

**LAKE GEORGE VILLAGE PLANNING BOARD MEETING
JUNE 26, 2024 – 5:00 PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY
MEETING MINUTES**

Board members present: Carol Sullivan (Chairperson), Patrina Leland, Kevin Merry, Walt Adams, and Dean Howland

Board members absent: Patricia Dow

Others present: Debonnay Meyers (Planning & Zoning Clerk), Dan Barusch (Director of Planning and Zoning), Marinko Trajvoski, Robert Langley, Heath Mundell, Robin Chiaravalle, and Ahsan Ismail.

Carol Sullivan called the meeting to order at 5:00 pm.

OLD BUSINESS:

APPLICATION: SPR#3-2024

APPLICANT: DOUG FROST - MAYARD CENTER

TAX MAP: 251.18-3-41

ADDRESS: 175 CANADA STREET

ZONE: COMMERCIAL MIXED USE

Applicant is seeking approval to add a second story to his existing building, the Mayard Center, for the opportunity to rent 10 proposed units for short-term and long-term use. Applicant did appear in front of the Planning Board on February 21, 2024. The Planning Board made the decision to table the application to obtain resolutions for these areas before the next meeting: obtain an engineer's report regarding the water and sewage pipes, having applicant speak with Keith Lanfear regarding the stormwater runoff from the back of the building and the alleyway, determining the final colors for the exterior of the building, and appearing in front of the Village Board regarding the existing overhang. Applicant did obtain those resolutions and will be presenting their case to the Board.

Doug Frost was present to represent Mayard Center. Carol Sullivan asked Doug Frost to introduce himself for the record. Doug Frost said he was the owner of the Mayard Center and was ready to provide all the answers to all the unanswered questions from the prior meeting. Doug Frost explained that he appeared in front of the Village Board on March 18, 2024, and obtained the approval for easement for his overhang. Doug Frost added that he did have a meeting with the Village Foreman, John Helms, and the Village Superintendent, Keith Lanfear, regarding the stormwater issue. The outcome of the conversation was for Doug Frost to install a couple drop inlets in the alleyway to mitigate those stormwater issues. Doug Frost explained that the Mayard Center had a stormwater conveyance system along the back of the building that led into the alleyway and based on that system and what was underneath, they directed him to take the inlet route. The Board asked why dry wells couldn't be installed. Doug Frost said it was because of the existing sewer system. Walt Adams asked if there would be metal grates installed on top of the inlets and Doug Frost said yes. Doug Frost informed the Board that Keith Lanfear's concerns were about the water in the wintertime. Without the three inlets installed, it would be a massive safety concern as the water would freeze and turn to ice.

Dean Howland contributed to the conversation by explaining his past with a property he owned previously. He explained that he had owned the parcel on the corner of Iroquois Street and before the upper parking lot was fixed, water used to come off the street and fill it three feet. He explained with the storm drains installed, it helped mitigate the issue to where it's not an issue today. Doug Frost acknowledged what happened in the past, but he indicated that both Keith Lanfear and John Helms told him that he would not have any concerns if he installed the inlets as instructed.

Carol Sullivan asked Doug Frost if he had received the engineer's report and he said yes. Carol Sullivan then asked if that report was submitted to Dan Barusch. Doug Frost said yes and transitioned the topic to ask Dan Barusch if he had received the sewer report from the Village's Wastewater Operator, Tim Schudt. Dan Barusch said no. Doug Frost said he had provided Tim Schudt with all the information and wasn't sure why the report wasn't handed to him yet. Doug Frost quickly asked Dan Barusch if he had received a report from the Water Foreman, Chris Buckley. Dan Barusch said no but offered that he would follow up with Tim Schudt and Chris Buckley regarding their reports. Dan Barusch also added that he would follow up with Ethan Hall regarding the engineer reports.

Dan Barusch advised the Board to review page one as the only changes in the site plan were on that page. The Board reviewed page one and had some questions about the stormwater. Dan Barusch advised the Board to review page A-5 as it had some notes there regarding the stormwater. Carol Sullivan read the stormwater note from page A-5 and asked for clarification. Doug Frost said to not pay much attention to those plans as he had to get the new plans together to show the inlets. Carol Sullivan wanted to reiterate for the record that the eave gutters and the down spouts described on page A-5 would not be used for this project and asked Debonnay Meyers to make note of it in the minutes.

