

APPROVED

**LAKE GEORGE VILLAGE
26 OLD POST ROAD
JANUARY 15, 2014
PLANNING BOARD MINUTES**

Board members present: Robert Mastrantoni – Chairperson, Patricia Dow, Dean Howland, Chuck Luke, Dan Wolfield.

Board members absent:

Others present: Attorney Mark Schachner – Counsel to the Planning and Zoning Boards for Lake George Village, Attorney Jon Lapper – Project Attorney, Dave Kenny – Project Sponsor, Tom Nace – Project Engineer, Jeff Anthony – LA Group (visual impact analysis), Ethan Hall - Project Architect, Carol Sullivan (Secretary), Chris Navitsky (Lake George Waterkeeper), Tony Hall (LG Mirror), Gordon Woodall (Chronicle), Jamie Munks (Post Star), Kitty Rooney, Sue Millington.

REGULAR MEETING AND PUBLIC HEARING FOR SPECIAL USE PERMIT

Robert opened the meeting and Public Hearing at 7:32 PM.

TAX MAP:	251.14-2-3, 251.14-2-4, 251.14-2-5, 251.14-2-6
OWNER/APPLICANT:	KENNY & DITTRICH LLC, KENNY & DITTRICH AMHERST, LLC
REPRESENTED BY:	ATTORNEY JONATHAN LAPPER BARTLETT, PONTIFF, STEWART & RHODES, P.C.
ADDRESS:	365 – 375 CANADA ST – COURTYARD MARRIOTT
ZONE:	COMMERCIAL MIXED USE
SITE PLAN APPLICATION:	# 1369
SPECIAL USE PERMIT APPLICATION:	# 1369-SUP – PUBLIC HEARING

Applicant/owner is proposing a 6 story Marriot Courtyard to be built on the following tax map numbers: 251.14-2-3, 251.14-2-4, 251.14-2-5, 251.14-2-6

Tax map numbers 251.14.-29 and 251.14-2-11 will remain as parking. These parking lots will no longer be public parking lots as they will be parking specifically for Marriott Courtyard customers.

Robert asked Attorney Jon Lapper to begin the review of the Special Use Permit (SUP). Jon indicated that the answers to the questions asked in the Special Use Permit were prepared after careful review of the Village's Comprehensive Plan and the Village Code.

Addressing question #2 Chuck Luke asked if the emergency accessibility has been determined to be adequate by the necessary people. Tom Nace (Nace Engineering P.C.) indicated his company had spoken to Alan Moon, Fire Chief. Tom indicated Alan is comfortable with fire trucks coming in the entrance off of Amherst St. The turning radius is adequate for fire trucks. The curbs are designed so the fire truck can move around and eventually exit out Parrott St. Fire hydrant location is acceptable. There will be rods with "dry" risers in the building as well as a siamese water connection on the building. If there is congestion on Amherst St. emergency vehicles can enter through Parrott St. Alan, will provide the Village with documentation of acceptance and confirm that the Village fire trucks can accommodate the building at its highest elevation of 72 feet.

Dan Wolfield mentioned he would be hesitant to sign off on the Special Use Permit review without engaging in the Site Plan review because question #2 of the Special Use Permit application asks about compatibility with surrounding properties and natural and built environment. He expressed the same

APPROVED

LAKE GEORGE VILLAGE 26 OLD POST ROAD JANUARY 15, 2014 PLANNING BOARD MINUTES

concern with regard to question # 5 on the Special Use Permit application where it asks if the project has been designed to be compatible with surrounding uses and designed to protect the natural and scenic resources of the Village.

Attorney Mark Schachner counseled the Board that the Village Code does indicate review of the Special Use application shall take place as part of the Site Plan review. He suggested the review can include the Site Plan review however, he pointed out that whether there is one motion or two motions the criteria of the Special Use Permit application should be addressed in the motion.

At this point the Board members agreed to review the Site Plan as well.

