

**LAKE GEORGE VILLAGE PLANNING BOARD MEETING
NOVEMBER 20, 2024 – 5:00 PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY
MEETING MINUTES**

Board members present: Carol Sullivan (Chairperson), Patricia Dow, Kevin Merry, Walt Adams, and Dean Howland

Board members absent: Patrina Leland

Others present: Debonnay Meyers (Planning & Zoning Clerk), Dan Barusch (Director of Planning and Zoning), Ethan Hall, Laura Kohls, David Kenny, Jon Lapper, Heather Courtney, Ronald Viola, Mark Grabo, Mark Schachner, and Glen Bruening.

Carol Sullivan called the meeting to order at 5:00 pm.

NEW BUSINESS:

APPLICATION: SPR#14-2024

APPLICANT: RYAN CLARK

TAX MAP: 251.14-4-22

ADDRESS: 109 SCHUYLER STREET

ZONE: RESIDENTIAL MIXED USE

Applicant is seeking approval to add a master suite and an office area to the first floor of his single-family dwelling. These new additions will be located on the north end of the building. There will be interior renovations to the existing building to accommodate new access to the additions. There will be no changes to stormwater management and the estimated cost for the overall project is \$100,000. The timeframe for completion would be approximately 180 days. Estimated start time would be late fall of 2024 or early spring of 2025.

Carol Sullivan asked who would be representing the 109 Schuyler Street project. Ethan Hall introduced himself as the engineer of Rucinski's Architecture and identified himself as the representative for the project. Ethan Hall then conducted his opening statement by stating that the project was just an addition to the side of the building. He explained that the addition included one master suite, one master bathroom, one closet, and an office space in front of the building. Ethan Hall then showed the Board where the additions were to the proposed drawings. He indicated that his renderings show the exterior elevations, the full layout of the property, and a full breakdown of the floor plan for each story. Ethan Hall concluded his opening statement by informing the Board that the addition wouldn't be seen from pedestrian right-of-way and that the three windows shown on the north end of the building would remain.

Carol Sullivan asked the Board for their questions or comments. Walt Adams asked if there would be any changes to the building's height. Ethan Hall replied with no and then further explained that it would be lower than the existing ridge. Walt Adams then inquired about the stormwater run-off. Ethan Hall told the Board that there would be a flat roof, so the snow would remain there until it melts. He also showed the Board on the renderings where the existing drip lines were and showed them where the run-off would go. Patricia Dow asked if the addition be considered a story and a half. Ethan Hall said it would be a one-story addition. Dean Howland asked if the addition would match the existing façade to which Ethan Hall

said yes. Dean Howland wanted to mention that he lives around the corner from this house, and he indicated that the house looks very nice. Ethan Hall said Ryan Clark did an amazing job with the house and that Ryan Clark plans to keep his property secluded. Dan Barusch asked how they would reach the backside of the house without cutting down the trees. Ethan Hall said they would get around it by going to the side of it. He also indicated that a pump truck would be needed to pump the concrete. Kevin Merry asked if all the hedges were staying to which Ethan Hall said yes.

Before the motion was made, Dan Barusch asked the Planning Board their thoughts on about hosting a public hearing. The Planning Board pondered on the question and asked him why he was asking that question to which Dan Barusch replied with adjacent neighbors. The Planning Board asked if it was because of the construction. Dan Barusch replied with no. Carol Sullivan asked the Board how they felt about waiving the public hearing. Walt Adams said he was fine with it. Patricia Dow asked if the neighbors were inquiring due to their concerns of it being invasive. Dan Barusch said it was because they live next door, and they wondered why they weren't informed. He also explained that per our Village code, there's nothing codified mandating that public hearing regulation. So, if this Planning Board felt a public hearing was necessary, they could host one; but if they felt it wasn't, they don't need to do anything. Ethan Hall wanted to chime in to state that Ryan Clark did speak with the neighbor. Dan Barusch asked what the results were from that conversation. Ethan Hall replied with the neighbor was fine with it as long as it wasn't near the property line. Carol Sullivan asked if making the motion was necessary at this point. Dan Barusch expressed that there should be one, just in case.

Carol Sullivan then asked the Board again for their input, starting with Patricia Dow. Patricia Dow said she was in agreement with waiving it as it didn't have any impact on neighboring properties. While the Board was conversating, Dan Barusch asked Ethan Hall about the sewer and water lines. Ethan Hall showed Dan Barusch where those lines were on the rendering and explained that due to its' location, they were able to tap right into the line without any issues. The Board came to the determination to waive the public hearing.

Carol Sullivan made a motion for this application at 109 Schuyler Street, tax map 251.14-4-22, is exempt from a public hearing.

2nd MOTION: Patricia Dow

Carol Sullivan	Patricia Dow	Walt Adams	Kevin Merry	Dean Howland
Aye	Aye	Aye	Aye	Aye

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

Walt Adams made a motion for the applicant Ryan Clark at tax map 251.14-4-22 at 109 Schuyler Street, to be approved as requested.

2nd MOTION: Carol Sullivan

Carol Sullivan	Patricia Dow	Walt Adams	Kevin Merry	Dean Howland
Aye	Aye	Aye	Aye	Aye

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

Patricia Dow recused herself at 5:11pm and moved to sit in the audience.

