

APPROVED

LAKE GEORGE VILLAGE 26 OLD POST ROAD JANUARY 21, 2009 PLANNING BOARD MINUTES

Board members present:

Robert Mastrantoni, Dan Courtney (7 PM), Patricia Dow, Dan Garay, Debbie Tirri (7 PM)

Board member absent:

Margy Mannix

Others present:

Doug Frost (Code Enforcer), Carol Sullivan (Secretary), Mark Schachner (Attorney for the Planning Board), Dan Brown (Architectural Consultant), Barbara Neubauer, Peter Temeles, Kathy Redpath, John Frolish, J. Mark Noordsy, Chris Navistky, Bert Weber, Janet Loonan, Joe Mastrodemenico

Chairman Mastrantoni called the meeting to order at 6:05 PM.

PROPOSED ZONING CHANGES – 6 PM

- Patricia Dow mentioned she had prepared a document of suggested changes based on her review of the zoning (Exhibit 1). Some of the changes she feels that are necessary are the overlay district and the use regulations should be redefined. For example §220-17, Permitted Uses – multiple uses can be permitted on a single lot; Patricia feels this should be changed to indicate the uses should be compatible with each other. Carol mentioned compatible can be subjective and would probably have to be defined or the use table could be modified to show what uses can be coupled.
- Patricia, referring to Patty Kirkpatrick's letter (Exhibit 2) regarding businesses in the commercial district across the street from commercial mixed use mentioned she believes Patty's point is valid - if you have a business of one kind which is across the street from the same kind of business in the commercial district – one of those businesses will require a special use permit and the other will not. Perhaps for businesses across the street from one another the special use permit should apply to both. The use table could be modified.
- Patricia began discussing the overlay district and changes. Doug mentioned he thought the last meeting the board had with Elan finalized the changes to the overlay district. The board discussed the previous meetings they had with Elan and where they left off in the discussion with Elan regarding the overlay district. Carol pointed out that some time ago Elan had provided "to date" changes and the planning board members should have packets with that material along with the minutes, however, the planning board has never made a recommendation to the village board for the changes they would like to see with regard to the overlay district. Robert suggested perhaps another meeting with Elan should be scheduled. Carol will check with Elan for their schedule and reminded the board the funds previously allocated are limited at this point.
- Patricia asked if tattoo parlors are considered retail. It was noted tattoo parlors are not shown in the use table. After reviewing the definition of retail it was determined that tattoo parlors can be considered retail and therefore, are included in the Use Table.

APPROVED

LAKE GEORGE VILLAGE 26 OLD POST ROAD JANUARY 21, 2009 PLANNING BOARD MINUTES

- Patricia brought up that the use table does not address parking lots and garages. Carol mentioned if a use is not listed in the use table that use is prohibited (§220-17B- non permitted uses). Parking is addressed in the zoning chapter for the particular uses. Carol as an example said you can't tear down a motel on Canada St. and make a parking lot. If a facility is for sale and a prospective buyer asks if the facility could be torn down and replaced with a parking lot, the answer today is no because the use table does not allow for parking facilities. Doug asked if the purpose of this discussion was to allow for parking facilities. Patricia indicated she felt that at some point in time it should be in the use table because there may be a need for it. The board discussed certain criteria which would have to be looked at – allowable size, number of parking spaces, allowed in which zones, egress, traffic flow, safety, stormwater, permeable surface, lighting, etc.
- Patricia – there are a lot of items that need to be resolved – signs, murals, window displays, remote car demos on the sidewalks, A-frame signs, etc. Also the applications should be looked at – what does the board need for a major project vs. a smaller project. For large projects the stamped plans should be received at least two weeks prior so the planning board can review them. Agenda items should be in a week prior. Patricia mentioned she also looked at what items both commercial and residential need – stormwater, how the project sits on the lot so a survey should be provided, smaller residential projects – like decks and garages – could be submitted with hand drawing to scale. Commercial projects – need to provide elevations from all sides, accurate to scale, an accurate survey – the complete information specific to the project. A true picture of the project and how it relates to the surrounding areas. For large projects perhaps a master plan for the entire property should be required. For commercial projects plans do not have to be stamped until the final set of plans are approved, however, plans should be provided from an engineer, architect or other professional working on the project. The board also wants to see a final rendering of what the new construction will look when completed. Should this include smaller projects – cost could be prohibitive on smaller projects.
- Patricia mentioned she can share the document she has prepared and it could be used as a starting point for what the board wants to work on. Carol suggested the board should pick a specific topic, work on that topic, recommend changes and then move to another topic.
- Doug feels there are a couple of items which could be done quickly – the use table, what the planning board wants to see for certain projects. Carol suggested the sign ordinance should be at the top of the list since we seem to have a lot of issues with the various signs.