Dean Howland asked Doug Frost to not install the snow slides on the metal roof and suggested using regular shingles. The Board asked Dean Howland for an explanation as to why Doug Frost should use the shingles. Dean Howland explained the story of how he got knocked out by snow falling off a roof. He explained there were snow slides installed on a roof and the snow fell off and landed on him when he was walking by. Carol Sullivan asked the Board if they were okay with Doug Frost using regular shingles and they were all in agreement.

Carol Sullivan wanted to circle back to the easement before moving onto the next topic. She asked Doug Frost if the easement he obtained was evermore, which would mean that he wouldn't have to appear in front of the Village Board ever again for it. Doug Frost said yes. Walt Adams inquired about the plans for shrubbery and if the plans were to disturb the existing plant life. Doug Frost indicated that there were trees all along Ottawa Street, so there would be no plant life disturbance. Walt Adams asked Doug Frost for clarification as to where the digging would take place. Doug Frost stood in front of Walt Adams, turned to page C-1, and showed him the area on the rendering. Carol Sullivan asked if that area would be repaved. Doug Frost indicated that the area was hardly used as a sidewalk, and he wasn't sure if he would use cobalt. Kevin Merry said the sidewalk may be used once tenants move in. Doug Frost indicated that it could be a possibility for tenants to use that area and wouldn't object to the Board's request to add sidewalk there. He assured the Board that he would do what they recommend for that area.

Carol Sullivan asked the Board for their thoughts on the matter. Before the Board could comment, Doug Frost wanted to remind them that if he paved that area, it would limit accessibility. Carol Sullivan mentioned that Doug Frost brought up a great point. Kevin Merry asked Doug Frost about his thoughts on

grass. Doug Frost stated that the decision was up to them and that he wasn't picky. Kevin Merry asked Carol Sullivan if the Board could leave it at the applicant's discretion. Carol Sullivan turned the question to Dan Barusch. Dan Barusch said the lot coverage would change based on what he would use. Carol Sullivan asked Dan Barusch if "something permeable" could be in the motion somehow. Dan Barusch said that the wording would work.

Dan Barusch wanted to express his thoughts on the matter. He said that the area would be used by tenants, so having some permeable pavers in said area would solve the issue. He wanted to let the Board know that if there's a situation to which the Water Department needed access to those pipes, they should think of alternate ways to make it easier for them. He suggested to not hardscape the area. Before the Board could comment, Doug Frost offered to cobblestone the area so that way it meets the permeable requirement and would make it easier for the Water Department to access the pipes. He added that if there were any changes, he would come back before the Board. Carol Sullivan asked Doug Frost for an approximate number of feet that the cobblestone would take. Doug Frost said approximately three feet. The Board reviewed the plans and asked each other for their thoughts before agreeing with Doug Frost's suggestion.

Carol Sullivan wanted a recap of what was discussed before any discussion of a motion was made. She indicated that the application would have these specific conditions and these conditions include: installation of drop inlets in the alleyway, an updated stormwater plan that would include the removal of the eave gutters with down spouts, no metal roof, no snow slides, a letter from Chris Buckley, a letter from Tim Schudt, a report from the engineer that would show the calculations of the sewer and the water, and lastly, the sidewalk to Ottawa Street would be cobble stoned.

Carol Sullivan asked if anyone else had any other questions before moving forward. Kevin Merry inquired about the color scheme. Doug Frost said he presented samples at the previous meeting but was unsure what shades he was going to go for. Debonnay Meyers had the color cards from the previous meeting and passed them around for all to review. Carol Sullivan asked the Board if they would not be opposed to including specific wording in the motion such as "colors would be sent to Dan Barusch for him to forward them to the Board". The Board were in mutual agreeance to including that specific wording in the motion.

Carol Sullivan made a motion to declare a negative declaration on Short Environmental Assessment Form Part 2 – Impact Assessment form dated June 26, 2024, for Mayard Center.