APPLICATION: SPR#13-2024

APPLICANT: MARINE VILLAGE – LAURA KOHLS

TAX MAP: 251.14-3-31

ADDRESS: 370 CANADA STREET

ZONE: COMMERCIAL RESORT

Applicant is seeking approval to remodel existing structures as well as update façades for their business, Marine Village. The plans will include removing the pavement around existing buildings to add green space, removing the small two-room structure at the east side of the property, and adding a second story to the existing southern single-story structure to house nine additional guest rooms. The nine additional guest rooms will have access to an elevator and a staircase. The project would be stormwater exempt as they are not adding any impervious surface. The façade change would include adding new cream / tan-color siding that would correspond with the other buildings on the property.

Carol Sullivan asked Jon Lapper if he would be representing Marine Village to which Jon Lapper said yes. Carol Sullivan indicated that before any opening statements were conducted, she wanted to go over a couple of things in relation to the public's letters. She asked Jon Lapper if they had reviewed Patricia Dow's letter to which they said yes. Carol Sullivan stated that the letter had several points of interest, and she felt that they should go over it. She then asked Jon Lapper if they had considered anything in the proposal. Jon Lapper replied yes and indicated they were offering the following resolutions: adding frosted windows, planting eight six-to-eight-foot cedars at the section of property that doesn't have the fence up top, removing the corners and part of the back to follow the 10-foot setback, and cleaning up the entire back area to make it more attractive for the neighbors.

Carol Sullivan indicated there was mention of opening a culvert and existing bankment. Jon Lapper confirmed that there was an existing, underground culvert; but he ensured the Board knew that the Kenny's didn't have the authority to change it. Carol Sullivan changed the topic to discuss the green space. She indicated that there was mention of a building being torn down, but then she thought that those plans had changed. Jon Lapper explained that the building was going to be removed; but they had to make changes to the plan so they could accommodate the neighbor's concerns. He stated that the original plans housed nine units on the second story; but because they decided to move the stairs and elevator inside, they had to remove two units. Carol Sullivan asked Jon Lapper if the nine units mentioned in the letter were the seven units shown in the plans, and Jon Lapper said yes. Kevin Merry asked if the plan was to have the existing building dropped. Jon Lapper replied with no; and indicated that the corners would be cut, and the back would be removed to follow the 10-foot setback. He also added that the laundry room would be removed, the back of the property would be cleaned up, and eight cedars would be planted. Kevin Merry asked how much taller the building would be. Jon Lapper said 39 feet. Kevin Merry asked what the existing height was now. Ethan Hall said 21 feet and change. Kevin Merry calculated an 18-foot difference to which both Ethan Hall and Jon Lapper said yes. Jon Lapper wanted to inform the Board that there would be no lighting at the back of the building. Dan Barusch asked if the deck would have lighting. Ethan Hall said there may be lighting on the posts, but nothing would shine onto the neighboring properties.

Kevin Merry wanted to circle back to the cutting of the corners. Ethan Hall showed Kevin Merry on his rendering what corners would be removed. He indicated that cutting the corners would make the building compliant as it would follow the 10-foot setback regulation. He continued the conversation about the

corners stating that they plan to build a wall inside the existing building, plan to cut the existing roof, and cut it to existing grade. Ethan Hall then showed the Board the rendering showing the back of the building. He explained that the back of the first story would come off. Carol Sullivan asked how they were going to get equipment back there to clip the corners. Ethan Hall said they would demolish it from the inside. Carol Sullivan wanted confirmation that a backhoe wouldn't be needed. Ethan Hall said there was no way it would fit back there.

Carol Sullivan turned the topic to discuss the embankment. She wanted to ensure that there wouldn't be any destruction to it. Ethan Hall said not at the end of the building because that was at grade. Carol Sullivan said the embankment was stable because of the growth that's there; but if that growth gets tampered with, it may cause destruction. Ethan Hall indicated that if there were any trees cut, they would be cut down to grade and the stumps would remain. Ethan Hall added that there would be additional planting back there to further stabilize the area. Kevin Merry questioned the number of trees being taken down. Ethan Hall confirmed the number as four and then showed the Board the trees location. Kevin Merry asked if all the trees were on the Kenny's property. Ethan Hall said yes and mentioned that all the trees taken down would be maple.

Carol Sullivan wanted to ensure she had accurate information. She compared her notes with Ethan Hall and there was a consensus that four trees would be removed, and eight trees would be planted. Carol Sullivan then questioned if the cedar trees would turn into hedges. Jon Lapper explained that they would be six-to-eight feet to begin with, but then would expand to be taller than the fence. Carol Sullivan wanted to ensure that what they were doing wouldn't disturb the embankment. Jon Lapper assured the Board that nothing would happen to it. Carol Sullivan changed the topic to discuss privacy concerns. She mentioned there was talk on frosting the windows, having the stairwell enclosed, and for trees to be planted to which Jon Lapper confirmed each point.

Before Carol Sullivan could move forward, Ethan Hall indicated that they had plans for the open deck. He said they intend to install a removable wall that would measure five feet six inches, and that will aid in preventing guests from looking at the neighboring properties. Carol Sullivan questioned the noise level. Ethan Hall said he believed that the temporary wall would prevent majority of the noise. Carol Sullivan said the public commented a lot about noise, which would be expected being next to a resort; but she wasn't sure how the Board felt about contributing to the existing noise. Jon Lapper said that that the noise could be coming from other commercial businesses nearby. Dan Barusch asked if they planned to have tables and chairs on that deck. Laura Kohls indicated there was no design locked in for the deck yet; but there was a possibility of having Adirondack Chairs up there. Carol Sullivan asked if it would be a typical hotel deck, such as having tables, chairs and umbrellas to which Laura Kohls said yes.