Jon Lapper introduced Jeff Anthony who prepared the visual impact analysis. Jeff indicated they use the Adirondack Park Agency's (APA) visual analysis methodology when they prepare a visual impact analysis. Jeff mentioned the material he is showing the Board this evening will be components of APA application when it is submitted to the APA. Jeff provided the Board with an overview of what they do and how it is done to come up with the pictures he is presenting this evening. The process is highly computer driven and includes a five mile radius of possibilities where the hotel can be seen from various distances. Once key areas were identified the information was transmitted to the APA and the APA was asked where they would like to see simulations (before and after) of potential views of the hotel. 10 or 12 sites were picked by the APA which they determined to be significant. They are:

- Old County courthouse looking northwest. Simulated the view with the hotel.
- East side of Canada St. South of the high school looking southwest. Simulated the view with the hotel.
- Canada St. at McDonalds looking north. Simulated the view with the hotel.
- Intersection of Route 9N and Route 9 looking south. Simulated the view with the hotel.
- From Lake George looking west.
- From Lake George looking southwest. Simulated the view with the hotel.
- Wiawaka Holiday House. The APA did not want a simulation because this is not a public use area. They only wanted the photo.
- Usher Park beach looking west-northwest. Simulated the view with the hotel.
- Million Dollar beach looking west-northwest.
- The promenade at Beach Rd. looking northwest. Simulated the view with the hotel.
- Steamboat dock looking northwest. Simulated the view with the hotel.
- Lake George Battlefield looking northwest.

Jeff presented the Board with the results and discussed each with the Board.

Jon Lapper began a review of the architecture of the building. Referring to the workshop meetings the Planning Board had regarding the exterior design Jon used a picture to show what was first presented and what is presented this evening, pointing out that significant changes have been made in the exterior design. At this point Jon asked Ethan Hall (architect) to address the changes. Ethan pointed out the various changes that have taken place to redesign the building to the design that is being presented this evening. Ethan also presented samples of the exterior materials which will be used. Materials to be used are:

- Shakes.
- Horizontal siding.
- Standing seam metal roofing (green).

APPROVED

LAKE GEORGE VILLAGE 26 OLD POST ROAD JANUARY 15, 2014 PLANNING BOARD MINUTES

- Log features.
- Open wrought iron railings. Adirondack style branch handrails will be used.
- Several different types of stone will be used from the second story down.
- There are a lot of wood features.
- There will be green window fixtures and siding will be used.

Ethan explained that a planter box will be added all along the top of the first floor which is the balcony for the second floor. At the ends of the building planter boxes will be installed all the way to the roof level. The vertical logs are floor-to-floor and will be pieced in; they will not be continuous throughout.

At this point Robert asked for public comment.

Sue Millington, an adjoining landowner, introduced herself. Sue asked about the development on the North side of the building; so far she has heard a lot of discussion regarding the South side of the building. She also asked about parking. She made reference to the parking lot already at the rear of the hotel location. She mentioned she believes there are 88 parking spots in this lot; her building is located between the proposed hotel site and the Lake George High School. She asked how many parking spots are necessary and asked how many there will be in this lot. Jon Lapper indicated there will be 132 parking spaces and that this is the required amount. Jon added that Tom Nace will be addressing the parking spaces and parking lot in a few minutes. Sue Millington asked about a particular tree that is shown in the drawings; she believes the tree is on her property. Jon Lapper indicated that the survey of the property shows the tree(s) to be on school property. Sue also asked about the building coming right up to the sidewalk going up two stories and then there will be outdoor dining above. Ethan addressed Sue's question regarding the north side of the building. He indicated that all of the facade features will be wrapped around all of the building which includes the North and South sides of the building.

Returning to the simulation views Dan asked if there were any views from Ottawa St. for the rear of the building. Jeff mentioned they were not asked to prepare that view and that the APA did look at vantage points looking from the West to the East and they were not concerned with any. Jeff also mentioned the APA could not see the site from the scenic overlook (exit 22) so these simulations were not produced. Dan asked if the Board could request some rear view simulation. Patricia agreed it would be nice to see the simulation for the rear.

Chuck Luke asked about the roof at the very top of the building. Ethan explained there is a mansard roof that runs all around the building with a flat roof in the middle. The mansard will overhang the balconies all across the front façade and wrap around the entire building. From the flat structure of the roof the mansard sticks up 5 feet. The mansard roof will hide all the necessary roof structures needed for the building. In addition because of the height of the mansard it protects anyone who may be on the roof from the edge of the building.

The upper portion of the roof, the flat roof, will be internally drained capturing all of the roof stormwater which will be brought through the building and eventually tied back into the stormwater system.

Chuck, referring to previous discussions, asked about other uses for the roof. Previously discussed was a green roof, a public use area and perhaps a garden area. Jon answered that other uses were discussed but were not implemented in this plan. Nothing will be visible from the street and there are no plans for a structure which would project above the roof.