2nd MOTION: Walt Adams

Carol Sullivan	Kevin Merry	Dean Howland	Walt Adams	Patrina Leland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Absent = 1 Motion carried.

Carol Sullivan made a motion to approve 175 Canada Street, tax map 251.18-3-41, for the addition to a second story at the Mayard Center with the following conditions: stormwater inlets will be in the alleys with storm drains so there will not be any gutters and downspouts, Dan Barusch will receive a letter from Tim regarding the sewage pipes, Dan Barusch will receive a letter from Chris Buckley regarding the water, Doug will provide Dan with an engineer's report on the flow of calculations for the water and sewage, there will be no metal roof and no snow stops regular shingles will be used, the sidewalk to

Ottawa street will be torn up to accommodate the flow out to Ottawa Street and will be covered with cobblestone / small river rock, one foot deep and width as applicable. The color scheme used will be Dynasty Marquee “French Croissant”, “Earth Fired Red”, and “Drama Queen” and if those colors change in any way, Doug will provide new colors to Dan and Dan will notify the Planning Board of the changes.

2nd MOTION: Kevin Merry

Carol Sullivan	Kevin Merry	Dean Howland	Walt Adams	Patrina Leland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Absent = 1 Motion carried.

APPLICATION: SPR#6-2024

APPLICANT: MICHAEL MENTER – PARK LANE MOTEL

TAX MAP: 251.14-3-29

ADDRESS: 378 CANADA STREET

ZONE: COMMERCIAL RESORT

Applicant is seeking approval to update some lakeside exterior areas around the motel. It will focus on rebuilding the existing deck and the concrete walkway along the shoreline, as well as start new construction for a new set of stairs from the existing docks and lower beach area, into the water. The end goal of this project would be improving the aesthetic of the surrounding areas and aiding in the structural integrity of it.

Andy Allison from AJA Architecture was present to represent Park Lane Motel. Carol Sullivan asked Andy Allison to conduct an opening statement regarding the previously tabled application. Andy Allison introduced himself as Park Lane Motel’s project representative and offered to provide insight as to what the owners would like to do with the property. Andy Allison explained that the project would be split into two parts: the stairs being part one and the area between the patio and the beach area being part two. He showed the Board the location of the stairs via a map that was brought for the presentation. He explained that the stairs would lead into the water and that they were working with the Department of Environmental Conservation (DEC) for a permit. He went on to explain part two of the project but made sure that the Board understood that the deck and beach area would not be reviewed tonight. He requested the Board to only review the stairs as the owners would like to have that installed as soon as possible.

Carol Sullivan wanted to revisit the deck portion of the project as she was curious as to what substances they were using to build the deck. Andy Allison indicated that it would not be a fresh build, it would be a rebuild as pre-existing material remained on site. Carol Sullivan inquired about the existing surface. Andy Allison said it consisted of sand and stone and further explained their plan to use permeable pavers. Kevin Merry indicated that at the last meeting, he expressed his opinion that the lumber and the CMU blocks were not considered a structure and it would be classified as a fresh build. Andy Allison offered to completely table part two as his focus was getting approval for the stairs. Before the topic changed to the stairs, Dean Howland wanted to let Andy Allison know that there was a law overturned recently that would disallow concrete near the lake. Andy Allison said he did not hear of the change but would investigate it. Dean Howland wanted to let Andy Allison know that when it was time to bring the second part of this project in front of the Board to please not bring these plans back as the plans would not get approved.

Carol Sullivan redirected the conversation back to the stairs. She asked for the Board’s thoughts on it. Kevin Merry expressed his concerns on safety. He said the stairs could provide a slip hazard and asked Andy Allison what they would do to prevent slips. Andy Allison explained that he acknowledged Kevin Merry’s concerns, and that he was valid to bring up those concerns, but that responsibility ultimately would be on Park Lane as they would be responsible for maintaining the stairs.

Carol Sullivan asked if anyone else had any other questions before moving forward. Dan Barusch reminded the Board to include the condition of DEC approval.

Dean Howland made a motion to approve the application created by Park Lane Motel which is located at 378 Canada Street, tax map 251.14-3-29, and we’re approving tonight is the set of stairs into the lake on the north side of the property with the DEC requirement for approval.