Kevin Merry wanted to discuss the layout of the surrounding properties and how increasing the height could bring impacts to those properties. Kevin Merry indicated that he toured the area, so he had a better understanding of the layout; and he noticed a blue house. He said the blue house would be impacted as their view of the lake would diminish. Ethan Hall replied with the removal of the two end units would help that impact. He also added that there was no view of the north. Kevin Merry asked Ethan Hall to come up, so they could review the plans and the pictures together. While Ethan Hall and Kevin Merry were conversating, Carol Sullivan reminded the Board that views were not protected unless local legislature states otherwise.

Dean Howland asked if the point of adding a second story to that building was for those new units to have a lake view to which the reply was yes. Dean Howland mentioned he had been working in the Village for 50 years and he had concerns about the cedar trees. He said the trees would be great blockers for the brown houses beside the property; but the houses uphill would have another object in the way of their view. His major concern about the whole project was the risk of decreasing someone's property value. Jon Lapper said the trees were a condition to mitigate some of the neighbor's concerns. Dean Howland told Jon Lapper that he understood that, but he wanted to let the Board know his thoughts and feelings about it. Dean Howland also wanted to add that he has a cedar tree and every year he must bring it down 12 inches, so it remains 12 feet tall. Jon Lapper told Dean Howland that he was willing to follow the Board's tree maintenance regulations. Carol Sullivan said those regulations could be added as conditions, but they would need to be monitored. Dan Barusch chimed in and expressed that he didn't understand why they were putting cedars in front of the portion of the building that was not getting a second story. Jon Lapper said the trees would be used to separate the properties as the brown cabins were directly near the property line. Dan Barusch informed the Board that the trees would be used as a landscaping buffer; not meant to hide the building, but to use it as a property line indicator. Jon Lapper added that planting the trees would help the cabins have more privacy.

Dean Howland wanted to shift the conversation to talk about stormwater management. He stated that with the height increase, it would add an additional foot the water would have to fall from. He asked how they would work around that. Ethan Hall took the time to explain the existing system and then showed them on the renderings. Dean Howland asked how big the drywells were. Ethan Hall said there were no drywells; but they were catch basins and that they were all piped together. Dean Howland indicated that he needed more information on this. He explained that due to the height increase, it would increase the velocity of the water, and the existing system wouldn't handle that. Carol Sullivan asked if more details could be brought to the Board. Dean Howland asked if there would be mulch or stones on the ground. Jon Lapper chimed in and stated where the laundry room was would have an impervious surface. Dean Howland said he understood that, but he wanted to know how they would prevent holes in the ground. Ethan Hall said they would catch it by them going through the downspouts.

Carol Sullivan wanted to ensure she understood what was being said. She indicated that there was an existing gutter system that was along the backside of the building that would carry the run-off down through the pipes to an existing storm drain. Ethan Hall said yes and added that there was a catch basin on the northeast corner. Carol Sullivan asked if he knew the size. Ethan Hall said it measured two feet by two feet and that there were several pipes coming from different areas throughout the property that were in the drain. Carol Sullivan asked if the catch basin catches all the run-off off the existing building. Ethan Hall said yes. Carol Sullivan told the Board that to her understanding, there wouldn't be an increase in run-off. Ethan Hall stated that it would decrease the run-off as they plan to remove the first floor. Carol Sullivan asked if the existing catch basin's size was enough to hold all the run-off and be able to handle the changed velocity of the water to which Ethan Hall said yes. Dan Barusch reminded the Board of the difference between a catch basin and a drywell. Dan Barusch then asked Ethan Hall if there were any existing drywells on the property. Ethan Hall said there was one in the greenspace area on the property. Carol Sullivan asked if he was sure there was one existing. Ethan Hall said yes as there were no existing flooding issues on the property.

Carol Sullivan wanted to steer the conversation back to discuss the building's structure. She indicated that she had concerns about the building not being structurally sound during the removal of the building's

corners. Ethan Hall indicated that the building had structural steel roof trusses with a plank roof that was easily modifiable. He also added that there was concrete masonry that had no cracks; but did have shrinkage cracking, which was normal. He concluded by saying that the building was not moving around, and that they were working with a structural engineer. Carol Sullivan asked if the structural engineer would be the one advising everyone on how to handle the removal of the corners. Ethan Hall said yes and added that the building must be structurally sound in order to go through the building permit process. Dan Barusch asked Ethan Hall if there could be a summarized, written assessment that could be submitted to the Board. Ethan Hall said they could do that.

Dean Howland asked if they had any thought of reducing the building's height by 10 feet to add a second story. He indicated that it wouldn't give those new units a view of the lake, but it would mitigate some height concerns. Ethan Hall said no because there was an existing mezzanine in the building. Carol Sullivan asked for the location of the mezzanine as she didn't know it existed. Ethan Hall said the mezzanine was located on the western portion of the building. Dan Barusch asked where the laundry facilities would go. Jon Lapper said inside the building. Carol Sullivan asked if there were existing venting for laundry and kitchen to which Jon Lapper said yes. Dean Howland asked what their plans were for the exterior façade. Ethan Hall said they plan to use horizontal siding. Dean Howland questioned whether that would be the whole building or the second story. Ethan Hall replied with the second story only. Dean Howland then asked what the color of the siding would be. Ethan Hall said it would be the Marine Village green color. Dean Howland indicated there were a few things that would be considered "stark contrast" in the back. Jon Lapper said they would be willing to cover the existing block.

