

APPROVED

**LAKE GEORGE VILLAGE
26 OLD POST ROAD
NOVEMBER 17, 2010
PLANNING BOARD MINUTES**

Board members present:

Robert Mastrantoni – Chairperson, Patty Kirkpatrick, Chuck Luke, Dan Wolfeld.

Absent: Patricia Dow

Others present:

Carol Sullivan (Secretary), Doug Frost (Enforcement Officer), Dan Brown (architectural consultant to the Board), Bruce Kilburn

Robert Mastrantoni opened the meeting at 7 PM.

TAX MAP: 251.18-3-55.11

APPLICANT: BRUCE KILBURN

SULLIVAN'S REXALL

ZONE: CR

SIGN APPLICATION: #1070

- The current sign was installed prior to the Village requiring sign permits. Therefore the sign must be brought into compliance with the current code. The orange façade will remain in place the lettering will be reduced to 12.6 feet wide x 2 feet high (25 sq. ft.)
- Bruce explained to the board he will keep the orange paneling for the façade and cut the language down so that it's 25 square feet just above the doorway. He explained that the orange paneling is a part of the building and behind that is the original Rexall sign.
- Patty expressed concern that only the lettering was being reduced to achieve the 25 square foot requirement. She felt the size of the sign would be the entire orange paneling. She felt Bruce should be required to make a sign. I.E. keep the orange paneling as part of the façade and make a sign to put over it.
- Robert suggested putting a boarder around the lettering to frame the lettering.
- Carol explained that when she and Doug looked at the application they felt the façade was the orange panel and the lettering whether framed or not was the sign. If the portion of the building that is currently orange was wood and an applicant said they were going to have a sign carved into the wood using gold leaf lettering it would be not different; the wood portion would be the façade and the lettering the sign.
- The board agreed the lettering should be framed so that the lettering does look like a sign. Bruce agreed.

MOTION: Patty Kirkpatrick made a motion to approve the Sullivan's Rexall sign, with lettering to be applied to the orange façade, with a decorative border around the words to comply with the 25 square foot requirement of the sign ordinance.

2ND MOTION: Robert Mastrantoni

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

Bruce asked the board, if he decides not to do the sign but to paint over the current sign does he need to come back before the board. The board agreed he did not have to return if he was not going to have a sign.

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LIQUOR STORE SIGN – CORNER OF CANADA AND SEWELL

- Patty discussed the 4 signs that needed to be revised in order to comply with the current ordinance. She pointed out the panel in the liquor store significantly changes the façade of the building and it should have been brought before the planning board.
- Carol mentioned that if the board feels the panel should be brought before the board, she and Doug can do that.
- Patty said she thinks it looks fine. They had a backlit sign which they've taken out and have inserted a beautiful panel.
- Carol said that she and Doug looked at it and did not feel it significantly changed the building but if the board feels differently, the store owner can be contacted and told they need to come before the planning board.
- Robert polled the board. Dan indicated he is not aware of it, when there was a sign or now. Robert indicated he has seen it and think its fine. Chuck Luke mentioned that he has not seen it and doesn't remember what the old sign looked like. Patty pointed out that the Sullivan sign and her sign are the only two signs that need to be revised, after hours of discussion at the Zoning Committee meetings and she asking – no signs will be grandfathered? The answer was no signs will be grandfathered. She mentioned she came before the Village Board in September and asked if she could take her sign down in the Spring, so she could take one down and put one up at the same time. The Mayor said no, we'd have to change the law.
- Patty pointed out the board gets into discussions about what color a house is going to be, or whether or not the color of the addition will match the existing house. The board has even asked people to return with color samples.
- Patty feels the board should be consistent in what they want to see and approve.
- Robert asked if the board wants to leave this topic open until everyone has seen the panel and then discuss it at next month's meeting.
- Doug mentioned if there's an issue about this or any other thing that didn't come before the board that's on the zoning office. Ultimately questions and applications start at the zoning office. In this particular instance the zoning office made the decision that the panel did not significantly change the façade of the building. Carol pointed out, since it is a façade change it would come under site plan review and subject to \$100 fee. Doug added, if the board or certain members that have seen it are happy with it what would be the point of charging \$100 for a site plan review only to indicate the façade is fine? Doug added the owner approached the zoning office and the decision was made that the change did not significantly change the look of the building. Chuck agreed that the zoning office should have some discretion when reviewing applications and answering questions.
- Patty mentioned her point was to try and get some consistency on what the board needs to approve and what it doesn't. As a matter of example she mentioned the Bella Luna sign. She feels there should be times when the board should be able to say the sign is well done. Sometimes the board looks at the very "letter of the law" and other times they don't.
- The board agreed to allow the panel and not make the owner come before the planning board.

