

APPROVED

**LAKE GEORGE VILLAGE
NOVEMBER 19, 2008
PLANNING BOARD
MINUTES**

Board Members present:

Robert Mastrantoni, Dan Courtney, Dan Garay, Margy Mannix, Patricia Dow, Debbie Tirri (Alternate)

Others present:

Doug Frost (Code Enforcer), Carol Sullivan (Secretary), Mark Schachner (Attny. for the Planning Board), Dan Brown (Architectural Consultant for the Planning Board), Attny. Jon Lapper (Applicant's Attny.), Dan Ryan (Applicant's Engineer), Luisa Craig Sherman, Patty Kirkpatrick, Kathy Repath, David Redpath, Barbara Neubauer, Stephanie Merrill, Ellen ??? – 107 Mohican St., Mickey Magee Onofrietto, Chris Navitsky, Michael Pardy, Jacquie Freihoffer, Melissa Engwer, Anne Greco, Linda Duffy, Joe Mastrodemenico

Chairman Mastrantoni called the meeting to order.

HOLLY RAJ INC

TAX MAP: 251.18-3-71

ZONE: COMMERCIAL RESORT – OVERLAY

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

- The applicant asked today to be removed from the agenda since it appears the remaining issues are those to be addressed by consultants (traffic/safety, noise, stormwater and sewer capacity).
- Since this meeting is a continuation of the public hearing Chairman Mastrantoni advised the public that the applicant was not present this evening. He asked if there was anyone present who felt they had to speak this evening or if there was anyone present who would not be able to attend the December meeting and would like to be heard this evening. Chairman Mastrantoni advised the public hearing would remain open and at this point the board is waiting for information to be provided by the various consultants.
- Melissa Engwar – Monday night a group attended the Village Trustee meeting. Tonight Melissa provided a petition of 200 plus signatures of concerned citizens in Lake George to demonstrate public support for denial of this project and changes in the zoning code to protect the character of the village. Carol advised the board that copies of the petition are available at the village office and that it will become part of the public record.
- Melissa Engwar – asked about the historical marker that is “not too far” from where this project is proposed and whether or not there is any relevance to the miniature golf course because she had heard it is the oldest miniature golf course in the U.S. She asked if this is a historical landmark. Robert advised that a historical landmark is not part of our jurisdiction and Doug advised it would have to be registered as a historical landmark.
- Chairman Mastrantoni asked if there were any other public comments. There were none.

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ADIRONDACK WINERY**TAX MAP: 251.14-3-9****ZONE: CMU****APPLICANT: MICHAEL PARDY**

- A-frame sign – sign is in metal frame with a white background. The lettering can be changed.
- A discussion ensued over the use of a generic sign rather than a sign which includes the store logo and permanent lettering. Michael indicated expense was a factor in choosing the sign.

MOTION: Patricia Dow made a motion to approve the sign for Adirondack Winery as presented on a temporary basis for this A-frame season only and to allow this plain sign without the logo and anything personalized because it is their first winter of trying to stay open.

2ND: Dan Courtney

Robert Mastrantoni	Dan Courtney	Margy Mannix	Patricia Dow	Dan Garay
Aye	Aye	Aye	Aye	Aye

DUFFY'S CONVENIENCE STORE – CHANGE OF USE**TAX MAP: 251.14-3-36****APPLICANT: LINDA DUFFY**

- Chairman Mastrantoni introduced Linda's project clarifying that tonight's meeting is not a public hearing. Patricia Dow questioned the process and the need for a public hearing. Robert clarified that they have not yet deemed the application complete; the application must be deemed complete prior to scheduling a public hearing.
- Robert opened the discussion with Linda regarding the interior renovations to the convenience store. Robert questioned the location of the exhaust fans and the fact that the exhaust would be going into the alley. Doug advised he believes exhaust fans have to go through the roof and Linda indicated her installer would install it wherever it had to go. She also added the fan is only an exhaust fan and not a hood exhaust fan.
- Robert questioned Linda about the parking spaces. These "straight in" parking spaces as shown on the plans are 9' x 22'.
- Linda addressed the issues the board brought up at the last meeting.
 - Lighting: Linda advised the board the lighting will be changed to the lamp posts similar to those that the village currently uses. She provided the board with a picture.
 - Parking barriers: She would like to use medium size rocks (in keeping with the Adirondack theme). Something that would stop the vehicle from entering the café area.
 - 10% green space: The large planter in the center of the café will be 10' x 10'; the lot is 100' x 100'. Linda indicated she would like to have a "shade" tree in this area.
 - Interior layout: the board has received copies.
 - Umbrellas: If Linda has umbrellas they will be green fabric.
- Tables: Linda mentioned she would like to use wood picnic tables. The use of wood tables was discussed at the last meeting. The tables will be pressure treated, stained and sealed to prevent rotting. The tables will be stained either green or the same color as the building and fencing.
- The board discussed the use of rocks as vehicle stops. They offered a suggestion of using planter boxes which could serve as vehicle stops and provide more greenery. Linda said she would consider this idea.