Carol Sullivan shifted the conversation to discuss the back, frosted windows. She asked if those windows were egress to which Ethan Hall said yes. Carol Sullivan asked where they would egress to. Ethan Hall said that the situation was similar to a second story of a residential house. Carol Sullivan indicated that residential and commercial were two separate entities. Ethan Hall did state that it was true; however, all they had to do was provide an escape to the outside. Carol Sullivan asked if they were not required to install fire stairs or even a ladder, and Ethan Hall said yes. Carol Sullivan asked if the guest was expected to hop out of the second story window and land onto the cedar treed embankment. Ethan Hall nodded and said that was all that was required; but did mention that there was an existing inside sprinkler system installed.

Dean Howland shifted the topic to discuss noise concerns. He said that having an outside deck could significantly increase the noise level by a lot. He provided the example of someone sitting by the lake. He said that if that person whispered, those whispers could be heard from all around the lake. Walt Adams agreed with Dean Howland on his statement and stated that he had concerns about noise pollution as well as light pollution. He wanted to mention that he will always advocate for businesses as he always wants to see them thrive, but he will not support them if it impacts and/or encroaches on the full-time residents. Dean Howland asked the audience who owned the brown cabins. Ronald Viola said he did. Dean Howland asked if he rented them. Ronald Viola said he had year-round renters living in the cabin closest to the lake and he also has family and friends living in the others.

Kevin Merry asked if the dimensions of the deck would be 28 by 58 feet. Laura Kohls said it would be 26 by 49 feet. Kevin Merry then inquired about the 8 by 6-foot measurement shown in the rendering. Laura Kohls said the existing building was 49 feet deep, then Ethan Hall indicated that the 8 by 6-foot measurement was the overhang. The conclusion of the deck conversation was that the deck would

measure the 28 by 58 feet as that would include the 26 by 49-foot deck and the 8 by 6-foot overhang. Dean Howland had questions in relation to the clip and the existing roof. Ethan Hall showed Dean Howland that the area was on the first floor, and that the first-floor portion would be removed.

Carol Sullivan wanted to recap what was talked about thus far, so everyone was kept in the loop. She indicated that there was mention of frosted windows. She asked the Board if that was what they wanted to condition, and the Board said yes. Carol Sullivan then indicated that the stairwells would be enclosed and that there would be no lighting at the back of the building. She then mentioned that there would be bollard lights, and a privacy wall installed on the deck. She stated that the purpose of the privacy wall was to mitigate noise coming from there to the residential neighborhood. Carol Sullivan then asked the Board if they were alright with everything mentioned thus far to which the Board said yes. Carol Sullivan then brought up the cedar trees. She indicated that they would be placed along the backside and would measure approximately six to eight feet. She asked the Board if there was determination made amongst them for creating a condition to control the height. Dan Barusch told the Board that they could create that condition; but they had to keep in mind that by the time the trees get that height, the likelihood would be that none of the Board members and/or the Planning and Zoning office would be around. Carol Sullivan indicated that conditions could be made but when roles get turned over and/or documents get lost, the conditions get lost with it.

Dean Howland said he was more concerned as to where the trees would be placed than the follow up of the condition. He explained that he wouldn't want to restrict the blue house's view any more than what's necessary. Dean Howland asked if the deck would be the same height as the existing roof. Ethan Hall said it would be the thickness of the new floor. Dean Howland then asked about the pitch. Ethan Hall said he was going to follow what existed. Dean Howland inquired if that would suggest that the deck wouldn't be placed on the north side to which Ethan Hall said yes. Carol Sullivan redirected the conversation to shift it back to the cedars. She asked the Board if they would like to do the condition or not. The Board concluded not adding a condition for height, but they would want to know the location of where they would be planted.

Carol Sullivan continued with her list and said that there was mention of cutting down trees. She said she recalled there being four cut down trees and those trees would have their stumps remain in the ground. Jon Lapper said yes. Dan Barusch asked for clarification on which trees would be removed. Carol Sullivan said the Board would need to know which ones would be removed. Ethan Hall assured the Board that they would provide that information to them. Dean Howland asked Ethan Hall if he had advanced drawings yet to which Ethan Hall said no. Carol Sullivan said in her notes, she wrote down that the deck would be a typical hotel deck that would include tables, chairs, and umbrellas. Dean Howland added that those items couldn't be added anywhere else other than the back area due to the pitched roof. Carol Sullivan asked the Board if they would like to request more information regarding the deck; and if the answer was yes, what. Dean Howland said he wanted more information to see more of the deck in the drawings to get a better understanding of it. Ethan Hall said the existing drawings show the deck. He used his renderings to point out the deck and the surrounding areas. Dean Howland asked what roof the building had existing. Ethan Hall said the roof was pitched flat. Ethan Hall also added that his other renderings show more of the details Dean Howland was looking for. Carol Sullivan then re-asked Dean Howland what he wanted to see more of. Dean Howland said more of the design such as a site plan drawing.

Dan Barusch asked the Board if they would like to hear his running list to which the Board said yes. Dan Barusch wrote down the following: the applicant will show the location of the new cedar plantings, will show what trees are being removed, and will provide an updated site plan drawing to show details regarding the deck. He continued saying there was discussion about lighting, and that the Planning Board should review the lighting ordinance to ensure their lighting follows that ordinance before moving forward. He also reminded the Board that they have the right to request a photometric plan. Ultimately the decision was up to them, but he expressed that they should request it. Dan Barusch then mentioned their comments about stormwater and gutters. He expressed that it was good that the Board asked for more details as they should see where the run-off was going. He reminded the Board that there was a difference between catch basins and drywells; and that the point of catch basins was to catch materials in the run-off, not for anything else. Dan Barusch concluded his list by stating that the Board requested something in writing from the structural engineer and that the applicant must cover the concrete block with siding. He said that block was shown on the backside elevation in the renderings.

