

APPROVED

**LAKE GEORGE VILLAGE
26 OLD POST ROAD
MARCH 16, 2011
PLANNING BOARD MINUTES**

Board members present:

Robert Mastrantoni – Chairperson, Patty Kirkpatrick, Chuck Luke, Patricia Dow, Dan Wolfield.

Absent:

Others present:

Carol Sullivan (Secretary), Doug Frost (Enforcement Officer), Dan Brown (Architectural Consultant to the Board), Lisette Bongiorno, Ray Perry, Mike Dorman, Bill Dow, Dave Stanton,

Robert Mastrantoni opened the meeting and the public hearing at 7:05 PM.

PUBLIC HEARING

HAWAIIAN SHAVED ICE – FAST FOOD

LOCATION: 215 CANADA ST. (SMALL SHOP ON NORTH SIDE OF HOUSE OF FRANKENSTEIN)

TAX MAP: 251.18-3-46

APPLICANT: GERALD BONGIORNO

ZONE: CMU

SIGN #1103, SITE PLAN APPLICATION & SPECIAL USE PERMIT APPLICATION # 1102

- Applicant is opening a fast food establishment in a building previously occupied by a retail clothing shop. The Board is reviewing the Site Plan application, Special Use Permit application and Sign Permit application this evening.
- Patty indicated she believed the size of the 3 bay sink will have to be reduced to 3' 6" which will allow for a larger pass through between the back counter and the prep area in order to comply with the America Disabilities Act code.
- Lisette explained there will be no seating inside. Primary sales will be Hawaiian shaved ice, "puka" hotdogs and there will be a small retail space in the front where they will do temporary tattoos and hair wraps.
- Dan Wolfield asked if it is OK to have this type of retail establishment combined with a food establishment. Carol mentioned we have many establishments where the sale of food and retail is combined, however, the ultimate decision will have to be made by the Department of Health.
- Patricia asked if any other food will be available besides the shaved ice and hotdogs. Lisette stated the primary business is the shaved ice and hotdogs but they will have other drinks available such as, lemonade, coffee (both hot and iced).
- Robert expressed concern over the combination sales of food and retail. He doesn't want to see this business becoming similar to the business the Board reviewed last year which ended as a problem. It seems like the other business' menu grew into something much bigger than was originally planned.
- Chuck asked, and Lisette confirmed that this is fast food to go; there is no indoor or outdoor seating.
- Lisette mentioned the hot dog is not a traditional hot dog. It's called a puka dog which is more of a Hawaiian type hot dog.
- There will not be an outdoor trash dumpster. There is a trash container on interior of the shop. The trash will be removed from the property each day.

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- There is no rear egress for this shop.

At this point Robert asked if there were any public comments. There were none and Robert closed the public hearing at 7:20 PM.

MOTION: Patty made a motion to accept the Bongiorno's Special Use Permit application for a location at 215 Canada St. which will be called Hawaiian Shaved Ice with the proposed use of snow cones and hotdogs. Adding hair wraps and temporary tattoos pending health board approval. There will be no seating.

2ND MOTION: Chuck Luke

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|--------------------|--------------|-------------------|------------|-------------|
| Robert Mastrantoni | Patricia Dow | Patty Kirkpatrick | Chuck Luke | Dan Wolfeld |
| Aye | Aye | Aye | Aye | Aye |

MOTION: Patty made a motion to approve the Site Plan for Hawaiian shaved Ice at 215 Canada St. with the amendment to reduce their 3 bay sink in order allow for the ADA code of 3' 6" pass through between the back counter and prep area.

2ND MOTION: Chuck Luke

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|--------------------|--------------|-------------------|------------|-------------|
| Robert Mastrantoni | Patricia Dow | Patty Kirkpatrick | Chuck Luke | Dan Wolfeld |
| Aye | Aye | Aye | Aye | Aye |

SIGN

- The Board pointed out the gooseneck lamps could not be underneath the sign, turned up, as they will collect water. They should be placed overhead or a fixture suitable for up lighting should be chosen.
- The Board agreed to table review of this sign because the rendition was not drawn to scale and they were unable to determine the actual size of the sign and how it would look on the building.
- The Board asked the applicant to return next month with a more accurate rendition of the sign and with suitable lighting fixtures if the lighting will be at the bottom of the sign.