At this point Robert closed this portion of the meeting and opened the regular planning board meeting.
At this point Debbie Tirri (alternate) joined the board.

ALIBABA EXPRESS – SIGN APPLICATION

TAX MAP: 251.14.-3-9

ZONE: COMMERCIAL MIXED USE

APPLICANT: SARATOGA SIGN PRO'S INC – JOHN FROLISH

- This establishment was food service (Lake Taco) and will be a new food service establishment. Huseyin Cakal will be opening this new restaurant.
- John Frolish/Saratoga Sign Pro's presented the sign for the planning board's review. The material used will be the same material as the other signs in Shepard Square. The board discussed the colors which will be used and asked how the colors presented fit with the colors in the building structure. Board members made recommendations regarding using 2 different fonts rather than 3.

APPROVED**LAKE GEORGE VILLAGE
26 OLD POST ROAD
JANUARY 21, 2009
PLANNING BOARD
MINUTES**

MOTION: Patricia Dow made a motion to accept the Ali Baba Express sign based on the alternate design presented. The sign will use two fonts Ali Baba one font, Express Mediterranean Restaurant in another. (Alternate design – 2 fonts). A larger space will be inserted between Ali and Baba. The size of the sign will be as presented.

2ND: Dan Courtney

Robert Mastrantoni	Dan Courtney	Patricia Dow	Dan Garay	Debbie Tirri
Aye	Aye	Aye	Aye	Aye

GEORGIAN RESORT

TAX MAP: 251.14-3-27

ZONE: COMMERCIAL RESORT

APPLICANT: PETER TEMELES

- Previous Site Plan application #0751 – approved 8/15/07. Previously the Georgian approached the planning board requesting phasing in portions of their proposed timeshare project. The first phase is restaurant renovations – new façade, new restrooms, interior restaurant renovations and installation of the indoor pool/exercise facility. The board granted this request. The Georgian is now preparing to start the restaurant renovations. The exterior façade is designed in keeping with the timeshare exterior design.
- Pete Temeles presented the façade design to the board this evening. Pete indicated the timeshare construction has been put on the back burner. The required paperwork for the timeshare facility has been submitted to the state. As proposed previously they still want to change the restaurant, updating it in the style of a “resort” facility because it is still very important for the operation of the hotel itself.
- The dining facility will remain in its current location along with the bar. The pool/spa facility will be located on the lower level of the restaurant in what is currently a basement.
- Pete brought along samples of the stone that will be used on the exterior of the west elevation and the interior of the east elevation.
- Pete showed the board where the east side (lake side) of the restaurant facility will be “bumped out” to accommodate the pool/exercise facility. The design is in keeping with the original site plan submission and footprint.
- Patricia Dow questioned the height and Pete explained the height is the same as the current building. The dining room currently has a “false” roof and the height is not changing. On the lake side the glass roofing/enclosure is to allow for a solarium. This will allow light to filter into the dining room and the indoor pool area.
- Discussing the front of the building, Pete indicated the attempt is to update the façade of the restaurant and to have a façade that is very eye catching to people driving into the property. There will be a new entrance with stonework on the exterior.
- The interior of the dining room will be renovated as well. There will be a stone knee wall incorporated into the dining room on the lakeside; this will allow diners to have a view of the lake etc. and it will separate the inside where the pool is just below. The pool will be enclosed and separated from the diners, however, this wall will allow light into both facilities rather than having a solid wall.
- Pete pointed out an observation deck which is an extension out of the dining room. This deck is about 13 feet wide and will allow for some tables/chairs and photo opportunities. It can be closed off by panels. The board discussed the framing of the deck – wood or metal.

