

**LAKE GEORGE VILLAGE PLANNING BOARD MEETING
OCTOBER 19, 2022 – 6:00 PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY
MEETING MINUTES**

Board members present: Carol Sullivan, Patricia Dow, Walt Adams, Dan Wolfeld, and Dean Howland

Board members absent: Patrina Leland

Others present: Debonnay Meyers (Clerk), Dan Barusch (Director of Planning and Zoning), Jon Lapper, Sean Quirk, Melissa Quirk, and Melissa Savitz.

Carol Sullivan called the meeting to order at 6:03 PM. Carol Sullivan opened the floor for discussion in relation to the agenda order. Jon Lapper notified the Board that he would prefer no changes to the agenda as Jon Lapper is restricted on time tonight.

TAX MAP: 251.18-3-60

APPLICANT: SEAN QUIRK

ADDRESS: 1 KUROSAKA LANE – “KING NEPTUNE’S”

ZONE: COMMERICAL RESORT

APPLICATION: SPR#10-2022

Applicant is seeking approval to change the existing use of the property from a restaurant to accommodations with a retail area. This project will have a façade change and remodeling an existing structure. Changes will include an existing outdoor patio along the lakefront walkway, space on the lower level that will be converted into a boat rental/retail space with balconies above for two of the five rental units. The construction material used will be stone veneer, lap siding in white and charcoal, b&b siding in charcoal, vertical wood siding, and metal roof in charcoal. The exterior doors and windows will be black aluminum or composite clad made by Marvin Elevate Basis of Design. There will be no actual change for storm-water management based on project. Dumpsters are to remain in existing location. Sign application will be submitted and reviewed at a later date.

Sean Quirk, Melissa Quirk, and John Lapper were present to represent “King Neptune’s”. Carol Sullivan confirmed with Jon Lapper that he will conduct the opening statement. Jon Lapper opened with informing the Board that this project is considered a rare case where the business owner wants to do less with the building to achieve more benefits for the community. Jon Lapper further explained that this project will bring less pedestrian traffic, less vehicle traffic, and will be quieter as the building shifts to accommodations. John Lapper included that the construction will be a major upgrade for the building and will be more subtle due to the colors picked for the design. John Lapper continued to explain that he, Sean Quirk and Melissa Quirk went in front of the Zoning Board and did obtain approval to turn the outdoor patio space into an office for the boat rental. Jon Lapper concluded his opening statement informing the Board that there will be no massive changes for the stormwater management and the five units that will be established there will have high end hospitality.

Reviewing the application and the plans brought to the Board by the applicant, questions started flowing in relation to the transition from a restaurant into accommodations. Walt Adams questioned Jon Lapper about the roof and the storm water run-off. As the roof will not have any major changes, Walt Adams wanted to ensure that the run-off will be similar as to what is existing now. Jon Lapper notified the Board that there will not be any changes to the storm-water run-off. Carol Sullivan questioned the location of the run-off. Jon Lapper explained the building has gutters on the north side towards Christie's and gutters on the southside. Dan Wolfield inquired about the change of use. Dan Wolfield understood that the business was originally a hotel 20+ years ago. However, his concerns were with ensuring that this change of use are within the zoning jurisdictions and guidelines. Dan Barusch explained in detail that there are no bearing on use when it comes to storm-water. Dan Barusch continued to explain that the regulations stay based on the impermeability of the site, and what type of project that's occurring. Depending if it's a minor or major project, those thresholds are how much impervious that's being added or how much land that's being disturbed. Dan Barusch further explained that since because the Quirk's weren't adding an additional 1000 feet of impervious, they are exempt for storm water. Discussion continued in relation to page A4 that was included in the application as to where the storm-water would run off to. There were no further questions in relation to storm-water management.

Walt Adams questioned whether this business will be a nightly rental, short-term rental, or long-term rental. Sean Quirk and Jon Lapper informed the Board that this will be a hotel and/or nightly rental. Sean Quirk added that during the summer season, the accommodations will have the six nights minimum rule. Carol Sullivan questioned the off-season requirements. Sean Quirk notified the Board that for off-season, it will be a three-night maximum. Carol Sullivan inquired if that rule will be used around the Winter Carnival event. Sean Quirk confirmed. Walt Adams had no further questions.