APPROVED

LAKE GEORGE VILLAGE 26 OLD POST ROAD JANUARY 15, 2014 PLANNING BOARD MINUTES

Tom Nace addressed public water and sewer uses. Tom indicated he has coordinated these items with Dave Harrington, Village Superintendent of Public Works. Water service comes into the site from Ottawa St. The existing sewer will be tapped into at the back of the building near the school. Grease traps will be installed in the kitchen area. With regard to stormwater drainage the existing drywells in the parking lot and in the Amherst St. access will be maintained and will not change. Pointing to the plans Tom indicated that some of the stormwater drainage will be intercepted and taken to three new drywells in the front. These same three drywells will take in the stormwater from the access road from Canada St. There is a roof drain system which will take the stormwater from the southern portion of the roof into these three drywells. All the drywells are designed to take drainage from the "100 year storm". There is a small section on the site which will continue to drain as it currently does which is all of Parrott St. There are two catch basins at the foot of Parrott St. which will not be changed; these will continue to intercept stormwater as they currently function. All of the stormwater on site with the exception of Parrott St. will be captured on site.

Chuck asked who will be signing off on the stormwater management system throughout the construction of the project. Tom indicated that inspections are done daily as the system is being installed and a certification will be provided to the Village. Dan asked about a maintenance plan for the stormwater infiltration facilities and drywells. Dave Kenny indicated there is generally a yearly inspection however, with every rainstorm he has them checked to ensure they are working properly.

The existing parking lot has to be dug up and reconfigured because of the change of grade for the hotel and Dean asked how much of the existing parking lot would be dug up. Tom, pointing to the plans indicated how much of the parking lot would be disturbed. Tom explained, because of the slope of Canada St. and the southern end of the building being below grade to compensate for the Canada St. slope the parking lot will have to be reconfigured.

At this point public comment was taken from Chris Navitsky, Lake George Waterkeeper. Chris passed out a letter dated January 15, 2014 (attached as Exhibit 1).

- In paragraph 2 Chris pointed out what he believed to be a discrepancy in the Village Code with regard to parking lots. Carol Sullivan pointed out that §220-23.41 refers to commercial parking lots. When Dave Kenny installed this parking lot (without the hotel) he complied with these commercial standards. The design as well as the stormwater plan were reviewed and approved by the Planning Board. The parking lot has been used for public parking. Now with the construction of the hotel the parking lot will no longer be available as public parking and will be used solely for the hotel parking. This parking lot is now considered part of the entire hotel site and therefore the entire site including the parking lot must meet a 10% permeable surface requirement. The number of parking spaces required is 132 spaces (120 rooms plus 1 parking space for every 10 rooms = 12 additional spaces). The size of the spaces already complies with the Village Code.
- Chris also discussed the adequacy of the sewer treatment facilities as set forth in his January 15th letter. The Board as well as Dave Kenny and John Lapper discussed Chris' comments. Jon asked if the Village would produce a letter addressing Chris' concerns.
 - Jon Lapper indicated he has had discussions with Supt. Dave Harrington regarding the sewer plant. The Village has received a grant for improvements and will be starting a project in June 2014 to reconstruct infiltration beds. The new infiltration beds should address the nitrate issue referenced by Chris; there is no capacity issue.