APPROVED**LAKE GEORGE VILLAGE
26 OLD POST ROAD
JANUARY 21, 2009
PLANNING BOARD
MINUTES**

- Dan Brown commented that he sees the overall structure as well done with continuity from the front to the back. The observation deck breaks up an otherwise plain glass wall.
- Robert polled the board for questions/comments.
- Patricia Dow asked about the observation deck and its location in relation to the pool. Pete explained it will be approximately 14 feet from the pool and there will still be a fenced area surrounding the pool. Pete also explained it will be located over the inside pool. Anyone on the deck will not be able to see down into the pool/spa facility.
- The board agreed to the use of the Southbay Quartzite Asalar stone.

MOTION: Dan Courtney made a motion to approve the Georgian exterior façade renovations, including the east side 5 foot extension of the roof and observation deck. The windows on the east side will be encased in bronze aluminum with non reflective glass. The east and west side stone work will be Southbay Quartzite Asalar stone. Front entry approved as presented.

2ND: Dan Garay

Robert Mastrantoni	Dan Courtney	Patricia Dow	Dan Garay	Debbie Tirri
Aye	Aye	Aye	Aye	Aye

At this point Patricia Dow recused herself from the board.

HOLLY RAJ INC

TAX MAP: 251.18-3-71

ZONE: COMMERCIAL RESORT – OVERLAY

APPLICANT: DAN RYAN – VISION ENGINEERING (for Holly Raj Inc.)

- Public hearing remains open.
- Robert noted Holly Raj was not represented at this meeting.
- Carol handed out a letter (Exhibit 3) regarding stormwater management which was submitted by Chris Navitsky this afternoon. Because the letter was received today Robert deferred board comment to the February 18, 2009 meeting.
- Robert opened the discussion regarding the proposal provided by Angevine Acoustical Consultants, Inc. (AAC) for the noise evaluation (Exhibit 4).
- Dan Brown pointed out if AAC is going to use a lot of standard base information in their calculations and assessments that's a lot less expensive than coming to Lake George and doing actual measurements. He added the board won't know what they can determine from that particular type of prepared data. Theoretical data is not the same as actual data.
- Robert asked the board what their thoughts were on what would be learned from such a study that the board isn't already aware of.
- Dan Courtney indicated he feels a bar this large couldn't conform to the noise ordinance, however, he's not an expert and therefore would like to see what a noise study would produce.
- Dan Brown mentioned AAC should be able to quickly assess the noise coming from the inside to the outside deck based on the structure, windows, walls, vestibules, etc.
- The board discussed the expense of getting an actual model and the fact that it would have to be conducted during the summer months.
- The board discussed AAC's proposal to study other businesses in order to create comparison data. The board did not ask for this and it appears AAC is asking if that aspect should be conducted as well.

APPROVED

LAKE GEORGE VILLAGE 26 OLD POST ROAD JANUARY 21, 2009 PLANNING BOARD MINUTES

- Robert discussed the changes the board has suggested to mitigate noise and the engineer has agreed to – special windows, soundproof walls, vestibules, installation, etc. There is a noise ordinance in Lake George and a means for enforcing it.
- Dan Courtney feels a study done of what other facilities are doing is something the applicant would have to request to be completed. He feels the size of this establishment is unprecedented. While there is a noise ordinance how can the planning board approve something that can't comply with the noise ordinance. Since the board doesn't know if this project complies or not he feels the noise study is necessary.
- Dan Courtney pointed out that the Comprehensive Plan as part of its mission statement states that residences and businesses have to work together, neighborhoods must be protected.
- Dan Brown pointed out a study of facilities in the Buffalo area (#2 in AAC proposal) probably wouldn't produce the same data as Lake George facilities and the board would not know what AAC was looking at while conducting the study in the Buffalo area.
- Dan Brown mentioned maybe the best information that could be obtained from the study is methods for mitigation.
- Robert polled the board to determine if the board is in favor of conducting the study and the scope of the study.
- The planning board agreed the study should consist of items 1 and 5 and if necessary, item 3. If, after reviewing the material produced from items 1 and 5, the planning board agrees they do not have enough information they would then request item 3 to be completed.
 - Items 1, 5 and 3 being:
 - 1. Community noise model development, source and construction references investigations, modeling assessments of outdoor sources propagation, modeling assessments of indoor source transmissions through building construction, noise impact assessment report. \$8000.
 - 5. Mitigations investigations and report. \$1500
 - 3. Surveys of background noise levels and select facilities (Lake George), with data processing, travel (one, as requested). \$4000
- At this point Robert indicated the public hearing remains open, however, he would not be entertaining public comment this evening because there was no one present representing Holly Raj.