Patricia Dow had concerns regarding parking for these units. Patricia Dow explained that due to the two units having three bedrooms and the three units having two bedrooms, there should be more parking spots for the rentals. Sean Quirk advised that for parking, one parking space per unit is the requirement. Patricia Dow inquired if there were any thoughts on possibly expanding the parking lot to allow more vehicles to park. Sean Quirk explained that the overflow will be directed to park at the Adirondack Pancake House. Dan Wolfield asked the Board if they should include the parking lot into the motion. Dan Wolfield's concern was in relation to how many vehicles there could be for one rental unit. As there are two units with three bedrooms, there could be a possibility that there could be more than one vehicle per bedroom for that one unit. Jon Lapper advised the Board that Sean Quirk does meet the requirements for parking and did point out that Sean Quirk did offer to utilize the Adirondack Pancake House for the overflow. Dan Barusch and the Board did agree to include the overflow parking into the motion with an alternative parking plan if there's any changes. Carol Sullivan confirmed with Jon Lapper that there are five parking spaces on the south side of the development. Carol Sullivan opened to page A4 and explained she only can see three spaces and one car that's parked in an illegal space. Jon Lapper and Sean Quirk reviewed page A4 with Dan Barusch and showed Carol Sullivan the five spaces located on the page. There were no further questions relating to parking.

Patricia Dow had questions regarding the height of the building, the roof details, and specific concerns relating to accessibility. Jon Lapper explained the height of the building will be 36 feet. Jon Lapper added that there will be a metal roof and there should not be any concerns to the roof as the roof chosen will not be reflective. Jon Lapper further explained that the colors picked for the roof will be subtle and can be reviewed on page A6. The Board reviewed page A6.

Patricia Dow opened to page A3. Patricia Dow confirmed with Jon Lapper that the patio area will be enclosed. Patricia Dow had concerns in relation to the drainage and overflow of the enclosed patio space. Jon Lapper explained the concrete slab will be the solution for that. Patricia Dow requested explanation regarding the folding chair lift. Jon Lapper explained the folding chair lift will assist the handicap on accessing all areas of the building. Dan Barusch advised the chair lifts have to be ADA accessible or ADA friendly. They will also have meet ADA requirements. Patricia Dow confirmed with Jon Lapper that the bathrooms will be accessible and will be wide enough for wheelchairs.

Patricia Dow opened to page A4 and inquired about the up and down stairs on the west side of the diagram. Sean Quirk notified that the outside stairs on the back side of the building had been eliminated. Patricia Dow opened to page A5 and inquired about the stairs shown on either side to get up into the balcony. Sean Quirk advised those will be on level plane and will be on the same level. Patricia Dow showed that there are stairs on the diagram near that area. Sean Quirk reviewed and advised Patricia Dow that those stairs have also been eliminated.

Patricia Dow opened to page A6 and notified she had reviewed the pictures and the lakeside view. However, looking on page A5 and A6, Patricia Dow had concerns about the fencing and enclosing the greenery. Dan Barusch reviewed and showed Sean Quirk the area between the two balconies that Patricia Dow was concerned about. Sean Quirk advised that area she's concerned with will be a wall. Carol Sullivan inquired about the safety. Sean Quirk explained that there will be railings. Patricia Dow inquired about the west side door coming out of the garage on page A6. Sean Quirk advised there will be no door as it had been eliminated. Carol Sullivan was confused as to what door Patricia Dow was referring to. Patricia Dow showed Carol Sullivan the area she was referring to on page A6. Dan Barusch clarified Carol Sullivan's confusion by using page A4 and page A6. Patricia Dow questioned the windows shown on page A6 on the second level on the northern elevation. Patricia Dow brought up that the windows are slider windows. Patricia Dow inquired if these windows are going to be used for emergencies. Dan Barusch reviewed and notified that without the slider windows, they didn't follow state code. Sean Quirk notified the Board that the architect was the one who added those windows in the plan. Dean Howland advised that all the units shown on these plans have these windows. Sean Quirk and the Board were on a mutual understanding of the diagram on page A5 and A6. There was no further question from Patricia Dow.