APPROVED

LAKE GEORGE VILLAGE 26 OLD POST ROAD JANUARY 15, 2014 PLANNING BOARD MINUTES

- Chris also addressed the proposed landscaping along the sidewalk in front of the hotel. Chris indicated the “concrete cribs” (a recessed bed outlined in concrete) are not sustainable for the healthy growth of trees. Chris provided alternatives which were provided by Cornell University. He asked for these alternatives to be considered.
 - Jon mentioned that Dave Kenny is willing to look into Chris’ suggestions and will determine what can be done with Chris’ comments in mind.
- Chris asked that permeable pavement be considered in the front of the hotel which will decrease run-off.
 - Dave is willing to consider using permeable pavement as suggested where his property is impacted. If the property Chris is referring to is Village property the Village will have to be consulted. .
 - Tom addressed the Village requirement of the 10% greenspace which has been provided for. If additional permeability can be achieved with pavers they will look into these suggestions. The footprint of the hotel is reduced by the allowance for a six-story hotel and this too adds to the green infrastructure.
- Addressing the landscaping in the parking lot, Chris pointed out that the landscaping is mounted up on curbs and therefore, it is basically ineffective. He suggested these areas be sunk into the ground and allow for runoff to go into them.
- Chris asked for consideration to have a green roof on the flat roof. A green roof could retain much of the stormwater thus reducing the need to have stormwater go through the system and eventually captured. If the roof is buffered it can also reduce energy consumption.
 - Ethan indicated they could look into adding some landscaping on the roof however, a “green” roof would affect the loads for the roof and they are not inclined to do this. Tom Nace added a green roof doesn’t resolve any of the stormwater issued.
- Chris indicated the sidewalks around the perimeter of the hotel should be permeable pavement.
- Addressing Parrott St. Chris asked about whether or not it was part of the property as the plans seem to indicate grading on Parrott St. He asked how the current buffer will be impacted.
 - Tom Nace responded to Chris’ comments. There will be a retaining wall installed and there is a 4 or 5 foot grade between the parking and the street. There is one area on Parrott St. which will be filled by 2 – 3 feet to minimize the current “dip” and allow for a more gradual grade of Parrott Street.
 - Patricia asked who owns Parrott Street and Jon indicated the Village currently owns it but has been looking into the possibility of selling Parrott St. to Dave Kenny.

There will be one dumpster area and it will also facilitate the pizzeria. Dave indicated it will be emptied as often as necessary. He added there shouldn’t be a large dumpster area for a large hotel which has a restaurant. A large dumpster area detracts from the look of the hotel and the surroundings. A large dumpster area attracts rodents, birds, etc. It is aesthetically pleasing to have a smaller area and have it dumped every day if necessary.

Chuck asked about the time of day when Parrott St. is completely closed off because of the school buses. A right turn from Parrott St. is impossible. How will customers of the Marriott know in advance that a right turn from Parrott St. onto Ottawa St. is not allowed in the 2:20 – 2:50 PM timeframe during the week when school is in session? Dave indicated a right or left turn is not possible and he believes signage will inform people of this issue.

Patricia asked where deliveries will enter into the area and where will they be dropped off. All deliveries will be at the back of the hotel. Once inside the hotel there is an access for the kitchen and basement.

APPROVED

LAKE GEORGE VILLAGE 26 OLD POST ROAD JANUARY 15, 2014 PLANNING BOARD MINUTES

There is also an elevator in this area. Once the hotel is open and operational there will be smaller deliveries.

Egress for the retail shops is only on the outside. There is no egress for the retail shops from the inside.

All windows on the exterior walls will be nonreflective.

Parking lot spaces are regulation size - 9' by 18' with 24 foot wide drive aisles. There is also valet parking. The width of Parrott St. will not change.

The pool area has a double door that opens to a patio on the north side. This patio is only accessible from the pool area. The patio has permeable pavers. Dan mentioned he feels this patio area is pretty close to the school area which is used as a play yard. Robert asked if the patio area can be buffered with shrubs and Dave agreed that it could be. Dave pointed out that the patio would likely be used when school is not in session; its use is limited September through May.

Chuck asked about the outdoor lighting plan. Tom Nace mentioned they will use architectural type fixtures. The lighting in the parking lot will remain in the same location however it will be changed to something fancier. Dave mentioned the design of the fixtures is prescribed by the Marriott. The Canada St. egress to the parking lot will have the same fixture as in the parking lot however, these fixtures will be mounted on the building. Walkway lighting will be mounted on lower poles. Ethan mentioned the building lighting on Canada St. has not been determined yet. All the doors on Canada St. are recessed so the lighting will be installed above the doors in the recessed area and it will be pointing down. The pillars will have lighting also – wall wash. The entire lighting scheme has not been finalized yet. Jon indicated they are willing to submit the lighting plan and fixture design at a later date for Planning Board approval.

Dan asked about changing the building so that it didn't have such a linear look. He asked if some of the sections could be stepped thus eliminating the linear look. There are tall columns in the front and perhaps these could be diminished by adding some roof lines. He also asked that consideration be given to moving the pizzeria over to the building, moving the Canada St. egress over and then pull one banquet room on top of where the pizzeria would be. This would allow the building at the southern end to be 4 stories with a step at the top thereby changing the whole roof-line on the south end of the building. Ethan indicated this would require a new redesign of the building. Dan indicated he believes, keeping in mind the Special Use Permit, this change would make the building more compatible with the surrounding buildings and the community. Ethan added that the building has been "stepped" at the southern end to specifically break the space up.