Dan Barusch told the Board that he didn't mention the window glazing because it was already included in the application. He also didn't include the privacy wall and the covered staircase for that same reason. Dean Howland asked how guests could get up to the deck. Ethan Hall replied with the walkway, the staircase, and the elevator. Carol Sullivan asked the Board if they wanted a more detailed site plan. Dean Howland said yes and asked for a balloon test. Dean Howland requested the test because he felt that it would impact those south of Marine Village. Carol Sullivan indicated that it could be done if the Board wanted it. Carol Sullivan asked each Board member if they wanted it done and each one said yes. Carol Sullivan wanted to bring up one issue they may experience with the balloon test during this time, and that was the temperature. She said if the temperature gets too cold or windy, it could affect it. Dan Barusch told Carol Sullivan that if it's windy, the balloon can remain there. However, Dan Barusch said his concern would be with the trees that are on the west end in the center. Dean Howland stated they could maneuver around that.

Walt Adams asked the Board if they were thinking of doing the photometric plan. Dan Barusch said they were more than willing to request it. He explained that the photometric plan basically shows luminosity levels based on the location and the type of light. Dean Howland chimed in to state that on the deck, they would use low lighting so guests could see. Dan Barusch said they would add safety lights for guests to see. Ethan Hall indicated that there were mandates that had to be followed regarding lights in stairwells and elevators. Carol Sullivan asked Dean Howland how he felt about the photometric plan. Before Dean Howland could answer, Ethan Hall indicated that the bollard light would be as bright as a solar light. Kevin Merry asked if the lighting could be seen through the privacy screen to which Ethan Hall said no. Ethan Hall told the Board that it would be for ambient lighting, and it wouldn't be as bright as they thought it would be. Kevin Merry asked how high the privacy fence would be. Ethan Hall said five-foot six. Carol Sullivan asked how high it could be. Ethan Hall said as high as they would want it to be, but he was trying to ensure the view wouldn't be obstructed.

Dean Howland asked if they considered reducing the size of the deck. He said the deck could be cut in half to which the end of the proposed deck would be the stair entrance to the second floor. Ethan Hall said it wasn't considered, but it could be discussed. Dean Howland told the Board that by doing that, it would add more distance between the residential neighborhood and Marine Village. Carol Sullivan asked the Board if they would like revised plans to show a half deck. The Board said they wouldn't mind seeing that.

The Board took a minute to re-review the application to see if there was anything else that needed to be talked about. Dan Barusch told the Board that they were more than welcome to allow the public to speak. He said that they could either do it tonight or do it at a later meeting; but if they decide to table the application, they should consider scheduling a hearing. Carol Sullivan told Dan Barusch that she was considering allowing the public to speak tonight and then schedule a hearing at the next meeting. Dean Howland took a minute to explain his feelings about why the Board should request a more advanced site plan. He said that he felt it was necessary for them to have so they could get a better understanding of the design as well as get a better view of what impact it would bring to society. Jon Lapper told the Board that he appreciated all the feedback from the Board and that they would plan to reconsider some items mentioned.

Carol Sullivan turned to the Board and stated that she would like to hear from the public before moving forward with any other discussion. She then stated that once that was completed, she then would work with the Board to schedule a public hearing. Jon Lapper told the Board that Ethan Hall and himself had to be in Queensbury in an hour for another meeting; so, they would be able to hear the public's comments for 30 minutes. Carol Sullivan indicated she understood the time restriction and then asked the Board if they had any other questions before opening the floor to the public.

Carol Sullivan opened the floor for public comment at 5:58 pm.

Carol Sullivan asked each member of the public to wait to be called on by the Chairman, to not interrupt each other, and to state their name and their address for the record to make it easier for Debonnay Meyers to keep track of who said what. Carol Sullivan identified Mark Schachner and asked him to speak. Mark Schachner identified himself as the attorney from "Miller, Mannix, Schachner, and Hafner" law firm in Glens Falls and stated he was representing Patricia Dow, Heather Courtney, and Ronald Viola tonight. He also introduced Glen Bruening, who was affiliated with the firm as well. Mark Schachner said he shot his hand up first because he had another meeting to get to at 6:30pm in Wilton. He also assured the Board that he would be quick with his statement.

Mark Schachner started his opening statement informing the Board of SEQRA review. He indicated that this was a very important sub issue that most Planning Boards get criticized for, but not the Town or Village of Lake George. He praised the Board, stating that they take their time to ensure they're checking off every box. He then indicated that the Board had already given the applicant some homework, and that they were very appropriate homework assignments; however, what Mark Schachner was wondering if the Board would consider adding one additional item. He suggested having the applicant provide a formal visual impact analysis, and to have them fill out a SEQRA long form assessment form. He said that it could be beneficial to the applicant and to this Board. He concluded his statement by stating that doing the long form would bring up several items that were touched on, such as noise and light pollution; and items that weren't touched on that maybe the Board didn't think was a factor.

Mark Schachner and Glen Bruening left the meeting at 6:02 pm.

Carol Sullivan asked the Board if they wanted to request completion of the SEQRA long assessment form. Dan Barusch said they had multiple items to consider, and they should break it down into parts so there was no misinterpretation. He asked them to start with the balloon test then the long form. He asked whether they wanted to see the test completed prior to their return or after the meeting. Carol Sullivan

said the test should be done prior to the public hearing so the results could be discussed as a group. Carol Sullivan then turned to the Board and asked them if they were okay with that. Dean Howland said he was more focused on the stormwater than the balloon test. Carol Sullivan said they would work on the stormwater after, but they must figure out the timeline for the balloon test first. Dean Howland had questions about the long form. Dan Barusch explained that the long form would have questions similar to the short form, but the long form has sub questions. He provided an example of water quality. On the short form, it asks “will this be impacted?”. The choices provided for them are “minimal to none” or “moderate to huge”. On the long form, it would bring other categories such as wetlands, rivers, streams, and ponds. Dan Barusch continued by stating that some of those categories wouldn’t apply to the Village, but there may be questions the Board didn’t think of that could cause an impact.