Carol Sullivan confirmed with Jon Lapper that on the first level, the patio will be enclosed into a boat retail rental space. Sean Quirk notified he will not be renting the boat rental space to anyone. Sean Quirk will be using that space for his boat rentals only. Carol Sullivan questioned if there will be any merchandise such as sunglasses to be sold in the boat rental retail area. Sean Quirk advised the Board that the boat rental area will only be used for his boat rentals, nothing else. Carol Sullivan suggested that the commercial space should be in the motion detailing that

space is only for boat rental use. Dan Wolfield asked Sean Quirk why they decided to utilize that specific space for the retail area. Dan Wolfield explained why he asked this question as he didn't get the opportunity prior to the meeting to research first floor usage and percentages. Dan Barusch notified the Board that Sean Quirk can't use the first level as residential use due to the business being labeled as accommodation.

Carol Sullivan reviewed page A6 and inquired about the sign. Sean Quirk notified the Board that the sign will be redone to follow Village Code. Jon Lapper stated that both Sean Quirk and himself will come back to the Planning Board for the new sign approval. Sean Quirk said the sign will remain where it is currently. The Board understood that there will be an additional parking spot near the sign.

Patricia Dow questioned the freezer portion on the floor plan. Sean Quirk said the freezer will be gone. Dan Wolfield commented that the plans for the building are beautiful and will come out awesome. However, Dan Wolfield had concerns about the completion of the project and suggested hiring an architectural consultant to ensure the building will follow the approved plan. Dan Wolfield asked the Board if this is something they should consider possibly tabling. Carol Sullivan notified Dan Wolfield that an architectural consultant offers guidance in the design. The architectural consultant was not needed at this time to solve their concerns about the aftermath of the construction. Carol Sullivan advised that Jim Anagnos and Dan Barusch are the ones who will ensure that the building had been built correctly. Dan Barusch stated that Jim Anagnos and himself will not have any issues and that a Certificate of Occupancy (or CO) will not be provided if the building isn't up to code.

Sean Quirk advised that he had been following the rules for Warren County. Dan Wolfield wanted to hire a professional. Dan Barusch advised that Jim Anagnos has been exceeding in catching residential and/or businesses not following the code. Dan Barusch continued to explain that when he stamps the plans, Jim Anagnos does come to his office and reviews them. Dan Barusch notified the Board that hiring a professional is their decision. However, they get hired for mostly site plans or storm-water management relations. It could be a possible to have it tied to architectural. Dan Barusch continued to state that Sean Quirk will not be receiving a CO if the building doesn't follow the plans. Carol Sullivan stated that historically, the project gets completed but the storm water and the landscaping don't get finished. With that stated, unfortunately a CO gets provided by the County. Carol Sullivan notified the Board that with the County providing the CO prior to full completion, that can cause complications for Dan Barusch. Therefore, a bond is only used for those two purposes. Dan Barusch added that the County has been providing temporary CO if he approves it.

Carol Sullivan opened a vote for the Board to make a decision on adding a bond. Walt Adams agreed that a bond is not needed at this time. Patricia Dow asked Sean Quirk how much the project will be costing him. Sean Quirk responded back with a three-quarters of a million dollars. Patricia Dow advised she is fifty-fifty on the bond. Dan Wolfield brought up concerns in relation to partial completion. Dan Wolfield expressed his concern about the location. King Neptune's currently is at a location in the Village where it's highly visible for the public. In addition, he had concerns about the business using an old CO to continue business while in construction. Carol Sullivan advised once construction had started, the business loses the old CO. Dan Wolfield

continued to express his concerns about prior projects being left uncompleted in the Village. Carol Sullivan understood Dan Wolfield's concerns and explained that the Board did a bond on the Surfside on the Lake.

Dean Howland expressed his opinion regarding the bond. Dean Howland advised Sean Quirk wouldn't start a project to not finish it. Dean Howland reviewed the materials printed in the plan. Dean Howland notified the Board that the LP Cedar chosen for this project will look just as nice in 10 years as long as it's being taken care of. Dean Howland explained that old cedar will curl if not addressed. However, if this hotel is expected to perform with high end hospitality, he doesn't see any issues. Dean Howland agreed with Walt Adams about not having a bond. Carol Sullivan reiterated Dan Wolfield's concerns and ensured all Board members made a decision. Dean Howland advised that the project is considered a major project to be completed prior to the summer season. Dan Barusch asked Sean Quirk what company will be completing the construction. Sean Quirk advised BBL Construction Company. Dan Barusch suggested that for the motion, the Board can include the requirement of submittals. Carol Sullivan and Dan Wolfield agreed with adding that requirement to the motion. Dean Howland commented on the fantastic work BBL has done to make businesses look nice around the area. Carol Sullivan reconfirmed with the Board their votes. Carol Sullivan advised that the Board will not be requesting a bond as Carol Sullivan, Walt Adams and Dean Howland voted no for the bond.

