconded the motion. All members present voted in favor. The motion was approved 6-0.


Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	3/6/24
Town Clerk:	Patricia Dudley
Date:	3/6/24
Village Clerk:	Amber A. Eddy

DEREK DOTY
SUPERVISOR
LAURIE C. DUDLEY
TOWN CLERK/ TAX COLLECTOR
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Review Board Meeting Minutes February 7th, 2024

MEMBERS PRESENT

Rick Thompson
Bob Rafferty
Chip Bissell
David Genito
Michael Ballard
Laura Yerkovich
Claire Doering

MEMBERS ABSENT

ALSO PRESENT

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

Mountain Park (Case #1293) – Modification to Master Sign Plan

Applicant wishes to modify a pre-existing master sign plan to allow tenants to propose colors as approved by the landlord and the Review Board.

Laura Walker and Chris Miller are present as representatives of the applicant.

Ms. Walker states that this is a multi-tenant property with an existing master sign plan.

Ms. Whitney states that a master sign plan was approved at some point when the property was developed 20+ years ago but the Building Department could not locate the design plan.

There is a Board discussion on what tenants are still in the building and the need to make the existing monument sign accurately reflect the businesses in the building.

Mr. Thompson suggests the possibility of approving Case #1294, Edward Jones signage application, as a temporary sign with the understanding that a new master sign plan needs to be created for this property.

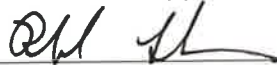
There is a Board discussion on the process for temporary signage approval.

Mr. Smith states that the applicants should come back to the Board with a more complete updated master sign plan. Also stating that the Board can limit the temporary sign approval for Case #1294 to a set timeframe.

There is lengthy Board discussion on what uniform elements should be used for the creation of a new master sign plan.

End of Discussion on Case #1293.

These minutes were reviewed by the Review Board on February 21st, 2024. Rick Thompson moved to approve the minutes as written. David Genito seconded the motion. All members present voted in favor. The motion was approved 6-0.


Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>3/6/24</u>
Town Clerk:	<u>Lucas Cant Budler</u>
Date:	<u>3/6/24</u>
Village Clerk:	<u>Amata A. Esq</u>

DEREK DOTY
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Review Board Meeting Minutes February 7th, 2024

MEMBERS PRESENT

Rick Thompson
Bob Rafferty
Chip Bissell
David Genito
Michael Ballard
Laura Yerkovich
Claire Doering

MEMBERS ABSENT

ALSO PRESENT

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

Edward Jones (Case #1294) – Sign Review

Applicant wishes to install new signage in the Mountain Park property for the new tenant “Edward Jones”. The proposed signs are gold branded signs and do not meet the current master sign plan.

Chris Miller is present as the applicant. Laura Walker as a representative of the applicant

Mr. Miller states that the signs appear more yellow on the papers provided to the Board but in actuality they will be more gold in color.

There is a brief Board discussion on what would be approvable with the updated Mountain Park Master Sign plan.

Mr. Rafferty suggests approving case #1294 as a temporary sign.

There is a brief Board discussion on temporary sign design and direction for the applicant with the possible updated master sign plan.

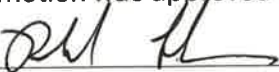
Mr. Thompson motions to approve Case #1294 as a temporary sign with the condition of coming back to the Board within 120 days with an appropriate master sign plan for the property. Stating that applicant should understand that his temporary sign may not be approvable with the new plan.

Mr. Rafferty seconds the motion.

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

Case #1294 is approved as a temporary sign.

These minutes were reviewed by the Review Board on February 21st, 2024. Rick Thompson moved to approve the minutes as written. David Genito seconded the motion. All members present voted in favor. The motion was approved 6-0.


Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	<u>3/6/24</u>
Town Clerk:	<u>Jeanne Cantor Shelley</u>
Date:	<u>3/6/24</u>
Village Clerk:	<u>Amelia A. Ely</u>

DEREK DOTY
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Review Board Meeting Minutes February 7th, 2024

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ATTORNEY FOR THE TOWN

MEMBERS PRESENT

Rick Thompson
Bob Rafferty
Chip Bissell
David Genito
Michael Ballard
Laura Yerkovich
Claire Doering

ALSO PRESENT

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

MEMBERS ABSENT

Kostoss, Holly (Case #1295) – Conditional Use

Applicant wishes to have a Home Occupation of a hair salon. There will be one customer at a time and no additional employees. No signs are being proposed for this use.

Holly Kostoss is present as the applicant.

Ms. Kostoss goes over her application stating that only existing clients will be booked and that she is heading towards retirement and does not wish to expand the business. Further stating that there are two existing driveways, with one on each side of the property.

Mr. Thompson asks if 4 parking spaces would be out of character for the neighborhood.

Ms. Kostoss states that she already has multiple cars for members of the household.

Mr. Thompson asks if there will be a sign proposed and if there will be more than one client at a time.

Ms. Kostoss states that there will be no sign and that she will only have one client at a time.

Mr. Genito asks if there will be a second client waiting while the first client finishes their appointment.

Ms. Kostoss states that there will not be and that she will be booking enough time to clean up. Stating that clients will be seen by appointment only with no walk-ins. Further stating that for wedding parties

she will go to them as this business will be in her home and she does not want that many people in her home.

A Notice to neighbors is scheduled for 2/21/24 meeting.

End of Discussion on Case #1295.

These minutes were reviewed by the Review Board on February 21st, 2024. Rick Thompson moved to approve the minutes as written. David Genito seconded the motion. All members present voted in favor. The motion was approved 6-0.


Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	3/6/24
Town Clerk:	Jamie (int) Dudley
Date:	3/6/24
Village Clerk:	Quinta A. Esposito

DEREK DOTY
SUPERVISOR
LAURIE C. DUDLEY
TOWN CLERK/ TAX COLLECTOR
523-2162
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Review Board Meeting Minutes February 7th, 2024

MEMBERS PRESENT

Rick Thompson
Bob Rafferty
Chip Bissell
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Michael Ballard
Laura Yerkovich
Claire Doering

MEMBERS ABSENT

ALSO PRESENT

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

Hawley, Mary Anne (Case #1296) – Architectural Review/Historic Overlay

Applicant seeks approval to update the architectural look of a property on Main Street. The building is currently under renovation and the upper half of the building needed to be removed for safety reasons. The applicant wishes to reuse any window that is able to be saved and keep the same roofline as was originally present.

Mr. Thompson informs the Board that this property was approved by the Building Department for a Building Permit to do renovations to the structure and interior of the building. The upper area of the building was not safe and had to be removed.

Ms. Hawley states that they found structural issues with the building and that they wish to make the building structurally sound. They plan to reuse siding and wish to have the new siding match as closely as possible.

Mr. Thompson reminds the Board that they have Architectural Review for this application.

There is a brief Board discussion on the size of the existing porch versus the proposed.

Ms. Yerkovich asks if they will be keeping the same window designs.

Ms. Hawley states that they are trying to salvage the windows if possible.

Mr. Thompson states that the drawings show the street level of the building being changed to be pushed back.

Ms. Hawley states that they want to move the windows back in line with the doorway.

Mr. Rafferty states that it will make the building look more inviting at the street level.

Mr. Thompon states that the original building had a more residential look than other buildings on Main Street. The renovations maintain the roofline and look of the deck on second floor and update the brick to stone.

Mr. Genito asks what the lakeside of the building will look like when they are done.

Ms. Whitney states that there are no changes to that side of the building.

Mr. Ballard asks if the half circle window near the top of the building will be staying.

Mr. Hawley states that they intend to salvage that window and reuse it.

Mr. Thompson states that if they cannot salvage the window they will need to replace it with a window that has a similar shape. Further stating that they expanded sidewalk from the first floor windows being pushed back will need to match the existing sidewalk.

Ms. Hawley states that she has already talked to the Village about this issue, and it was resolved earlier today.

Mr. Bissell 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.

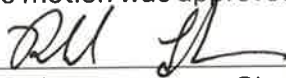
- f. Further, this review does not authorize any actual construction. Final plans, specifications, and construction documentation approval must be obtained through the Building Department.
- g. **NO** construction may commence without construction documents signed by the Code Enforcement Official.

Mr. Thompson seconds the motion.

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

Case #1296 is closed.

These minutes were reviewed by the Review Board on February 21st, 2024. Rick Thompson moved to approve the minutes as written. David Genito seconded the motion. All members present voted in favor. The motion was approved 6-0.



Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	3/6/24
Town Clerk:	Janet P. Dudley
Date:	3/6/24
Village Clerk:	Archie A. Esposito

DEREK DOTY
SUPERVISOR
LAURIE C. DUDLEY
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MARK SCHACHNER
ATTORNEY FOR THE TOWN

Review Board Meeting Minutes February 7th, 2024

MEMBERS PRESENT

Rick Thompson
Bob Rafferty
Chip Bissell
David Genito
Michael Ballard
Laura Yerkovich
Claire Doering

ALSO PRESENT

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

Board Business

Homestead Development Corp. (Case #1121) – Modification of Pioneer Lane Right-of-Way

Chip Bissell recuses himself.

Mr. Smith explains that the originally approved right-of-way is 50ft wide and that the property typography and stairways to the newly constructed single-family homes makes the 50ft right-of-way impossible. Further stating that the improved surface of the roadway is 22ft wide and will remain the same and that this change is more of a difference on paper than in reality. The Town Supervisor and Town Highway Superintendent have both signed off on this proposed change.

Mr. Smith continues by stating that the Land Use Code section pertaining to right-of-way widths are guidelines and that the Review Board has the authority to approve this change and suggesting that the Board should approve these changes.

There is a brief Board discussion on the existing utilities placement and if they are within the narrower proposed right-of-way.

Mr. Thompson takes a straw poll of approval to the modification of the right-of-way for Pioneer Lane from 50ft wide to 39ft at its narrowest point.

MEMBERS ABSENT

The Board straw poll vote is 6-0 to approve.

Modification of Right-of-way for Pioneer Lane is approved.

Approval of Minutes for 1/17/24

Mr. Genito motions to approve the minutes of 1/17/24 as written.

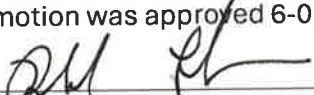
Mr. Thompson seconds the motion.

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

Mr. Smith states that the Town Board is set to approve some administrative changes to the Land Use Code and a new Cannabis Law at their next meeting. Stating that there will be some Code updates coming soon.

Meeting adjourns at 7:10pm.

These minutes were reviewed by the Review Board on February 21st, 2024. Rick Thompson moved to approve the minutes as written. David Genito seconded the motion. All members present voted in favor. The motion was approved 6-0.


Rick Thompson, Chairman
Review Board

RECEIVED	
Date:	3/6/24
Town Clerk:	Janet Bradley
Date:	3/6/24
Village Clerk:	Christa G. [Signature]