Carol Sullivan polled the Board again to express their thoughts. The Board concluded to mandate the applicant to complete and submit the long form SEQRA form to the Board prior to the public hearing. The Board also requested the applicant to complete the balloon test and allow the Board the opportunity to review the balloon prior to the next meeting. Jon Lapper asked for the date of the next meeting. Dan Barusch said the meeting would be January 15, 2025, and the deadline to submit everything requested would be December 30, 2024. Dan Barusch asked Ethan Hall if he had been taking notes as to what was requested and Ethan Hall said yes.

Carol Sullivan opened the floor again for public comment at 6:06 pm. Carol Sullivan asked each member of the public to wait to be called on and to state their name and their address. Carol Sullivan said it was hard to determine who was who and who lived where as there were several faces present at the meeting with several houses scattered on Pine Point. Heather Courtney raised her hand and waited to be called upon. Carol Sullivan indicated Heather Courtney would be the first to speak. Heather Courtney said she was the owner of the blue house, and she was thankful for the Board for allowing the public to speak tonight. Heather Courtney indicated she had several concerns regarding the project. She said she understood that the Board couldn’t protect the view unless it was in local legislature, but she said that allowing the project would decrease her property value. She told the Board to come to her house during the balloon test so they could see her point of view. She explained that she understood the inability to plant trees near her retaining wall; but if Marine Village was meeting the 10-foot setback, why couldn’t they plant there? She said that she would be the most impacted as she would have the view of Marine Village, so Marine Village could at least provide plantings to make the view a bit better.

Carol Sullivan wanted to ensure she understood Heather Courtney’s request; so, she took the time to restate the request. The request was for Marine Village to plant plantings at the 10-foot setback to help shield and improve Heather Courtney’s view. Heather Courtney confirmed and indicated she knew that the plants wouldn’t grow overnight. Jon Lapper chimed in and stated that she could plant greenery on her side of the fence. Carol Sullivan asked Heather Courtney if that would be feasible. Heather Courtney replied with no and stated that they weren’t considering the layout of her property. She said that area was the only flat area they had throughout her property, and she uses that area to play cornhole and bocce ball with her family. Heather Courtney concluded planting something there would take away the enjoyment of her yard. Jon Lapper said what he said was the only offer.

Carol Sullivan halted the conversation to inform Heather Courtney that she can understand why Heather Courtney said no; but, unfortunately, the plantings at the setback line wouldn’t be feasible. Dan Barusch said he thought the cedars would be placed there. Jon Lapper said no, and indicated the cedars would be

elsewhere. Dean Howland said it could be do-able as long as they find something to keep it stable on the slope. Ethan Hall indicated it couldn't because of the pre-existing rocks. Dean Howland said he'd done it before with some of his own projects. Ethan Hall reiterated that it was not feasible due to the pre-existing rocks because they were boulders. Carol Sullivan then asked Ethan Hall and Jon Lapper to take the time to think of a resolution to help Heather Courtney get a better view. Heather Courtney wanted to add that the greenery would help resolve another issue she had.

Heather Courtney wanted to thank Marine Village for trying to resolve their light concerns by offering frosted windows; but even with that, it still wouldn't solve the issue completely. She said that there was still a chance of having light reflect on her property as the frosted windows would only cover so much. Carol Sullivan asked Ethan Hall if a photometric plan would be applicable for interior lighting, and he replied with no. Ethan Hall also wanted to elaborate on what the interior lighting would be like. He used the existing lighting of the meeting room and stated it wouldn't be as intense as that. He explained that there would be a couple table lamps with a ceiling mounted light in the middle of the room. Dan Barusch asked if curtains would exist. Ethan Hall said yes. The Board asked for what kind of curtains. Ethan Hall said black out curtains. Carol Sullivan reminded the Board that ultimately the curtains would be controlled by the inhabitants of the hotel room, and not every inhabitant would think of keeping them closed for the neighboring property.

Heather Courtney wanted to know more about the proposed windows as she continued to mention concerns about certain scenarios. She said she was under the assumption that they were double hung, so that would allow inhabitants to open the windows. Ethan Hall provided the windows would measure 3 feet by 5 feet and advised that all windows on the second floor follow a four-inch maximum opening. He added that the maximum allowance would prevent guests from falling out of the window. Plus, they would have to know how to operate the safety window in order for the window to open for egress. Heather Courtney asked if there would be one window in each unit. Ethan Hall said there would be two. Mark Grabo introduced himself for the record and joined the conversation to try and get resolutions for Heather Courtney. Carol Sullivan asked Debonnay Meyers if she got his name and Debonnay Meyers said yes.

Mark Grabo asked Ethan Hall what the requirement for egress was. Ethan Hall said they were allowed to have one three by five-foot window. Mark Grabo made it apparent that Marine Village wasn't required to have two three by five windows. So technically, they could decrease the number from two to one to have it follow the protocols for egress, but to also bring down some lighting concerns Heather Courtney had. Carol Sullivan asked Ethan Hall and Jon Lapper to see if it would be feasible before the next meeting. Ethan Hall said he would have to do some calculations to see if that's allowed. Dean Howland stated that there were certain rules and regulations that Marine Village must follow to ensure there's adequate ventilation and lighting in the room. So, depending on what percentage of natural light fills the room, that may not be a feasible option.