2nd MOTION: Carol Sullivan

Carol Sullivan	Kevin Merry	Dean Howland	Walt Adams	Patrina Leland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Absent = 1 Motion carried.

NEW BUSINESS:

APPLICATION: SIGN#11-2024

APPLICANT: MIKE DITROIA – STUNAD’S ITALIAN ICE

TAX MAP: 251.18-3-40

ADDRESS: 155 CANADA STREET

ZONE: COMMERCIAL MIXED USE

Applicant is seeking approval for one wall sign for his business, Stunad’s Italian Ice. It will be a rectangular sign and will measure 8’ by 3’ in total. The rectangular sign will be made of vinyl and will be located on the front of the building. The background of the sign will be red, white, and green and will have a 2-inch black vinyl border. The letters will consist of three colors: black, white, and red and all will be made of vinyl. The letters’ size range between 4” to 10”. The lighting will include the two existing gooseneck lights that are above the sign.

Heath Mundell was present to represent Stunad’s Italian Ice as the owners were unable to make the meeting. Carol Sullivan asked Heath Mundell for details about the sign as per her review, she found the sign having the same design as what was proposed to them in March of 2023. Heath Mundell explained that the colors and the layout would remain the same minus the slight word changes on the bottom of the sign. He also added that the difference between the old sign and the proposed one was the size as the owner wanted a bigger wall sign outside their establishment. The Board questioned the rendering as the top rendering showed black lettering and the bottom showed red lettering. Heath Mundell assured the Board that the program made a mistake and that the proposed sign would have black lettering.

The Board shifted the conversation to discuss colors. Kevin Merry asked if Stunad’s met the four-color rule as he wasn’t sure if white and black would be defined as colors. Dan Barusch stated that the Board

must make a final decision tonight because there was no final determination made at the last meeting. The Board consented to squashing the color debate tonight so that way the Board could move forward with this application as well as future applications. Dan Barusch told the Board that per the definitions he found, black would not be considered a color because of its' absence of light meanwhile white would be considered a color because white comprises all hues. Carol Sullivan informed the Board that this discussion would proceed after they review and approve Stunad's sign.

Before a motion was made, Kevin Merry mentioned that there were some gray areas on the sign. Carol Sullivan asked for clarification. He explained that on the white portion of the flag, there's gray in there so that additional color would make the sign non-complaint. Heath Mundell assured the Board that the area Kevin Merry was referring to would not be gray. Carol Sullivan listened to both the Board and Heath Mundell and indicated that the area Kevin Merry was referring to would be white. So, with that, Carol Sullivan concluded the color conversation by explaining that the sign did meet the four-color rule, so the Board did not need to continue the color conversation.

Walt Adams made a motion to approve the application created by Stunad's Italian Ice, located at 155 Canada Street, tax map 251.18-3-40, as presented.

2nd MOTION: Patrina Leland

Carol Sullivan	Kevin Merry	Dean Howland	Walt Adams	Patrina Leland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Absent = 1 Motion carried.

APPLICATION: SIGN#12-2024

APPLICANT: AHSAN ISMAIL – GYRO HUT

TAX MAP: 251.18-4-5

ADDRESS: 111 CANADA STREET

ZONE: COMMERCIAL MIXED USE

Applicant is seeking approval for one sign for their business, Gyro Hut. The sign will be a rectangular wall sign and will measure 6' by 3' in total. The rectangular sign will be made of metal and TUFFAK SL polycarbonate and will be located above the main entrance. The background of the sign will be red and will not have a border. The letters will be white and will be made of vinyl. The letters' size range between 1.1" to 4.4". The sign will have two not-raised graphics and will be lit internally with LED bulbs.

Ahsan Ismail was present to represent Gyro Hut. Carol Sullivan asked the Board to not review Gyro Hut's application until a final determination was made for the color debate. Carol Sullivan asked the Board for their input. Patrina Leland and Walt Adams were in favor of classifying black and white as colors. The Board asked for Dan Barusch's opinion on the matter. Dan Barusch said that he has no say or jurisdiction as the final determination must be made by them. Dan Barusch wanted to add that depending on what the outcome was, they must stick with that decision for future applications.