At this point Robert Mastrantoni recused himself from the board.

At this point Patricia Dow rejoined the board.

PREVIOUSLY SOPRANO'S – NEW NAME TBD

155 CANADA ST.

TAX MAP: 251.18-3-40

ZONE: COMMERCIAL MIXED USE

APPLICANT: ROBERT AND CARMELA MASTRANTONI

SITE PLAN AND SPECIAL USE PERMIT REVIEW - #0902

- Special use permit required – bldg. has been vacant for more than a year and is located in the Commercial Mixed Use zone. Restaurants in the CMU zone require a special use permit.
- Tonight's review will be a Sketch Plan review.

**LAKE GEORGE VILLAGE
26 OLD POST ROAD
JANUARY 21, 2009
PLANNING BOARD
MINUTES**

- Robert indicated this will be a full service restaurant as it was previously and is a turn-key operation. There will be no internal or external changes. Appliances and seating are already in the restaurant. Robert will be installing a pizza oven.
- Lunch, dinner and pizza will be served.
- Robert indicated they have not determined how or if they will utilize the window service. Doug indicated he would need to review the code with regard to window service regardless of whether or not the window service was utilized by the previous restaurant operator 2 years ago.
- Robert mentioned there is a new owner for this building and the property where the outdoor seating will be located is the owner's property as shown on the survey.
- Patricia Dow questioned the other 3 restaurants within a 250 foot radius – Shoreline, Christies, and Garcia's. Robert mentioned these would not be competing restaurants.
- Patricia asked for seating capacity – approximately 150 not including outside seating.
- Robert will be serving beer and wine.
- No entertainment inside or outside.
- Patricia asked what hours Robert will be operating and Robert mentioned he would open around 11 AM and close around 1 AM.
- Patricia indicated she felt the tables and chair design should be part of the application. Typically, the board has reviewed this on other applications. Robert mentioned the tables and chairs are white metal very similar to what he now has at Somewhere in Time. Robert said he would submit pictures for review.
- Patricia asked for submission of the interior layout of the restaurant. Other applicant's have provided the layout and since this facility has not been a restaurant for two years the interior layout should be submitted.
- The board agreed to have the special use permit public hearing at the next regularly scheduled planning board meeting (February 18, 2009).
- The sign will be hung underneath the roof extension where the previous restaurant's sign was located. The lighting is still in this spot. Robert will be submitting for a sign permit once a name is decided upon.

MOTION: Dan Courtney made a motion to deem the application complete for Robert and Carmela Mastrantoni's restaurant located at 155 Canada St. upon receipt of a diagram of the inside layout and picture(s) of the outside chairs and tables. These should be dropped off at the Village Hall for board member review. A special use permit public hearing will be set for February 18, 2009.

2ND: Patricia Dow

Robert Mastrantoni	Dan Courtney	Patricia Dow	Dan Garay	Debbie Tirri
Recused	Aye	Aye	Aye	Aye

APPROVED

**LAKE GEORGE VILLAGE
26 OLD POST ROAD
JANUARY 21, 2009
PLANNING BOARD
MINUTES**

MINUTES

December 17, 2008 – approved

Patricia Dow questioned Duffy's on page 5. Linda had indicated the sign would be the same design and color as the convenience store. Patricia recalled originally the sign had a white background with green lettering and Linda had agreed to change the background to green with white lettering in order to be in compliance with the current code. Patricia questioned if the sign had been changed – yes.

MOTION: Dan Garay made a motion to accept the minutes.

2ND: Robert Mastrantoni

Robert Mastrantoni	Dan Courtney	Patricia Dow	Dan Garay	Debbie Tirri
Aye	Aye	Aye	Aye	Aye

The board agreed to schedule the next zoning issue/change meeting for February 4, 2009 at 6 PM.

MOTION: Robert Mastrantoni made a motion to adjourn.

2ND: Patricia Dow

Robert Mastrantoni	Dan Courtney	Patricia Dow	Dan Garay	Debbie Tirri
Aye	Aye	Aye	Aye	Aye

Meeting adjourned.

Respectfully submitted,

Carol Sullivan

January 29, 2009