Heather Courtney wanted to inquire about the laundry room as she wasn't sure of its new location. Carol Sullivan said it wouldn't be in the back because the Board asked that already. Kevin Merry said it would be in the back with the kitchen. Carol Sullivan asked if the existing vents were down drafted to which she received a "yes" response. Laura Kohls asked Carol Sullivan if she could speak to clarify the confusion and Carol Sullivan consented. Laura Kohls introduced herself for the record and then started explaining the layout of Marine Village. She indicated that currently the washers and dryers were against the back

wall. Once the back wall was removed and the building would be brought to meet the setback, the washers and dryers would still be connected to the existing vents but would be 20 feet back within the bigger building. Heather Courtney then inquired about HVAC systems. She asked the location of those. Ethan Hall said they would be located on the ground on the east or west side of the building. There was back and forth discussion as to what HVAC system would be used. Carol Sullivan indicated that they should address what unit they plan to use and present those details at the next Board meeting.

Carol Sullivan then asked what they plan to use for HVAC for the second story. Ethan Hall replied with interior heads that will guide it to the ground mounted condensing system. Laura Kohls stated it would be like the ones at the Marriott. She then explained that they could be seen in the back parking lot, and she even offered to show them it if they came to the Marriott. The Board indicated they would like to do that. Carol Sullivan said the reason why she was asking these types of questions was because there were a lot of factors they must consider. She also added that there was light, vent, and noise concerns the residential neighborhood had, so it was appropriate for the Board to inquire about it. Ethan Hall indicated that it wouldn't add any more than what's existing.

Dan Barusch reminded the Board that Jon Lapper and Ethan Hall had to leave in less than 10 minutes; so, if the Board wanted to allow others to speak their mind and/or ask questions, they should do so.

Carol Sullivan opened the floor again for public comment at 6:19 pm. She indicated that if another person wanted to speak, they could as long as it pertains to the design changes and that they were quick. Carol Sullivan saw Patricia Dow's hand up and provided permission for her to speak. Patricia Dow stated that she wasn't sure if Marine Village had taken their feelings and suggestions into consideration. She asked why there wasn't a comprehensive plan presented and why Marine Village refused to provide alternatives. Patricia Dow continued by saying that Marine Village was not working with the residents. She mentioned that their neighborhood was pre-existing, way before the construction of Marine Village. Her aim was to show that this would not only affect her, but it would affect the residents and the Village. Patricia Dow started listing suggestions that were brought up by the residents, such as: opening the culvert, moving the proposed green space from the middle of the property to the residential side, and even constructing the seven units on another building on the property. She said all those suggestions were thrown to the side because it wouldn't benefit Marine Village.

Patricia Dow continued by stating that taking off the non-conforming corners, adding the cedar trees, and adding the privacy wall were all solutions that were not well thought out. Patricia Dow asked Marine Village to imagine this situation happening at their own home. Would they want a building that high to be next to their property? She asked Marine Village to reconsider their suggestions and to work alongside the residents to not only be a good neighbor, but to understand what impact this would bring to the Village all together. She said the residents understood that they want to improve their business, but they were not willing to have them update it to their expense. Patricia Dow then turned to the Board and asked them to review everything that was discussed and brought before them tonight before deciding.

Carol Sullivan asked Ethan Hall and Jon Lapper if they wanted to respond. She said it didn't have to be tonight; it could be at the next meeting. Jon Lapper explained that Laura Kohls and Dave Kenny had a vision for their property, and they plan to reconstruct it. He said that they had permitted use and permitted location, so they should be able to complete it if they want to do it. Jon Lapper wanted to add, that in the future, Dave Kenny and Laura Kohls plan on making other improvements to the property. Carol Sullivan

said they couldn't discuss the future as it doesn't pertain to what's being discussed, nor do they have the capability to control what happens. Jon Lapper told the Board that the project would improve the building's image drastically and would help boost the Village's overall image as well. Dan Barusch asked if there was a way for them to write a narrative that breaks down everything of what Marine Village has done to address comments and concerns. Jon Lapper said he would do that. Dan Barusch indicated that he had no idea that removing the two units was a way of addressing some concerns.

Dan Barusch then turned to the Board and started to tell them that they had the right to not follow what Patricia Dow suggested. He said if he was with the Zoning Board, he would tell them they had to request a comprehensive plan. However, because this was the Planning Board, they don't have to follow that requirement. Dan Barusch continued telling the Board that ultimately that decision was theirs and they had to make it. Dan Barusch told the Board his feelings on the matter, expressing that submitting the plan would ensure all alternatives, provided by both the public and the Board, were taken into consideration. Also, it would be an additional item in the file for future usage.

Jon Lapper wanted to say that they had been working hard altering the plans for over a month to appease the neighbor's concerns, but he said it was very unfortunate that the residents did not see what efforts Dave Kenny and Laura Kohls were doing for the residents. Dave Kenny wanted to mention his feelings on the matter. He said opening the culvert wasn't a feasible option because an opening would flood his property. Carol Sullivan asked if the water line was connected to Parrott's Pond and Dave Kenny said yes. Dave Kenny stood up and went up to the blown-up renderings to show the Board the stream. He told them that there would be basketballs on his property because it runs under the road, through the Northway, through the school, and ends at his property. Dean Howland asked if removing the two units was a way to try and solve the view issue. Dave Kenny said yes. He explained that the building at that location would be 27 feet tall instead of the initial 40 feet.