The Board continued going back and forth until Dan Barusch halted the conversation for a second. He advised the Board that if they constitute black and white as a color, that may result in the Village Board revisiting the color ordinance to allow more than four colors on a sign. Carol Sullivan asked Dan Barusch

for verbiage of the color ordinance. Dan Barusch said he would load it on his phone. While Dan Barusch was working on obtaining the color ordinance, the Board continued the debate by using examples of different signs and asked each other for their interpretation of it. Dan Barusch loaded the excerpt and read what the color ordinance word for word. After hearing the excerpts word for word, Carol Sullivan re-asked the Board their thoughts after hearing it. All the Board members, including the Alternate, came to an agreement that black and white would be labelled as colors. Therefore, for any future applications brought before the Board and/or before Dan Barusch for administrative approval must follow the new ruling.

The Board reviewed Gyro Hut’s application and found that the rendering showcased five colors. Dan Barusch suggested Ahsan Ismail to remove the black shadowing from the letters and the decals so he would conform to the color ordinance. Ahsan Ismail said that would be fine with him. Dean Howland asked what the decal on the left was. Ahsan Ismail replied with a gyro. Carol Sullivan asked the Board if they had any more questions or comments about the proposed sign to which the Board said no.

Patrina Leland made a motion to approve the application created by Gyro Hut, tax map 251.18-4-5, located at 111 Canada Street, seeking approval for their sign to be 6 foot by 3 foot as presented. The only switch is that we are counting four colors on the sign: red, white, green and brown so the black shadows are to be removed.

2nd MOTION: Kevin Merry

Carol Sullivan	Kevin Merry	Dean Howland	Walt Adams	Patrina Leland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Absent = 1 Motion carried.

APPLICATION: SIGN#13-2024

APPLICANT: GURDIP CHAWLA – TASTE OF INDIA

TAX MAP: 251.10-3-43

ADDRESS: 462 CANADA STREET

ZONE: COMMERCIAL RESORT

Applicant is seeking approval for two signs for their business, Taste of India. The first sign will be a rectangular wall sign and will measure 24.75 square feet in total. The rectangular sign will be made of MDO and PVC and will be located on the front of the building, above the door. The background of the sign will be yellow and green and will have a 2-inch black border. There will be one red chili pepper graphic that will be placed in the middle of the sign. The letters will consist of two colors: red and white and all will be made of PVC. The letters’ size range between 3” to 10”. The lighting will include the existing goosenecks that will have LED bulbs installed. The second sign will be a circular free-standing sign and will measure 24.75 square feet in total. The circular sign will be made of MDO and PVC and will be located on the pole by Canada Street. The background of the sign will be yellow and green and will have a 2-inch black border. There will be one red chili pepper graphic that will be placed in the middle of the sign. The letters will consist of two colors: red and white and all will be made of PVC. The letters’ size range between 3” to 9.5”. The sign will be supported by halo LED lighting and two existing ground flood lights.

Heath Mundell was present to represent Taste of India as the owners were unable to make the meeting. Before Carol Sullivan opened the floor for questions, she allowed time for the Board to review the application. Carol Sullivan asked Heath Mundell for details regarding the proposed sign. Heath Mundell explained that his request was for the wall sign only. He wanted to bring the free-standing sign request before the Board tonight but because of its' size, it had to be brought before the Zoning Board to obtain a variance.

Walt Adams informed the Board that the sign had more than four colors. The Board reviewed the pictures that were included in the application and saw that there was more than the allowed amount. Carol Sullivan listed off all the colors and asked the Board if they came to the same conclusion as her. The Board said yes, and Dan Barusch confirmed that there were exactly six colors on the sign. Carol Sullivan told Heath Mundell that he had two choices: either he conforms to the four-color ordinance, or he appears in front of the Zoning Board. Heath Mundell expressed he wasn't thrilled with those two options as it would defeat the purpose of this company having a logo. He explained that the Taste of India had this design as their logo for years and it was unfortunate that the Board wouldn't allow them to keep it. Carol Sullivan stayed firm and indicated he could either conform or appear in front of the Zoning Board.

