

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

Board members present: Robert Mastrantoni - Chairperson, Chuck Luke, Dan Wolfeld

Absent: Patricia Dow, Patty Kirkpatrick

Others present: Jim Bell (Brett's contactor), Robert Kramer (84 Cortland addition)

Robert opened the meeting at 7:05 PM.

**REGULAR MEETING**

**TAX MAP: 264.06-1-52**

**APPLICANT: ROBERT KRAMER**

**LOCATION: 84 CORTLAND ST**

**ZONE: RMU**

**SITE PLAN APPLICATION: 1151**

Applicant/owner is constructing an 8' x 13.6' addition (new kitchen) at the rear of the house. The house currently has two flat roofs on the front of the house. These roofs will be changed to pitched roofs. New siding will be applied to the entire house.

- Dan Wolfeld had questions regarding the roof lines. Bob Kramer was able to answer Dan's questions by drawing a design of the roof pitch.
- If the County requires a set of plans showing the roof pitch, Bob will have to bring those plans into the Village office to be stamped.
- The new siding for the house will match the siding and trim currently on the garage.

**MOTION:** Dan Wolfeld made a motion to approve the plans for 84 Cortland St. to change the flat roofs to pitched roofs and the addition of the new kitchen area in the back as specified in the plans with colors as shown on the garage.

**2<sup>ND</sup> MOTION:** Chuck Luke

Robert Mastrantoni	Patricia Dow	Patty Kirkpatrick	Chuck Luke	Dan Wolfeld
Aye	Absent	Absent	Aye	Aye

**TAX MAP: 251.18-3-13**

**APPLICANT: BRETT LANGE**

**LOCATION: 21 JAMES ST**

**ZONE: CMU**

**SITE PLAN APPLICATION: 1156**

Applicant/owner will destroy current one bay garage. A new 3 bay garage will be constructed. The new garage will have a 2 bedroom apartment upstairs.

- Jim Bell (contractor for project) represented Brett this evening.
- The garage doors will face Ottawa St. There will be 13 feet between the garage and the house with a 40' setback in the back of the garage and 10' on the side facing the residential home on the west.
- The driveway will remain in its current location with egress on James St. The current driveway is gravel.
- The second floor of the garage will be a two bedroom apartment. The County may require two exits from the second floor apartment. If they do require a second exit and Brett wants to put it on the west side, the garage will have to be moved in order to meet the 10' side yard setback requirement. Even though the property is in the Commercial Mixed Use district the 10 foot side yard setback is required because it is next door to a residential home.

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- Robert asked about whether or not gutters will be installed. Jim wasn't sure but pointed out there is not a gutter system on the house. Robert pointed out that it's always best to try and contain stormwater on site. Jim mentioned the driveway is currently gravel so stormwater should penetrate into the ground. The board discussed whether or not the driveway will ever be paved and some provision for gutters should be made because the driveway could be paved at some point in the future.
- The color will be red vinyl but Jim was uncertain about the exact shade of red and wasn't sure of the color for the trim. Jim said Brett had indicated he wanted it to look like a red barn. The foundation will be approximately 3 feet high and covered in stone, similar to the house. The Board expressed concern over using the color red; the house is more a Victorian style and not a farmhouse style. Jim said he would mention the Board's comments to Brett.

**MOTION:** Chuck Luke made a motion to approve the new construction of a 3 car garage with a second floor two bedroom apartment; setbacks are approved as shown and the construction as shown in the plans. Approval is contingent upon review/approval of the color chart. Approval is also contingent upon the installation of gutters on to the garage, going to a drywell, if the driveway or any other area is to be paved at any time. Approval is also contingent upon the installation of the cobblestone on all sides of the garage at the foundation level.

**2<sup>ND</sup> MOTION:** Robert Mastrantoni

Robert Mastrantoni	Patricia Dow	Patty Kirkpatrick	Chuck Luke	Dan Wolfeld
Aye	Absent	Absent	Aye	Aye

### **SQUARE FOOTAGE – MAYOR'S MEMO**

Carol explained to the Board there is a section of the Code which stipulates 500 square feet of retail space must be available. There has been an ongoing problem with exactly what that language refers to; does it include storage space, bathrooms, what about restaurants, etc.?

- Over the years we've seen a lot of stores divided into 2 stores, or more. Currently, the County regulates the interior of buildings and dividing a store is not as simple as putting up a partition. The County would consider this a building alteration which, in turn, would require compliance with all the current rules and regulations. Division of buildings requires new fire prevention compliance as well as ADA compliance and a number of other things.
- The Mayor is suggesting we change the section of the Code referring to this 500 square feet to:  
The minimum interior public floor area for each business fronting on Canada Street and Beach Road shall be 500 square feet. "Interior public floor area" means indoor floor area open to the public, used solely for the purpose of the business which occupies the space and does not include public restrooms.
  - a. Hotels, motels and professional office space as well as, businesses not located on the ground floor shall be exempt.
  - b. Any licensed business and/or space presently available that is not in compliance with the above may be continued unless the building is demolished or destroyed by fire and not rebuilt within one year.

#### **Boards Comments:**

- If, a small storefront becomes available, for instance Lakeside Deli, and a retail store goes into the space - how would that new business have to comply with the 500 square feet of public space. Is it grandfathered based on what the Mayor has in the memo? Or, would the new retail business have to comply with the new requirement? How are different uses affected?

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- Robert asked Doug what size his stores are at the Mayard Center. 800 square feet. The current pizza place in the Mayard Center probably doesn't have 500 square feet of public space nor does it need it. If that space becomes available and someone puts in a retail shop does the retail shop have to comply with having 500 square feet of public space?
- 500 square feet seems acceptable for total space but no public space.
- If 500 square feet is an acceptable amount of space then what difference does it make on how it is used?
- There are some shops that do not need 500 square feet of public space. A jewelry store, for instance, is mostly constructed of counters and cases. Someone can walk through and observe the items for sale but 500 square feet of public space isn't needed in order for the jewelry store to be operational. Enrico's in the Village Mall has a minimal amount of space to walk in but because of the way it's laid out with the counters, the space is adequate.
- There are take-out locations which are essentially window service out of a doorway. The Code was modified to add private property seating requirements and a 5 foot set back from the public right of way for establishments serving through doorways. There are some businesses that just do take out so they don't need a lot of floor space, however, there should be enough space to accommodate people so that people are not lined up out the door and down the sidewalk. Another requirement for these businesses (food establishments – take out) or any business could be that the counter space has to be set back 15 to 20 feet from the doorway.
- What is it that we want to regulate with this new 500 square foot requirement? Window service? Size of stores? If window service, have a setback for the counter. The size of store can be regulated by the frontage, the width of the store. If stores have to have 20 feet of frontage then it's difficult for them to be divided up. Current stores could be grandfathered until reconstruction.
- Can passage ways be regulated in a store? The Village doesn't have any responsibility for the interior stores, however, the County does through Fire Prevention.

### WINDOW DISPLAY

Discussion held for a future meeting when more members are in attendance.

### MINUTES

July 20, 2011 (RM, PK, CL) – hold for attendance.

October 19, 2011 (PD, PK, CL, DW) – hold for attendance.

**MOTION:** Chuck Luke made a motion to adjourn the meeting at 7:50 PM.

**2<sup>ND</sup> MOTION:** Patricia Dow

Robert Mastrantoni	Patricia Dow	Patty Kirkpatrick	Chuck Luke	Dan Wolfeld
Aye	Absent	Absent	Aye	Aye

Respectfully submitted,

*Carol Sullivan*

November 17, 2011