Dean Howland asked Dave Kenny if he had thought about widening out the rooms, bringing them forward, and leaving the back of the building the same. Ethan Hall said the further they go east; it would affect the view. Dean Howland said it wouldn't pertain to the bottom floor, just the upper floor. Before any further discussion could go on, Carol Sullivan saw Heather Courtney's hand go up and she called on Heather Courtney to comment. Heather Courtney reiterated it would be imperative if the Board came to her property during the balloon test so they could see what her view would look like. Carol Sullivan said they did do that, and they will come again. Carol Sullivan also added that the Board couldn't come as a group, they either had to come separately or as bundles of two. Kevin Merry asked if the balloons would cover the deck because to his understanding, it would only cover the four corners. Ethan Hall said it wouldn't. Kevin Merry stated that it would mean that the deck would remain low. Dean Howland joined the conversation by saying that the fence could block the view. Ethan Hall stated that the height was approximately four feet. Mark Grabo then joined the conversation. While the conversation about the fence continued, Carol Sullivan asked Debonnay Meyers if she knew who was talking to which she said yes.

Carol Sullivan took control of the conversation to indicate that the Board did ask Marine Village for a lot; but what was asked was imperative to the Board's decision. She continued saying that if the Board felt like they needed more documentation and/or there were any questions unanswered, the Board does have the right and the authority to table the application until the Board obtains resolution. Carol Sullivan asked everyone if they understood the Board's point of view on the matter. Jon Lapper thanked the Board for their time and said that he understood. He also indicated that Ethan Hall and himself must be excused

from the meeting as they must make it to their next meeting. While Ethan Hall and Jon Lapper were collecting their things, Dan Barusch told Carol Sullivan that the Board should table the application right away as it would be inappropriate to continue the conversation without them in attendance.

Carol Sullivan made a motion to table the application for Marine Village at 370 Canada Street.

2nd MOTION: Walt Adams

Carol Sullivan	Patricia Dow	Walt Adams	Kevin Merry	Dean Howland
Aye	Recused	Aye	Aye	Aye

Aye = 4 Nays = 0 Recused = 1 Absent = 1 Motion carried.

Dan Barusch told Ethan Hall to contact him if Ethan Hall had any questions. Carol Sullivan thanked everyone for being present at the meeting and for understanding the Board's point of view on the matter.

Ethan Hall and Jon Lapper left at 6:30 pm.

Patricia Dow rejoined the Board at 6:31 pm.

Before the meeting minutes were discussed, Debonnay Meyers and Dan Barusch got pulled aside by Ronald Viola because he had questions as to why he was not notified about the Planning Board meeting. Dan Barusch explained that properties 250 feet away from Marine Village were notified by neighbor notifications; but those notifications were only a requirement for public hearings. The meeting tonight wouldn't be considered a public hearing; therefore, he wouldn't have been notified unless he checked the Village website or went to Village Hall to see the meeting notice.

While that was being resolved, there were several conversations taking place that the audio recorder was picking up; but due to that number of conversations, majority of it was inaudible.

Carol Sullivan grabbed everyone's attention and indicated the Planning Board has business to attend to, so the side conversations must stop.

MINUTES:

August 21, 2024 (CS, PD, PL, KM, WA, DH)

Carol Sullivan asked the Board if they had any comments and/or corrections for the August 21, 2024, meeting minutes. Patricia Dow said she did. She turned to page five and read a sentence from the third paragraph down. She asked if Debonnay Meyers meant Dan Barusch explained the situation with The Lagoon or if someone else did. Debonnay Meyers replied with Dan Barusch as he was always the one who breaks everything down for everyone. Dan Barusch said to clear the confusion, change "his sign" to "The Lagoon's" sign. Debonnay Meyers assured the Board she would do that.

Patricia Dow then turned to page six and said the sentence had the word "is" in it. She continued by saying that it wouldn't make sense to have "is" in there because the Planning Board meeting minutes were after the Zoning meeting. Debonnay Meyers said the excerpt Patricia Dow was reading was part of the agenda. She concluded her explanation by saying that when she first started as the Planning and Zoning

Clerk, she was advised to copy and paste the agenda excerpt under the applicant's name in the meeting minutes. She never questioned it because that was how it was.

Patricia Dow stated she had one last correction that would've been under June 26, 2024, meeting minute approval. She said she wasn't recusing herself at the time as she was absent from the meeting. Debonnay Meyers realized her mistake and indicated she meant to put "abstained". She assured the Board she would make corrections to reflect that. Carol Sullivan asked if that would be the same for her and Kevin Merry. Debonnay Meyers said yes.

Carol Sullivan made a motion to approve the August 21, 2024, minutes with the changes referenced by Patricia Dow.

2nd MOTION: Walt Adams

Carol Sullivan	Patricia Dow	Walt Adams	Kevin Merry	Dean Howland
Aye	Aye	Aye	Aye	Aye

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

October 16, 2024 (CS, PD, WA, DH)

Carol Sullivan asked the Board if they had any comments and/or corrections for the October 16, 2024, meeting minutes. The Board had no commentary.

Carol Sullivan made a motion to approve October 16, 2024, meeting minutes as presented.

2nd MOTION: Patricia Dow

Carol Sullivan	Patricia Dow	Walt Adams	Kevin Merry	Dean Howland
Aye	Aye	Aye	Abstain	Aye

Aye = 4 Nays = 0 Absent = 1 Abstain = 1 Motion carried.

Motion to adjourn by Carol Sullivan at 6:40 pm., seconded by Kevin Merry, and unanimously carried.

Respectfully submitted,

Debonnay Meyers

Debonnay Meyers