Heath Mundell reviewed the rendering and offered to make two changes: changing the background to all yellow and changing the banner color to black. Kevin Merry informed the Board that the green on the stem of the pepper had to be removed as well. Carol Sullivan suggested changing the background to green so the stem of the pepper could remain. Heath Mundell turned down the suggestion and indicated that having a green background for a restaurant sign wasn't a good idea. Patrina Leland suggested changing the stem to yellow, to which Heath Mundell said no. Walt Adams suggested having an all-red pepper on the sign. Heath Mundell said he was fine with Walt Adam's suggestion as the pepper was minor detail in the sign. Carol Sullivan asked the Board if they were alright with the changes that were discussed. The Board was in mutual agreeance with the changes and advised that they would include those changes as conditions in the motion.

Carol Sullivan made a motion to approve the Taste of India sign for 462 Canada Street, tax map number 251.10-3-43 as presented with the following changes: the blue banner on the middle of the sign will be changed to black, the red and green pepper will be changed to all red and the background of the sign will be changed to all yellow.

2nd MOTION: Walt Adams

Carol Sullivan	Kevin Merry	Dean Howland	Walt Adams	Patrina Leland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Absent = 1 Motion carried.

APPLICATION: SC#2-2024

APPLICANT: ROBERT LANGLEY – KICKING COUNTRY

TAX MAP: 251.14-2-7

ADDRESS: 325 CANADA STREET

ZONE: COMMERCIAL MIXED USE

Applicant is seeking approval to add a sidewalk café for their new business, Kicking Country. There was prior approval for this location for Lakehouse Bistro but per our Village Code, each new business utilizing a sidewalk café needs their own individual approval. The sidewalk café will be directly outside the building, near the Village sidewalk. The café will have wooden rails with the option of flower boxes and/or potted pine trees as decoration. There will be three six-top wooden tables with chairs and applicant will use maroon umbrellas that will not have any logos or designs on them. The hours of operation were not disclosed in the application. There will be alcohol served once the license has been obtained through the State Liquor Authority.

Robert Langley and Marinko Trajovski were present to represent Kicking Country. Robert Langley wanted to let the Board know that as someone who dabbles with photoshop, he can confirm that black and white, to him, are considered colors. Before Carol Sullivan opened the floor for questions, she allowed time for the Board to review the application. Carol Sullivan inquired if the Board was to only review the sidewalk café portion of the application to which Robert Langley said yes. He advised the Board that he would return at a later date for the sign approval.

Dean Howland inquired about the size of the café. He explained that the business prior to Kicking Country appeared in front of them for the same reason and obtained approval for that size. He indicated he wasn't sure if Kicking Country was expanding the size of the area or if it would be the same size as Lakehouse Bistro's. Robert Langley said it would be the same size as the prior business. Patrina Leland asked if there were any plans to construct a deck. She explained she was asking because she noticed in the application it mentioned use of a base to hold the posts. Robert Langley said maybe in the future but as of right now, he was looking to just have tables and chairs with umbrellas in that area. Kevin Merry indicated that there could be difficulty keep everything stable because of the base. Robert Langley indicated that the fence would be attached to the building directly so the chances of it being unstable drop immensely. Robert Langley also mentioned that a wood fence barrier was a better option than a standard rope barrier.

Kevin Merry inquired whether the new business would be seasonal or year-round. Robert Langley said seasonal but could change to year-round depending on how well they do. Kevin Merry asked about their menu. Robert Langley said it would be similar to Texas Roadhouse so they would have steaks, hamburgers, salmon, and a number of alcoholic drinks. Before the Board could ask about the status of his SLA license, Robert Langley said he was working on obtaining it and advised that his restaurant would not be transform into a Duffy-type bar. Carol Sullivan asked the Board if there were any further questions before moving forward to furniture to which the Board said no.

Carol Sullivan asked for clarification on the furniture. Robert Langley said the furniture shown in the rendering was a general concept of what he envisioned. Carol Sullivan told Robert Langley that once he knew what furniture he wanted, to please submit a photo to Dan Barusch for him to forward on to them for review. He assured the Board that once he found what he envisioned, he would do so. He wanted to add that he checked out several different places and he found that the ones he liked totaled over \$3,000, so he was looking for something more cost friendly but still had that elegance. Carol Sullivan asked if the tables would all be six-tops. Robert Langley said there would be room for three six-tops on the sidewalk portion and then three two-tops under the awning. Carol Sullivan asked if the tables would be made of metal and wood. Robert Langley said it would all be metal, but it would look like wood.