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- Parking: Linda mentioned her design, as presented, still shows parking on the north and south side of the café. She only intends to have parking on one side and prefers the south side, however, she could use the north side if the south side is impractical. There's one parking space by the Bank Café which will accommodate handicap parking.
- Fencing: Linda provided a picture of the stained fence she will be using. The fencing will be all around the café. The corners will be open for foot traffic.
- Stain: The building, fence and possibly the picnic tables will be stained brown similar to the building on the north (previously Sunglass Shoppe).
- After reviewing the property survey, Patricia Dow questioned the location of the chain link fence on the property line between Duffy's Tavern and the Boardwalk. Patricia mentioned she believes the chain link fence is not on the property line. This discussion regarding the chain link fence pertains to Duffy's Tavern and not the property boundaries for the convenience store parcel.
- Robert Mastrantoni asked about storm water controls. Linda indicated she has thought about installing a dry well.
- The board discussed the use of wooden tables with Linda. She prefers wood in keeping with an Adirondack theme. This item remains outstanding; the board has reached agreement with other business owners for not using wood tables.
- Patricia Dow asked for the total capacity. Linda indicated there would be 4—four top tables inside. Also inside there is a counter with seating. Linda indicated the outdoor seating she is showing is dependent on how many tables she can comfortably place in the outdoor area as she does not want the area to be cramped.
- Dan Courtney asked if alcohol would be served outside. Linda responded that she was not planning on serving alcohol.
- Robert asked if she would be having "table service" and Linda indicated she thought she would.
- Patricia Dow asked about the location of the existing walk-in refrigeration. Linda pointed to the location on the plans and using the plans went over the interior design.
- SEQRA: It was determined Linda should complete a short form SEQRA which she completed at this meeting. The SEQRA Part II review will be conducted after the public hearing. Robert suggested the board review Part I; the board found Part I to be complete.

MOTION: Robert Mastrantoni made a motion to deem the application complete and to set the public hearing date for December 17, 2008.

2ND: Dan Garay

Robert Mastrantoni	Dan Courtney	Margy Mannix	Patricia Dow	Dan Garay
Aye	Aye	Aye	Aye	Aye

PROPOSED CHANGES TO ZONING CHAPTER 220

Section 220–17 – USE REGULATIONS.

- Recommended change to the introduction paragraph to ensure all applicable requirements of the code are met. Currently §220-17 requires meeting applicable requirements of "this chapter" (220) and not the entire code.

Section 220–18 – USE TABLE.

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- Adding “Adult Uses” to the Use Table. This use was omitted in error when the code was adopted. Chapter 55 provides for adult uses and therefore, reference should have been made in the Use Table.

Section 220-23 – OFF STREET PARKING

- Adding “Adult Uses” to the off street parking requirement table (parking determined at site plan review). This was omitted in error when the code was adopted.

Section 220-24 – SIGN STANDARDS

- §220-24 B (7) [10] – Changing to allow 6 “garage sale” signs to be posted off premise and they must be removed within 24 hours of the closing of the sale. Currently §220-24 A (4) does not allow off premise signs. This change will allow for off premise signs to be posted for “garage sales” and stipulates when they must be removed.

MOTION: Margy Mannix made a motion to accept the proposed changes, as presented, to Section 220-17, Section 220-18, Section 220-23 and Section 220-24.

2ND: Dan Garay

Robert Mastrantoni	Dan Courtney	Margy Mannix	Patricia Dow	Dan Garay
Aye	Aye	Aye	Aye	Aye

HANDOUTS

Holly Raj

- Dan Ryan, Vision Engineering, letter regarding sewer capacity.
- Reggie Burlingame, Lake George Village Sanitation Supt., letter regarding sewer capacity.
- Noise study proposal. To be reviewed by Village Board of Trustees at their Dec. mtg.
- Traffic study proposal and Dan Ryan’s comment letter. To be reviewed by Village Board of Trustees at their Dec. mtg.
- First page of the petition submitted by Melissa Engwar. The pages which contain the signatures are on file at the village office.
- Revised stormwater plan. Reviewed by Dave Decker and Dave’s report is attached.