MOTION: Patricia made a motion to table the sign application pending receipt of a scaled drawing, a drawing that includes all the elements, includes colors and includes appropriate lighting fixtures if the lighting is to be underneath.

2ND MOTION: Patty Kirkpatrick

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|--------------------|--------------|-------------------|------------|-------------|
| Robert Mastrantoni | Patricia Dow | Patty Kirkpatrick | Chuck Luke | Dan Wolfeld |
| Aye | Aye | Aye | Aye | Aye |

REGULAR MEETING

At this point Patricia Dow recused herself from the Board and review of the Steamboat Store sign.

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STEAMBOAT STORE – COMMERCIAL MIXED USE - SIGN

LOCATION: BEACH ROAD ACROSS FROM STEAMBOAT COMPANY

TAX MAP: 264.07-1-4

APPLICANT/OWNER: BILL DOW

#1101

- Previously known as Lake George Steamboat Market place. New signs installed prior to approval. The Board previously tabled review of these new signs. Tonight the Board will review the sign over the door (facing north).
- Bill explained the sign on the North side of the building is less than 25 square feet and the sign on the West side of the building will be reduced to 25 square feet.
- Bill indicated he will attend the April Planning Board meeting for approval of the sign on the West side of the building.

MOTION: Patty made a motion to approve the Steamboat Store sign as presented.

2ND MOTION: Chuck Luke

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| Robert Mastrantoni | Patricia Dow | Patty Kirkpatrick | Chuck Luke | Dan Wolfield |
| Aye | Recused | Aye | Aye | Aye |

At this point Patricia Dow rejoined the Board.

FROM BAGELS TO BURGERS (PREVIOUSLY CHINA WOK) – COMMERCIAL MIXED USE - SIGN

LOCATION: PREVIOUSLY CHINA WOK.

TAX MAP: 251.18-3-47

APPLICANT/OWNER: MIKE DORMAN

#1105

- This sign was reviewed and approved at February 16, 2011 Planning Board meeting. Applicant is returning tonight because the construction and design of the sign was not accurately stated in the previous meeting.
- The design of the sign is essentially the same but for the white border and raised letters.

MOTION: Chuck Luke made a motion to re-approve the sign for From Bagels to Burgers with raised lettering and a white border.

2ND MOTION: Patty Kirkpatrick

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|--------------------|--------------|-------------------|------------|--------------|
| Robert Mastrantoni | Patricia Dow | Patty Kirkpatrick | Chuck Luke | Dan Wolfield |
| Aye | Aye | Aye | Aye | Aye |

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PABLO'S BURRITO CANTINA – COMMERCIAL MIXED USE - A- FRAME SIGN

LOCATION: NEXT TO MAGIC CASTLE GOLF

TAX MAP: 251.14-3-5

APPLICANT/OWNER: RAY PERRY

#1109

- Two-sided A-Frame sign. Sign is white plastic. Vinyl lettering.
- Patty pointed out that because the A-frame sign is plastic and light weight it will have a tendency to blow over. Ray mentioned the sign is being constructed by Dan West and he has a method for keeping the sign stabilized. There is a criss-cross chain where a small sand bag is placed. Ray mentioned he wants to be sure the sign looks good and if the sandbag detracts from the sign he will do something that will look better.

MOTION: Patty made a motion to approve the sign for Pablo's at 275 Canada St. with the understanding that the PVC material will be weighted in some way that is esthetically pleasing and keeps the sign from blowing over.