Carol Sullivan inquired about the landscaping. She said in the rendering, it displayed small trees and flower boxes so she wanted confirmation that both would still be displayed. Robert Langley said he provided three renditions to the Board. Carol Sullivan asked him which one he was leaning towards. Robert Langley said he liked the idea of having both, but he expressed that it may be difficult to balance both. Carol Sullivan said he should take the possibility of his items being vandalized into consideration. Robert Langley indicated that he was now leaning toward having only flower boxes on the railing. Carol Sullivan said ultimately the decision was up to him and asked him if that was what he wanted. Robert Langley said yes.

Carol Sullivan changed the topic to discuss umbrellas. She indicated that she noticed maroon umbrellas and asked if that would be the final color choice. Robert Langley confirmed and explained that the point of the maroon umbrellas was to have them match with the star on the future sign. Carol Sullivan asked the Board if they had any other questions about the sidewalk café. The Board said no. Before a motion was made, Carol Sullivan wanted to notify Robert Langley that the menu board must be put inside the café. Robert Langley said he would do so. She also wanted to ensure Robert Langley knew he had to obtain an SLA permit for selling alcohol and a DOT permit for the café. Robert Langley said the SLA permit was in progress and as for the DOT permit, he tried reaching out to them but was unsuccessful. Carol Sullivan said the motion would be approved with conditions and those conditions include: no evergreen trees, applicant must have permits from the DOT to set up the café, applicant must have SLA permit in possession before selling alcohol on café, and the menu board must be placed inside the café instead of outside.

Patrina Leland made a motion to conditionally approve the application created by Kicking Country, tax map 251.14-2-7, located at 325 Canada Street. The conditions include: they must provide the SLA permit and the DOT permit, the fence, metal with wood look tables, the four columns will have hanging flowerpots on arms, no trees, maroon red umbrellas, and the menu board will be inside the café.

2nd MOTION: Kevin Merry

Carol Sullivan	Kevin Merry	Dean Howland	Walt Adams	Patrina Leland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Absent = 1 Motion carried.

Dan Barusch informed the Board that the wording will show as presented with three conditions. The three conditions include: must supply SLA permit for alcohol sales on café, must supply DOT permit, and menu board to be placed inside the café.

APPLICATION: SPR#9-2024 (AWNING)

APPLICANT: MEZZALUNA

TAX MAP: 251.14-3-3

ADDRESS: 267 CANADA STREET

ZONE: COMMERCIAL MIXED USE

Applicant is seeking approval for a retractable awning to be installed for their business, Mezzaluna. It will not require any framework and will be attached to the existing roof. The awning will consist of two

colors: red and white, and it will have a striped pattern. The awning will cover part of the patio that's closest to the building.

Robin Chiaravalle was present to represent Mezzaluna. Carol Sullivan asked Robin Chiaravalle to introduce herself for the record. Dan Barusch said she was here to obtain an after-the-fact approval for two awnings. Carol Sullivan asked the Board if they had any comments, questions, and/or concerns about the awnings. Walt Adams expressed that he had no concerns but wasn't pleased that the awning was already up. Kevin Merry asked what the code said about awnings. Carol Sullivan said businesses were allowed awnings but had to follow certain rules such as no writing on them and they can't be over the public right-of-way.

Carol Sullivan made a motion to approve the awnings for 267 Canada Street, tax map 251.14-3-3. Mezzaluna as presented.

2nd MOTION: Walt Adams

Carol Sullivan	Kevin Merry	Dean Howland	Walt Adams	Patrina Leland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Absent = 1 Motion carried.

Carol Sullivan advised the Board that there were no minutes tonight due to the size of the agenda.

Motion to adjourn by Carol Sullivan at 6:18 pm., seconded by Patrina Leland, and unanimously carried.

Respectfully submitted,

Debonnay Meyers

Debonnay Meyers