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HOUSEKEEPING

- Carol reminded the board, since there are new members, about the Village policy for contacting our attorneys. The Village uses Mark Schachner for planning and zoning issues, Jeff Matte for issues in the court and Howard Krantz as our Village attorney for a variety of issues. It is Village policy that these attorneys not be contacted on Village issues by board members unless first approved by the Village office.
- Previously Patty brought to the Planning Board and Village Trustees the obscenity law and whether or not it could be used in addressing some of the problems in Village. In November of 2009 the Mayor wrote a memo to the Planning Board regarding the material Patty had provided from a conference she attended. In that memo, the Mayor provided two samples of code that he obtained from General Code and he recommended the Planning Board take a look at the NYS Penal Law. The Mayor was recommending that the Planning Board get back to him (after reviewing the information provided) on whether or not there is merit in moving forward on this topic. This topic was not addressed any further by the Planning Board. The board asked Carol to resend the information; they will review it and make a determination. Robert suggested this be a topic of discussion for the next Planning Board meeting.

SOLAR PANELS

- The planning board started developing zoning requirements in March 2010.
- Dan Wolfeld provided the board with additional information which he was able to obtain from Home Depot. He pointed out that Home Depot now has flyers for the installation of solar panels. He also provided the board with a pamphlet which shows the latest technology in roof modulars.
- Robert mentioned the goal should be to contain solar panels to areas that are less obvious than others especially on Canada St. He mentioned he thinks solar panels on rooftops are OK as long as they aren't visible on Canada St.
- Carol mentioned that the board could look at each zone and determine what would be acceptable in each zone. She added the board should consider what can be seen from the lake, in parking lots and in green space.
- Doug suggested adding a setback requirement when panels are installed on the roof.
- Dan Wolfeld mentioned that he has seen solar panels on the roof that are angled up and sort of look like a deck of cards on the roof.
- Carol mentioned that while this discussion is focused on solar panels the original discussion was focused on alternative energy devices which could include other items, such as windmills. The board should consider a broader picture than just solar panels.
- Patty mentioned that "going green" shouldn't be prohibitive because the Board has imposed standards that can't be complied with.
- Chuck expressed concern about setting standards now when this topic is quickly changing with what is available, the size of the units used to gather energy, etc. He mentioned maybe the way to approach this is to have everything come before the planning board so the board can see what is being installed.
- Carol pointed the board to the summary she wrote in March which summarized all the discussions the board had on this topic. In the previous discussions the board had already agreed to address alternative energy devices in the section of the code which refers to accessory structures, define alternative energy devices and to require site plan review.
- Patty expressed concern on how people will know that they have to come to the Village before installing panels. Carol mentioned that Warren County (she spoke to Waite Cowles) will require

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an engineer's report indicating that the roof can hold the additional weight created by adding solar panels.

- The board agreed there is a learning curve regarding this topic and this topic is quickly changing with what is available as an alternative energy device. They feel they need to see what people are thinking of installing and therefore, the code should not be too restrictive at first; they can see what people are thinking of doing and then if the code needs to be tweaked it can be.
- Based on tonight's discussion and previous discussions the board asked Carol to write up the change to the Code (Chapter 220). They will review it at the next meeting and determine if it should be sent to the Board of Trustees for consideration.

OTHER DISCUSSION

- Patty mentioned that she recently attended a class regarding stormwater management. One the discussions focused on the slant of sidewalks and how it affects the flow of stormwater. She pointed out that she learned the slope of the sidewalk in front of her building is too steep thereby allowing too much water to run into the gutter. As method of correction the instructor indicated flower beds could be added to collect the water. Patty indicated she brought this up because of the proposed redesign of the West side of Canada St. Doug advised she should take this information to the Village Board.

Robert made a motion to adjourn the meeting, seconded by Patty and unanimously carried.
Aye – 5 Nay - 0 Motion carried.

Respectfully submitted.
September 23, 2010
Carol Sullivan