Dan Wolfield inquired about the expected timeframe for the project. Sean Quirk advised June but realistically, July or August 2023 for completion. Carol Sullivan reminded the Board that this will be listed as a minor construction project as everything is already there. Dan Wolfield asked the Board if the completion date can be added to the motion. Carol Sullivan and Dean Howland advised the date can't be added because there could be issues with receiving the products. Dean Howland advised he had no questions and commented on how the business will be once completed. Patricia Dow questioned Sean Quirk if he is expecting to replace any parts of the building. Sean Quirk notified Patricia Dow that he is not expecting that but it may occur so he will be prepared. Patricia Dow inquired on the age of the building. Sean Quirk advised the building was constructed in 1942 and explained the details of how the building looked back then.

Jon Lapper excused himself from the meeting at 6:44 PM.

Carol Sullivan asked the Board if they had any other questions in relation to the project. Dan Wolfield asked if there are any other changes to the plans. Sean Quirk explained that he had been discussing with the architect and he may switch the location of the bathrooms. Carol Sullivan advised that internal architecture is not their jurisdiction. The Board confirmed with Sean Quirk and Dan Barusch that the specific doors and stairs the Board addressed have been eliminated from the plan.

Carol Sullivan read the questions to the Short Environmental Assessment Form Part 2– Impact Assessment. All Voting Board Members stated “No, or small impact may occur” to all of the questions.

Patricia Dow made a motion to declare a negative declaration on Short Environmental Assessment Form Part 2– Impact Assessment form dated October 19, 2022 on 1 Kurosaka.

2nd MOTION: Dean Howland

Dean Howland	Carol Sullivan	Dan Wolfeld	Patricia Dow	Walt Adams	Patrina Leland
Aye	Aye	Aye	Aye	Aye	Absent

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

The Board discussed all elements that will be added to the motion with Dan Barusch.

Dan Wolfeld made a motion and stated as follows “to approve the hotel at 1 Kurosaka Lane, formerly “King Neptune’s”, to be used as primarily a hotel and we will approve the plans as presented with the materials and the materials key as presented. Being used as a hotel with a six-night minimum during in season with three-night minimums off season. The lower space, currently a patio, will be used as a boat rental area or in be designated as a commercial space to be used in that location. Currently this plan has five parking spaces and additional overflow mark parking will be designated to the Pancake House parking lot, currently owned by the same owner. Should any changes with that location change, additional location or an optional location will have to be designated for the overflow parking for the hotel use. We will require submittal of materials during construction for Dan to follow up on or our Zoning / Code Enforcement folks to follow up on submittals from the builder regarding materials. A few plan changes noted; there’s a door in the picture on the west elevation that will not be there. There are some changes as far as of removal such of stairs interior, interior stairs. There is a balcony and a small staircase on the balcony that will be removed as well. Noted and as far as signs that are in the plan, those current signs are just really designated locations. Those are not the signs being used and they will come back to the Planning Board for the signs for both or the two or three locations where signs are currently designated.”

The Board ensured all elements have been brought into the motion before ending Dan Wolfeld’s motion.

2nd MOTION: Walt Adams

Dean Howland	Carol Sullivan	Dan Wolfeld	Patricia Dow	Walt Adams	Patrina Leland
Aye	Aye	Aye	Aye	Aye	Absent

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

The Board notified Sean and Melissa Quirk that the Board has passed their project and they’re all set to go. Sean Quirk advised the Board won’t be disappointed.

TAX MAP: 251.18-3-48

APPLICANT: MELISSA SAVITZ

ADDRESS: 219 CANADA STREET – “LAKE GEORGE SHOP”

ZONE: CMU

APPLICATION: SPR#9-2022

Applicant is seeking approval for a façade change to her business, Lake George Shop. The applicant's plan only will include painting the whole outside exterior of the building with a more muted yellow color. There will be no other changes at this time.