MINUTES (to be addressed at the December Planning Board meeting)

August 2008 minutes - copies delivered with September agenda.

September 2008 minutes – revised document handed out to Robert, Dan Courtney, Margy, Dan Garay and Debbie at tonight’s meeting.

October 2008 and November 2008 minutes will be completed and handed out prior to the December meeting.

MOROTORIUM

Handed out:

- Local Law.
- Mayor’s memo on meeting times.
- Research document on other municipalities and how they handle “decks” and “outdoor dining”.
- Document of current establishments that have decks/outdoor dining and the percentage of the outdoor area compared to the indoor area.

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**OUTSTANDING ZONING REVIEW ISSUES – HANDOUTS FOR OUTSTANDING ZONING ISSUES
(SEPTEMBER BOARD MEETING).**

- Research on murals.
- Research on window displays.
- Memo on abandoned sign.
 - All of the above topics should be considered when §220-24 – Signs - is being reviewed for revision.
- Commercial Overlay District – Elan's summary of work completed thus far.
- Signs – Elan's summary of work completed thus far.

The board agreed to work on the moratorium first. They agreed to meet one hour before the start of the December 17, 2008 planning board meeting; they will meet at 6 PM. The board agreed this first meeting will be for discussion purposes and therefore, Attny. Mark Schachner does not need to attend at 6 PM. They also agreed to set up future "zoning" meetings at the December 6 PM meeting.

OLD BUSINESS

GEORGIAN - TIMESHARE

- Phase 1 – indoor pool, restrooms, restaurant renovation – waiting for letter of credit.
- When actual unit construction begins a landscape plan must be submitted.
- All phases will require a letter of credit for that particular phase.
- June 2008 – Carol spoke with Pete regarding renewing his permit. Advised he will need to send a letter into the village office requesting renewal for one year.
- Aug 2008 ltr req. extension rec'd.

LAKECREST – DECK ON RESTAURANT

TAX MAP 251.14-3-30

APPLICANT: SUNG (JAMES) KIM

ADDRESS: 366 CANADA ST

ZONE: COMMERCIAL RESORT – PARTIAL OVERLAY

SITE PLAN APPLICATION: 0768

- The Owner is proposing adding a deck to an existing restaurant.
- 3/19/08 – Deck, flower boxes and furniture approved. Waiting for lighting plan and awning or umbrella plan.
- 6/12 – asked to be withdrawn from the May 21st agenda and will pursue at a later time.

VILLAGE MALL – DECK ON SECOND LEVEL OVERLOOKING SHORELINE

TAX MAP: 251.18-3-57

APPLICANT/OWNER: SEAN QUIRK

ADDRESS: CANADA AND LAKE WALK

ZONE: COMMERCIAL RESORT - OVERLAY

SITE PLAN APPLICATION: 0805

- 3/11/08 – Spoke with Sean. He will delay this until the Fall 2008. Wants to redesign the deck taking the Board's comments into consideration.
- Waiting for color samples for repainting the exterior of the mall. Shingled overhang will be one color and balance another.

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PANCAKE HOUSE

- Drive thru.
- DOH has sent a letter to the owner indicating the drive-thru is expected to be completed and operational for the 2009 season. DOH has also asked for plans/drawings to be submitted by October 30, 2008. Changes to the plans may be required to ensure compliance with the NYS Sanitary Code. A pre-operational inspection will be completed by the DOH and the DOH must receive a certificate of occupancy.
- 11/19/08 – Appears the drive-thru is almost complete and will likely be operational for the 2009 season.

VILLAGER (11/08)

- The board discussed the status of the current new construction which is not yet complete. Points of concern are the lower deck façade – it should be small bricks and the cement next to the sidewalk was poorly poured. Doug will check into this in the spring when the owner resumes construction.

MOTION: Robert Mastrantoni made a motion to adjourn.

2ND: Margy Mannix

Robert Mastrantoni	Dan Courtney	Margy Mannix	Patricia Dow	Dan Garay
Aye	Aye	Aye	Aye	Aye

Meeting adjourned.

Respectfully submitted,
Carol Sullivan
December 2, 2008