Dan asked for pictures from Ottawa St. He also asked if balloons could be floated on site so the Board could see the true height of the building. He also asked if the building could be roughly staked so there is an indication of where the corners of the building will be located. Dave indicated the corners cannot be staked because this building isn't as deep or long as the existing buildings and the existing buildings are further out on the sidewalk than the new hotel will be – the new hotel is actually set back further from the existing sidewalk and the resulting new sidewalk will actually be wider.

At this point Robert polled the Board regarding satisfaction with the Special Use Permit – two members were satisfied with the Special Use Permit application – with the discussion and the visuals that have

APPROVED

LAKE GEORGE VILLAGE 26 OLD POST ROAD JANUARY 15, 2014 PLANNING BOARD MINUTES

been provided with regard to location, views and height. One member was satisfied with the design, the discussion and recommendation however, added if balloons would help some members he has no objection to balloons. Two members are not satisfied and feel additional pictures from different locations would be helpful as would a balloon test. They also expressed concern with the SUP question regarding the project's compatibility with the surrounding properties and natural and built environment; they feel more information is necessary in order to make a decision regarding this question.

The Board engaged in a discussion regarding the surrounding buildings. Some members indicated that this building is hopefully the first and will be instrumental in changing the streetscape and improving the surrounding buildings.

At this point Mark Schachner counseled the Board on the proceedings of the meeting. The public hearing is open for Special Use Permit application. The SUP application is being reviewed in conjunction with the Site Plan application which is acceptable according to the Village Code. The Board can close the public hearing and someone can make a motion on the SUP decision. Or, the public hearing can remain open and no motion made this evening. Mark pointed out that the SUP criteria and the Site Plan criteria do overlap one another. In this instance, balloons may be part of the Site Plan review however, they may or may not provide additional visual aid in answering question #2 on the SUP application.

At this point Robert suggested closing the public hearing however, Mark Schachner intervened and counseled the Board regarding closing the public hearing if additional information (balloons and pictures) was going to be requested. He advised the Board that if additional information was going to be requested and eventually provided then the public should be provided the opportunity to make comment on all information provided as part of the application process. If additional information is requested the public hearing should remain open.

The Board agreed to keep the Public Hearing open and they requested additional information and they asked that consideration be given to the items mentioned in Chris Navitsky's letter.

- Fire Dept. sign off.
- Water and sewer sign off from Village Supt. of Public Works, Dave Harrington.
- Photo simulation from Ottawa Street. In color.
- Lighting plan.
- Revised landscaping plan showing any curbing changes.
- Buffer area around pool patio.
- Rooftop landscaping and clarification of the roof usage, i.e. used by hotel guests or whether it's just going to be a roof housing mechanical equipment for the hotel. Each use and location of the use should be shown on a diagram.
- Permeable pavers in areas previously suggested.
- Depressed landscaping islands.
- Breaks in the parking lot curbs for water drainage into the landscaping areas.
- Permeable pavers and landscaping on Canada St subject to the approval of the Village Board.
- Balloon test. Photos. Jon indicated the "balloon test" is weather dependent; he will let Carol know in advance as to date and time when they will be installed.

APPROVED

**LAKE GEORGE VILLAGE
26 OLD POST ROAD
JANUARY 15, 2014
PLANNING BOARD MINUTES**

In the schedule provided for this evening, trees were described by caliper and bushes by height. The maples will have a 3 – 4 inch caliper. These trees will be about 16 – 18 feet high when planted.

At the back of the building along the stone side there will be faux windows. These are in the area of the serving kitchen. These faux windows were used because this area is not an area where actual windows would be a good idea however, these faux windows were used to provide dimension and break up the wall in that area. Patricia mentioned, on the south end, where the stone wraps around there are no faux windows and partitions. Ethan explained they can be added in.

At this point the Board agreed to hold a Special Planning Board meeting on February 10, 2014 at 7:30 PM. Dave Kenny agreed to provide information and plans as requested.

Public hearing remains open.

MOTION: Robert Mastrantoni made a motion to adjourn the meeting at 11:00 PM.

2ND MOTION: Chuck Luke

Robert Mastrantoni	Patricia Dow	Dean Howland	Chuck Luke	Dan Wolfeld
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nay = 0. Motion carried

Respectfully submitted,

Carol Sullivan

January 28, 2014