Melissa Savitz was present to represent "Lake George Shop". Reviewing the application and the plans brought to the Board by the applicant, questions started flowing in relation to the colors on the color key. Carol Sullivan opened the discussion inquiring the applicant if the color yellow is her first choice for her business. Melissa Savitz confirmed. Carol Sullivan inquired on which color yellow she would prefer on her business. Melissa Savitz advised the top yellows are her picks. Carol Sullivan confirmed with applicant that the green colors are the applicant's second choices.

Carol Sullivan opened discussion with the Board on their opinions of the first two yellows shown on the color key. Carol Sullivan advised the top two yellows are too similar to the yellow that's on the building already. Patricia Dow agreed with Carol Sullivan. The Board came to an agreement to remove the top two yellows. Carol Sullivan notified Melissa Savitz that the Board will be eliminating colors as there are too many options. Dan Barusch confirmed with Carol Sullivan that it's the two yellows on the top left side of the page.

Dan Wolfeld advised that he picks the pale yellow to be the new color of the business. Dan Wolfeld advised the pale yellow is on the top middle of the page. Dean Howland advised the pale yellow would be the only color he'd choose out of the colors displayed. Walt Adams agreed with Dan Wolfeld and Dean Howland. Patricia Dow reviewed the pale yellow and the picture of the business submitted. Patricia Dow advised that the existing color on the building looks very similar to the pale-yellow color that's being requested. Dan Barusch and the Board reviewed and did agree with Patricia Dow's concern. Carol Sullivan proposed the applicant paint a small portion of her building the pale-yellow color and the Planning Board will go down together and review to ensure it's not the same color that's existing. Carol Sullivan explained that by the doorway should be the area that shall be painted. Melissa Savitz advised the pale-yellow is paler than what's on the building to her point of view but wouldn't mind painting a small portion.

Dan Barusch recommended the Board to pick a couple colors. The Board reviewed and agreed that the greens displayed will not distinguish the applicant's business as the business neighboring hers is a bright blue. The Board agreed that the greens shall be eliminated. Carol Sullivan suggested that there can be conditions added to the motion that include the applicant not coming back to the Planning Board if the Planning Board consents to the color after review. The Board agreed with Carol Sullivan's suggestion. Patricia Dow inquired the timeline as to when a small portion will be painted. Melissa Savitz advised that she will be out of town starting Thursday. Patricia Dow notified the Board she will be out of town next week. Carol Sullivan informed Debonnay Meyers to include Patricia Dow's absence in the minutes and to include the statement from Patricia Dow as such: "she will be comfortable with the four members making the decision." Dan Wolfeld notified the Board that he will be absent next week as well. Carol Sullivan advised she will be back on Tuesday of next week. Dan Wolfeld suggested to allow a couple of weeks for the applicant to complete and then they will assess.

The Board inquired if the paint could be done Thursday prior to the applicant's departure. Melissa Savitz stated she could paint prior to departure. Dan Barusch said due to the fall season coming to a close soon, he will allow Melissa Savitz to paint in the spring time. The painting will have to be completed prior to the on season.

Patricia Dow made a motion and stated as follows "to conditionally approve the painting of the "Lake George Shop" at 219 Canada Street with the color "Solaria". A little bit on the lower part to see if it's indeed paler-yellow than the current color. If the majority of the Board agrees that the color is fine then the rest of the building can be painted at your convenience, finish up by the spring."

2nd MOTION: Dan Wolfield

Dean Howland	Carol Sullivan	Dan Wolfield	Patricia Dow	Walt Adams	Patrina Leland
Aye	Aye	Aye	Aye	Aye	Absent

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

MINUTES:

JULY 19, 2022 (DH, PL, PD) & SEPTEMBER 21, 2022 (WA, DW, PL)

Debonnay Meyers notified the Board there will be no discussion of the prior meeting minutes. There was no motion made for the July 19 and September 21, 2022 meeting minutes as Patrina Leland was absent from the meeting. July 19 and September 21 meeting minutes will be addressed in the next Planning Board meeting.

Motion to adjourn by Carol Sullivan at 7:07 PM., seconded by Dean Howland, and unanimously carried.

Respectfully submitted,
Debonnay C.M Meyers