2ND MOTION: Dan Wolfield

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|--------------------|--------------|-------------------|------------|--------------|
| Robert Mastrantoni | Patricia Dow | Patty Kirkpatrick | Chuck Luke | Dan Wolfield |
| Aye | Aye | Aye | Aye | Aye |

LED SIGNS

- Some of the Board members felt graphics should be allowed, others did not. Even with graphics, the board still must function as a reader board and contain lettering. Some graphics can be outlandish. Allowing graphics could be regrettable. 4 not in favor of graphics and 1 in favor of graphics.
- Plain borders can be allowed.
- Regarding whether or not to allow colored backgrounds and colored lettering (something other than a black background and lettering of amber and red hues), the Board members feel color on color is OK. Dan Wolfield feels white lettering and white backgrounds should not be allowed. Patricia Dow feels only dark backgrounds should be allowed to be consistent with the current requirements for back lit signs. 3 in favor of allowing color on color, 1 in favor of allowing color on color but not white and 1 in favor of color lettering with dark backgrounds.
- Door coverage. The Planning Board recommends allowing coverage up to 25% of each egress. Example – A storefront has a double door. That double door is considered the egress. Therefore, 25% of that egress can be covered. If, the store has another egress and that egress is a single door then, 25% of the double door can be covered and 25% of the single door can be covered.

The Planning Board also recommends only allowing information that that is relevant to the business to be hung on a door/egress. Information referring to the sale of a product shall not be allowed.

MINUTES

December 16, 2009 (RM, PK, DW)

MOTION: Dan Wolfield made a motion to approve the minutes as presented.

2ND MOTION: Patty Kirkpatrick

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|--------------------|-----------------|-------------------|----------------|--------------|
| Robert Mastrantoni | Patricia Dow | Patty Kirkpatrick | Chuck Luke | Dan Wolfield |
| Aye | Absent Dec. 16. | Aye | Absent Dec. 16 | Aye |

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February 16, 2011 (RM, CL, PD, DW)

MOTION: Robert Mastrantoni made a motion to approve the minutes as presented.

2ND MOTION: Chuck Luke

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|--------------------|--------------|-------------------|------------|-------------|
| Robert Mastrantoni | Patricia Dow | Patty Kirkpatrick | Chuck Luke | Dan Wolfeld |
| Aye | Aye | Absent Feb. 16 | Aye | Aye |

John Carr's Grain Bin @ Adirondack Pub & Brewery.

Carol provided the board with John's explanation regarding the height. The grain bin will be on a cement slab. There is a slope where it is being installed. The cement slab will be set into the ground so the overall height will appear to be different against the building.

Patricia pointed out when John originally presented his grain bin idea at the September meeting he presented two sizes. One was 17 feet high x 12 feet in diameter. The other bin was described as 24 feet high x 9 feet in diameter. In the December minutes (she was absent from the December meeting) the bin is described as being 22 feet high x 12 feet in diameter. This height was not what was originally presented in the September meeting. In December, the Board approved the bin that is 22 feet high x 12 feet in diameter. Patricia mentioned that in September the Board discussed the height of the bins based on the height and diameter of the two bins John presented. At that time the Board felt 24 feet high was too high and opted for the 17 foot high bin. John presented a 22 foot high bin in December and she is wondering how the transition came about from 17 feet high to 22 feet high. John's explanation to the change in height was that the 22 foot bin would be set into the ground. When John came before the Board in December he did present the measurements as 22 feet high x 12 feet in diameter, the Board discussed this size at that meeting and ultimately approved this size.

Village Board

Patricia Dow – Look at the inconsistencies between sidewalk café, window service, outdoor dining areas.

Patty Kirkpatrick - Look into the using the Albany attorney who can help us firm up obscenity laws. Patricia Dow feels we should be able to do something based on language "offensive to the community" and an attorney who specializes in this area may be able to provide help in establishing some regulations.

Robert made a motion to adjourn the meeting at 8:50 PM, seconded by Patricia Dow and unanimously carried.

Aye – 5 Nay - 0 Motion carried.

Respectfully submitted.

March 30, 2011

Carol Sullivan